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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1719/2000
of 2 August 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 3 August 2000.

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

Done at Brussels, 2 August 2000.

For the Commission
Pedro SOLBES MIRA
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 2 August 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0707 00 05	628	136,5
	999	136,5
0709 90 70	052	63,0
	999	63,0
0805 30 10	388	48,2
	524	78,7
	528	61,7
	999	62,9
0806 10 10	052	91,5
	220	124,4
	400	126,5
	508	135,1
	512	53,1
	600	71,1
	624	156,8
	999	108,4
0808 10 20, 0808 10 50, 0808 10 90	388	82,7
	400	89,9
	508	62,8
	512	73,6
	528	84,6
	720	72,4
	800	211,3
	804	81,7
	999	94,9
	052	101,1
0808 20 50	388	102,9
	512	51,7
	528	78,0
	720	118,7
	804	127,3
	999	96,6
0809 20 95	052	451,5
	400	256,1
	404	397,4
	999	368,3
0809 30 10, 0809 30 90	052	121,0
	068	104,9
	999	113,0
0809 40 05	052	24,3
	064	51,5
	066	46,6
	624	189,9
	999	78,1

⁽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 1720/2000**of 2 August 2000****fixing the maximum export refund for white sugar for the first partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1531/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular the second subparagraph of Article 18(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1531/2000 of 13 July 2000 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1531/2000 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the first partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1531/2000 the maximum amount of the export refund is fixed at 41,391 EUR/100 kg.

Article 2

This Regulation shall enter into force on 3 August 2000.

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

Done at Brussels, 2 August 2000.

For the Commission

Pedro SOLBES MIRA

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 175, 14.7.2000, p. 69.

COMMISSION REGULATION (EC) No 1721/2000**of 2 August 2000****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the market in sugar ⁽¹⁾, as amended by Commission Regulation 1527/2000 ⁽²⁾,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 3 August 2000.

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 2 August 2000.

For the Commission
 Pedro SOLBES MIRA
Member of the Commission

ANNEX

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

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,45	—	0
1703 90 00 ⁽¹⁾	9,01	—	0

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

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

COMMISSION REGULATION (EC) No 1722/2000**of 2 August 2000****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular point (a) of the second subparagraph of Article 18(5) thereof,

Whereas:

- (1) Article 18 of Regulation (EC) No 2038/1999 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 2038/1999 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 19 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account.
- (3) The refund on raw sugar must be fixed in respect of the standard quality; the latter is defined in Article 1 of Council Regulation (EC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽³⁾, as amended by Regulation (EC) No 3290/94 ⁽⁴⁾; furthermore, this refund should be fixed in accordance with Article 19(4) of Regulation (EC) No 2038/1999; candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995

laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽⁵⁾; the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination.
- (5) In special cases, the amount of the refund may be fixed by other legal instruments.
- (6) The refund must be fixed every two weeks; whereas it may be altered in the intervening period.
- (7) It follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 3 August 2000.

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

Done at Brussels, 2 August 2000.

For the Commission

Pedro SOLBES MIRA

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 89, 10.4.1968, p. 3.

⁽⁴⁾ OJ L 349, 31.12.1994, p. 105.

⁽⁵⁾ OJ L 214, 8.9.1995, p. 16.

ANNEX

to the Commission Regulation of 2 August 2000 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund
	— EUR/100 kg —
1701 11 90 9100	36,06 ⁽¹⁾
1701 11 90 9910	32,06 ⁽¹⁾
1701 11 90 9950	⁽²⁾
1701 12 90 9100	36,06 ⁽¹⁾
1701 12 90 9910	32,06 ⁽¹⁾
1701 12 90 9950	⁽²⁾
	— EUR/1 % of sucrose × 100 kg —
1701 91 00 9000	0,3920
	— EUR/100 kg —
1701 99 10 9100	39,20
1701 99 10 9910	38,10
1701 99 10 9950	38,10
	— EUR/1 % of sucrose × 100 kg —
1701 99 90 9100	0,3920

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

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

COMMISSION REGULATION (EC) No 1723/2000
of 1 August 2000
establishing unit values for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 955/1999 of the European Parliament and of the Council ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 1602/2000 ⁽⁴⁾, and in particular Article 173 (1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish

unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 August 2000.

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

Done at Brussels, 1 August 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 119, 7.5.1999, p. 1.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 188, 26.7.2000, p. 1.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 50	a) b) c)	34,82 207,05 294,55	479,18 228,42 1 404,76	68,11 27,43 21,42	259,63 67 426,92	11 744,79 76,74	5 794,08 6 981,40
1.30	Onions (other than seed) 0703 10 19	a) b) c)	37,73 224,33 319,13	519,16 247,48 1 521,98	73,79 29,71 23,20	281,29 73 053,14	12 724,79 83,14	6 277,54 7 563,95
1.40	Garlic 0703 20 00	a) b) c)	72,50 431,09 613,28	997,69 475,60 2 924,84	141,81 57,10 44,59	540,57 140 389,06	24 453,73 159,78	12 063,80 14 535,93
1.50	Leeks ex 0703 90 00	a) b) c)	45,99 273,44 389,01	632,84 301,67 1 855,23	89,95 36,22 28,28	342,88 89 049,06	15 511,05 101,35	7 652,09 9 220,17
1.60	Cauliflowers 0704 10 00	a) b) c)	55,28 328,68 467,59	760,67 362,61 2 229,99	108,12 43,54 34,00	412,15 107 037,01	18 644,29 121,82	9 197,82 11 082,64
1.70	Brussels sprouts 0704 20 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	29,53 175,58 249,78	406,34 193,70 1 191,24	57,76 23,26 18,16	220,16 57 178,05	9 959,58 65,08	4 913,38 5 920,23
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> <i>L. convar. botrytis (L.) Alef var. italica Plenck</i>) ex 0704 90 90	a) b) c)	74,29 441,71 628,38	1 022,25 487,31 2 996,85	145,30 58,51 45,69	553,88 143 845,50	25 055,79 163,71	12 360,82 14 893,81
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	84,62 503,13 715,76	1 164,40 555,07 3 413,56	165,50 66,64 52,04	630,89 163 847,17	28 539,79 186,48	14 079,58 16 964,79
1.110	Cabbage lettuce (head lettuce) 0705 11 10	a) b) c)	152,67 907,73 1 291,36	2 100,79 1 001,45 6 158,69	298,60 120,24 93,89	1 138,25 295 610,34	51 491,01 336,44	25 402,15 30 607,59
1.120	Endives ex 0705 29 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.130	Carrots ex 0706 10 00	a) b) c)	20,46 121,63 173,03	281,49 134,19 825,23	40,01 16,11 12,58	152,52 39 609,89	6 899,46 45,08	3 403,73 4 101,22
1.140	Radishes ex 0706 90 90	a) b) c)	129,01 767,06 1 091,23	1 775,22 846,25 5 204,25	252,32 101,60 79,34	961,85 249 798,19	43 511,20 284,30	21 465,46 25 864,18
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	a) b) c)	334,74 1 990,27 2 831,39	4 606,11 2 195,75 13 503,35	654,69 263,63 205,86	2 495,68 648 145,86	112 897,56 737,67	55 695,95 67 109,22

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	a) b) c)	299,11 1 778,42 2 530,01	4 115,82 1 962,02 12 066,00	585,00 235,57 183,95	2 230,03 579 154,43	100 880,26 659,15	49 767,43 59 965,83
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	a) b) c)	176,17 1 047,46 1 490,13	2 424,15 1 155,60 7 106,68	344,56 138,75 108,34	1 313,45 341 112,69	59 416,86 388,23	29 312,22 35 318,91
1.180	Broad beans ex 0708 90 00	a) b) c)	157,74 937,88 1 334,24	2 170,55 1 034,71 6 363,22	308,51 124,23 97,01	1 176,69 305 427,23	53 200,97 347,61	26 245,73 31 624,03
1.190	Globe artichokes 0709 10 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	492,46 2 928,04 4 165,48	6 776,40 3 230,33 19 865,80	963,17 387,84 302,86	3 671,59 953 536,11	166 092,09 1 085,24	81 938,50 98 729,43
1.200.2	— other ex 0709 20 00	a) b) c)	236,74 1 407,59 2 002,47	3 257,61 1 552,91 9 550,07	463,02 186,45 145,60	1 765,04 458 392,56	79 845,30 521,71	39 390,22 47 462,11
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	79,22 471,04 670,11	1 090,14 519,67 3 195,87	154,95 62,39 48,72	590,66 153 398,28	26 719,74 174,59	13 181,70 15 882,91
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	74,07 440,40 626,52	1 019,23 485,87 2 987,98	144,87 58,33 45,55	552,24 143 419,52	24 981,59 163,23	12 324,21 14 849,70
1.230	Chantarelles 0709 51 30	a) b) c)	562,94 3 347,07 4 761,61	7 746,19 3 692,63 22 708,84	1 101,01 443,35 346,21	4 197,04 1 089 998,99	189 861,93 1 240,55	93 664,92 112 858,84
1.240	Sweet peppers 0709 60 10	a) b) c)	103,05 612,71 871,65	1 418,01 675,97 4 157,05	201,55 81,16 63,38	768,30 199 533,59	34 755,84 227,09	17 146,16 20 659,77
1.250	Fennel 0709 90 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	60,08 357,21 508,17	826,70 394,09 2 423,56	117,50 47,32 36,95	447,92 116 328,39	20 262,71 132,40	9 996,24 12 044,68
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	176,48 1 049,30 1 492,76	2 428,42 1 157,63 7 119,19	345,16 138,99 108,54	1 315,76 341 712,93	59 521,41 388,91	29 363,80 35 381,06
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	53,55 318,41 452,98	736,91 351,29 2 160,33	104,74 42,18 32,94	399,27 103 693,65	18 061,92 118,02	8 910,52 10 736,47

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 00	a) b) c)	81,98 487,43 693,43	1 128,07 537,75 3 307,06	160,34 64,56 50,42	611,21 158 735,03	27 649,33 180,66	13 640,29 16 435,47
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	133,23 792,14 1 126,91	1 833,27 873,92 5 374,43	260,57 104,93 81,94	993,30 257 966,73	44 934,04 293,60	22 167,39 26 709,96
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 10	a) b) c)	47,17 280,45 398,97	649,04 309,40 1 902,74	92,25 37,15 29,01	351,66 91 329,40	15 908,25 103,94	7 848,04 9 456,27
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	a) b) c)	39,72 236,18 335,99	546,59 260,56 1 602,38	77,69 31,28 24,43	296,15 76 912,32	13 397,01 87,54	6 609,17 7 963,53
2.60.3	— Others 0805 10 50	a) b) c)	32,21 191,50 272,43	443,19 211,27 1 299,26	62,99 25,37 19,81	240,13 62 363,00	10 862,72 70,98	5 358,93 6 457,08
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:							
2.70.1	— Clementines ex 0805 20 10	a) b) c)	71,30 423,95 603,12	981,16 467,72 2 876,39	139,46 56,16 43,85	531,61 138 063,60	24 048,67 157,13	11 863,97 14 295,15
2.70.2	— Monreales and satsumas ex 0805 20 30	a) b) c)	51,11 303,89 432,31	703,29 335,26 2 061,77	99,96 40,25 31,43	381,06 98 962,76	17 237,87 112,63	8 503,99 10 246,64
2.70.3	— Mandarines and wilkings ex 0805 20 50	a) b) c)	68,80 409,05 581,92	946,66 451,28 2 775,25	134,55 54,18 42,31	512,92 133 208,99	23 203,06 151,61	11 446,81 13 792,50
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	a) b) c)	91,60 544,65 774,83	1 260,49 600,88 3 695,26	179,16 72,14 56,34	682,96 177 368,53	30 895,01 201,87	15 241,49 18 364,79
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh ex 0805 30 90 ex 0805 90 00	a) b) c)	157,06 933,81 1 328,45	2 161,13 1 030,22 6 335,60	307,17 123,69 96,59	1 170,94 304 101,47	52 970,04 346,10	26 131,80 31 486,76
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 00	a) b) c)	47,90 284,79 405,14	659,09 314,19 1 932,20	93,68 37,72 29,46	357,11 92 743,27	16 154,52 105,55	7 969,54 9 602,67
2.90.2	— pink ex 0805 40 00	a) b) c)	51,82 308,14 438,36	713,13 339,95 2 090,61	101,36 40,82 31,87	386,39 100 347,00	17 478,98 114,21	8 622,94 10 389,96
2.100	Table grapes 0806 10 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.110	Water melons 0807 11 00	a) b) c)	21,21 126,08 179,37	291,80 139,10 855,44	41,48 16,70 13,04	158,10 41 060,35	7 152,11 46,73	3 528,36 4 251,40
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	94,59 562,40 800,08	1 301,57 620,46 3 815,71	185,00 74,49 58,17	705,22 183 149,84	31 902,03 208,45	15 738,29 18 963,39
2.120.2	— other ex 0807 19 00	a) b) c)	63,03 374,78 533,16	867,35 413,47 2 542,74	123,28 49,64 38,77	469,95 122 048,52	21 259,07 138,91	10 487,78 12 636,94
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	Other ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 00	a) b) c)	145,90 867,48 1 234,10	2 007,63 957,04 5 885,59	285,36 114,91 89,73	1 087,77 282 501,79	49 207,69 321,52	24 275,72 29 250,32
2.160	Cherries 0809 20 95 0809 20 05	a) b) c)	479,67 2 851,99 4 057,29	6 600,40 3 146,43 19 349,83	938,15 377,77 295,00	3 576,23 928 770,05	161 778,20 1 057,05	79 810,32 96 165,14
2.170	Peaches 0809 30 90	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.180	Nectarines ex 0809 30 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.190	Plums 0809 40 05	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.200	Strawberries 0810 10 00	a) b) c)	394,59 2 346,13 3 337,64	5 429,68 2 588,34 15 917,72	771,75 310,76 242,67	2 941,91 764 032,78	133 083,37 869,56	65 654,25 79 108,19
2.205	Raspberries 0810 20 10	a) b) c)	462,37 2 749,10 3 910,92	6 362,29 3 032,92 18 651,78	904,31 364,14 284,35	3 447,21 895 264,64	155 942,05 1 018,92	76 931,16 92 695,98
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	1 822,37 10 835,32 15 414,52	25 076,36 11 953,96 73 514,22	3 564,25 1 435,23 1 120,76	13 586,86 3 528 600,36	614 630,73 4 015,97	303 216,85 365 352,38
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	a) b) c)	139,10 827,03 1 176,55	1 914,02 912,42 5 611,17	272,05 109,55 85,54	1 037,05 269 329,93	46 913,35 306,53	23 143,84 27 886,50

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.230	Pomegranates ex 0810 90 85	a) b) c)	347,17 2 064,18 2 936,54	4 777,16 2 277,29 14 004,80	679,01 273,42 213,51	2 588,36 672 214,86	117 090,03 765,06	57 764,23 69 601,34
2.240	Khakis (including sharon fruit) ex 0810 90 85	a) b) c)	437,76 2 602,81 3 702,81	6 023,74 2 871,53 17 659,28	856,19 344,77 269,22	3 263,78 847 625,43	147 643,99 964,70	72 837,47 87 763,40
2.250	Lychees ex 0810 90 30	a) b) c)	304,94 1 813,12 2 579,37	4 196,12 2 000,30 12 301,41	596,42 240,16 187,54	2 273,54 590 454,11	102 848,50 672,01	50 738,43 61 135,80

COMMISSION REGULATION (EC) No 1724/2000
of 2 August 2000
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1667/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 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; whereas, 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 a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.

- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector.
- (4) The import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 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 3 August 2000.

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

Done at Brussels, 2 August 2000.

For the Commission

Pedro SOLBES MIRA

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	160,35	51,78	75,84		120,26
1006 20 13	160,35	51,78	75,84		120,26
1006 20 15	160,35	51,78	75,84		120,26
1006 20 17	245,89	81,72	118,61	0,00	184,42
1006 20 92	160,35	51,78	75,84		120,26
1006 20 94	160,35	51,78	75,84		120,26
1006 20 96	160,35	51,78	75,84		120,26
1006 20 98	245,89	81,72	118,61	0,00	184,42
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 1706/98 (OJ L 215, 1.8.1998, p. 12) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	245,89	416,00	160,35	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	305,54	266,45	415,59	317,95	—
(b) fob price (EUR/tonne)	—	—	—	383,21	285,57	—
(c) Sea freight (EUR/tonne)	—	—	—	32,38	32,38	—
(d) Source	—	USDA	USDA	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 1725/2000
of 2 August 2000
amending the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(8) thereof,

Whereas:

- (1) The corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 1395/2000 ⁽³⁾, as last amended by Regulation (EC) No 1710/2000 ⁽⁴⁾.
- (2) On the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered.

- (3) The corrective amount must be fixed according to the same procedure as the refund. It may be altered in the period between fixings,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1(1)(a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 August 2000.

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

Done at Brussels, 2 August 2000.

For the Commission

Pedro SOLBES MIRA

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 158, 30.6.2000, p. 38.

⁽⁴⁾ OJ L 195, 1.8.2000, p. 37.

ANNEX

to the Commission Regulation of 2 August 2000 amending the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination ⁽¹⁾	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	01	0	-1,00	-2,00	-3,00	-4,00	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	01	0	-4,00	-10,00	-12,00	-14,00	—	—
1002 00 00 9000	01	0	-1,00	-2,00	-3,00	-4,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	0	-1,00	-2,00	-3,00	-4,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	-1,00	-2,00	-3,00	-4,00	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	01	0	-1,00	-0,00	-1,00	-2,00	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	0,00	0,00	-12,00	-12,00	—	—
1101 00 15 9130	01	0	0,00	0,00	-11,50	-11,50	—	—
1101 00 15 9150	01	0	0,00	0,00	-10,50	-10,50	—	—
1101 00 15 9170	01	0	0,00	0,00	-9,75	-9,75	—	—
1101 00 15 9180	01	0	0,00	0,00	-9,25	-9,25	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0,00	0,00	-42,75	-42,75	—	—
1102 10 00 9700	01	0	0,00	0,00	-33,75	-33,75	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	01	0	-1,50	-3,00	-4,50	-6,00	—	—
1103 11 10 9400	01	0	-1,34	-2,68	-4,02	-5,36	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	-1,37	-2,74	-4,11	-5,48	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

(¹) The destinations are identified as follows:

01 all third countries,

02 other third countries,

03 Mauritania, Mali, Niger, Senegal, Burkina Faso, The Gambia, Guinea-Bissau, Guinea, Cape Verde, Sierra Leone, Liberia, Côte d'Ivoire, Ghana, Togo, Chad, Central African Republic, Benin, Cameroon, Equatorial Guinea, São Tomé and Príncipe, Gabon, Congo, Democratic Republic of the Congo, Rwanda, Burundi, Angola, Zambia, Malawi, Mozambique, Namibia, Botswana, Zimbabwe, Lesotho, Swaziland, Seychelles, The Comoros, Madagascar, Djibouti, Ethiopia, Eritrea and Mauritius.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30.7.1992, p. 20).

DIRECTIVE 2000/36/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 23 June 2000
relating to cocoa and chocolate products intended for human consumption

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

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

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

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

Whereas:

- (1) Certain vertical Directives relating to foodstuffs should be simplified in order to take account only of the essential requirements to be met by the products they cover in order that those products may move freely within the internal market, in accordance with the conclusions of the European Council held in Edinburgh on 11 and 12 December 1992, confirmed by those of the European Council in Brussels on 10 and 11 December 1993.
- (2) Council Directive 73/241/EEC of 24 July 1973 on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption ⁽⁴⁾ was warranted by the fact that differences between national laws on several kinds of cocoa and chocolate products could hinder the free movement of this product, and thereby have a direct effect on the establishment and functioning of the common market.
- (3) The aforesaid Directive was consequently designed to lay down definitions and common rules in respect of the composition, manufacturing specifications, packaging and labelling of cocoa and chocolate products so as to ensure their free movement within the Community.
- (4) Those definitions and rules should be amended to take account of technological progress and changes in consumer tastes, and should be brought into line with general Community legislation on foodstuffs, in particular legislation on labelling, sweeteners and other authorised additives, flavourings, extraction solvents and methods of analysis.

(5) The addition to chocolate products of vegetable fats other than cocoa butter, up to a maximum of 5 %, is permitted in certain Member States.

(6) The addition of certain vegetable fats other than cocoa butter to chocolate products, up to a maximum of 5 %, should be permitted in all Member States; those vegetable fats should be cocoa butter equivalents and therefore be defined according to technical and scientific criteria.

(7) In order to guarantee the single nature of the internal market, all chocolate products covered by this Directive must be able to move within the Community under the sales names set out in the provisions of Annex I to this Directive.

(8) In pursuance of the general food-labelling rules set out in 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 ⁽⁵⁾, in particular a listing of ingredients in accordance with Article 6 thereof is compulsory; this Directive makes Directive 79/112/EEC applicable to cocoa and chocolate products in order to provide consumers with correct information.

(9) In the case of chocolate products to which vegetable fats other than cocoa butter have been added, consumers should be guaranteed correct, neutral and objective information in addition to the list of ingredients.

(10) On the other hand, Directive 79/112/EEC does not preclude the labelling of chocolate products to indicate that vegetable fats other than cocoa butter have not been added, provided the information is correct, neutral, objective, and does not mislead the consumer.

(11) Certain sales names which are reserved by this Directive are in fact used in composite sales names which are recognised in certain Member States to describe products which could not be confused with those defined in this Directive; such descriptions should therefore be maintained. However, the use of such names should comply with the provisions of Directive 79/112/EEC and, in particular, with Article 5 thereof.

⁽¹⁾ OJ C 231, 9.8.1996, p. 1 and OJ C 118, 17.4.1998, p. 10.

⁽²⁾ OJ C 56, 24.2.1997, p. 20.

⁽³⁾ Opinion of the European Parliament of 23 October 1997 (OJ C 339, 10.11.1997, p. 128), Council Common Position of 28 October 1999 (OJ C 10, 13.1.2000, p. 1) and decision of the European Parliament of 15 March 2000 (not yet published in the Official Journal). Decision of the Council of 25 May 2000.

⁽⁴⁾ OJ L 228, 16.8.1973, p. 23. Directive as last amended by Directive 89/344/EEC (OJ L 142, 25.5.1989, p. 19).

⁽⁵⁾ OJ L 33, 8.2.1979, p. 1. Directive as last amended by European Parliament and Council Directive 97/4/EC (OJ L 43, 14.2.1997, p. 21).

- (12) The development of the internal market since the adoption of Directive 73/241/EEC enables 'plain chocolate' to be treated on the same basis as 'chocolate'.
- (13) The derogation provided for in Directive 73/241/EEC allowing the United Kingdom and Ireland to authorise the use on their territory of the name 'milk chocolate' to designate 'milk chocolate with high milk content' should be maintained; however, the English name 'milk chocolate with high milk content' should be replaced with the name 'family milk chocolate'.
- (14) Pursuant to the principle of proportionality, this Directive restricts itself to what is necessary in order to achieve the objectives of the Treaty, in accordance with the third paragraph of Article 5 thereof.
- (15) Cocoa, cocoa butter and a series of other vegetable fats used in the manufacture of chocolate are mainly produced in developing countries. It is in the interests of people living in developing countries that agreements of as long a duration as possible should be concluded. The Commission should therefore consider how the Community can support this in the case of cocoa butter and other vegetable fats (for example by promoting 'fair trade').
- (16) The measures necessary for the implementation of this Directive 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⁾.
- (17) To avoid creating new barriers to free circulation, Member States should refrain from adopting, for the products in question, national provisions not provided for by this Directive,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

This Directive shall apply to the cocoa and chocolate products intended for human consumption, as defined in Annex I.

Article 2

1. The vegetable fats other than cocoa butter as defined in Annex II and listed therein may be added to those chocolate products defined in Annex I(A)(3), (4), (5), (6), (8) and (9). That addition may not exceed 5 % of the finished product, after deduction of the total weight of any other edible matter used in accordance with Annex I(B), without reducing the minimum content of cocoa butter or total dry cocoa solids.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

2. Chocolate products which, pursuant to paragraph 1, contain vegetable fats other than cocoa butter may be marketed in all of the Member States, provided that their labelling, as provided for in Article 3, is supplemented by a conspicuous and clearly legible statement: 'contains vegetable fats in addition to cocoa butter'. This statement shall be in the same field of vision as the list of ingredients, clearly separated from that list, in lettering at least as large and in bold with the sales name nearby; notwithstanding this requirement, the sales name may also appear elsewhere.

3. Any amendments to Annex II shall be made in accordance with the procedure laid down in Article 95 of the Treaty.

4. At the latest by 3 February 2006 the Commission shall, in accordance with Article 95 of the Treaty, submit, if necessary and taking into account the results of an appropriate study on this Directive's impact on the economies of those countries producing cocoa and vegetable fats other than cocoa butter, a proposal intended to amend the list in Annex II.

Article 3

Directive 79/112/EEC shall apply to the products defined in Annex I, subject to the following conditions:

1. The sales names listed in Annex I shall apply only to the products referred to therein and must be used in trade to designate them.

However, those sales names may also be used additionally and in accordance with the provisions or customs applicable in the Member State in which the product is sold to the final consumer, to designate other products which cannot be confused with those defined in Annex I.

2. Where the products defined in Annex I(A)(3), (4), (5), (6), (7) and (10) are sold in assortments, the sales names may be replaced by 'assorted chocolates' or 'assorted filled chocolates' or similar names. In that case, there may be a single list of ingredients for all the products in the assortment.
3. The labelling of the cocoa and chocolate products defined in Annex I(A)(2)(c), (2)(d), (3), (4), (5), (8) and (9) must indicate the total dry cocoa solids content by including the words: 'cocoa solids:... % minimum'.
4. For the products referred to in Annex I(A)(2)(b) and (2)(d) (second part of the sentence), the labelling must indicate the cocoa butter content.
5. The sales names 'chocolate', 'milk chocolate' and 'couverture chocolate' specified in Annex I may be supplemented by information or descriptions relating to quality criteria provided that the products contain:
 - in the case of chocolate, not less than 43 % total dry cocoa solids, including not less than 26 % cocoa butter,

- in the case of milk chocolate, not less than 30 % total dry cocoa solids and not less than 18 % dry milk solids obtained by partly or wholly dehydrating whole milk, semi- or full-skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat, including not less than 4,5 % milk fat,
- in the case of couverture chocolate, not less than 16 % of dry non-fat cocoa solids.

Article 4

For the products defined in Annex I, Member States shall not adopt national provisions not provided for by this Directive.

Article 5

1. The measures necessary for the implementation of this Directive relating to the matters referred to below shall be adopted in accordance with the regulatory procedure referred to in Article 6(2):

- bringing this Directive into line with general Community provisions applicable to foodstuffs,
- adaptation of the provisions in Annex I(B)(2), (C) and (D) to technical progress.

2. At the latest by 3 August 2003, without prejudice to Article 2(3), the European Parliament and the Council shall re-examine, on a proposal from the Commission, the second indent of paragraph 1 of this Article, with a view to possible extension of the procedure of adaptation to technical and scientific progress.

Article 6

1. The Commission shall be assisted by the Standing Committee on Foodstuffs, set up by Council Decision 69/414/EEC⁽¹⁾, hereinafter referred to as 'the Committee'.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its Rules of Procedure.

Article 7

Council Directive 73/241/EEC is hereby repealed with effect from 3 August 2003.

References to the repealed Directive shall be construed as references to this Directive.

Article 8

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 3 August 2003. They shall immediately inform the Commission thereof.

2. These measures shall be applied so as to:

- authorise the marketing of the products defined in Annex I if they conform to the definitions and rules laid down in this Directive, with effect from 3 August 2003,
- prohibit the marketing of products which fail to conform to this Directive, with effect from 3 August 2003.

However, the marketing of products failing to comply with this Directive but labelled before 3 August 2003 in accordance with Council Directive 73/241/EEC shall be permitted until stocks are exhausted.

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

Article 9

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

Article 10

This Directive is addressed to the Member States.

Done at Luxembourg, 23 June 2000.

For the European Parliament

The President

N. FONTAINE

For the Council

The President

J. SÓCRATES

⁽¹⁾ OJ L 291, 19.11.1969, p. 9.

ANNEX I

SALES NAMES, DEFINITIONS AND CHARACTERISTICS OF THE PRODUCTS

A. SALES NAMES AND DEFINITIONS

1. **Cocoa butter**

designates the fat obtained from cocoa beans or parts of cocoa beans with the following characteristics:

- free fatty acid content
(expressed as oleic acid): not more than 1,75 %
- unsaponifiable matter
(determined using petroleum ether): not more than 0,5 %, except in the case of press cocoa butter, where it shall not be more than 0,35 %

2. (a) **Cocoa powder, cocoa**

designate the product obtained by converting into powder cocoa beans which have been cleaned, shelled and roasted, and which contains not less than 20 % cocoa butter, calculated according to the weight of the dry matter, and not more than 9 % water;

(b) **Fat-reduced cocoa, fat-reduced cocoa powder**

designate cocoa powder containing less than 20 % cocoa butter, calculated according to the weight of the dry matter;

(c) **Powdered chocolate, chocolate in powder**

designate the product consisting of a mixture of cocoa powder and sugars, containing not less than 32 % cocoa powder;

(d) **Drinking chocolate, sweetened cocoa, sweetened cocoa powder**

designate the product consisting of a mixture of cocoa powder and sugars, containing not less than 25 % cocoa powder; these names shall be accompanied by the term 'fat-reduced' in the case where the product is fat-reduced as defined at (b).

3. **Chocolate**

- (a) designates the product obtained from cocoa products and sugars which, subject to (b), contains not less than 35 % total dry cocoa solids, including not less than 18 % cocoa butter and not less than 14 % of dry non-fat cocoa solids;

- (b) however, where this name is supplemented by the words:

- 'vermicelli' or 'flakes': the product presented in the form of granules or flakes must contain not less than 32 % total dry cocoa solids, including not less than 12 % cocoa butter and not less than 14 % of dry non-fat cocoa solids;
- 'couverture': the product must contain not less than 35 % total dry cocoa solids, including not less than 31 % cocoa butter and not less than 2,5 % of dry non-fat cocoa solids;
- 'Gianduja' (or one of the derivatives of the word 'gianduja') nut chocolate: the product must be obtained firstly from chocolate having a minimum total dry cocoa solids content of 32 % including a minimum dry non-fat cocoa solids content of 8 %, and secondly from finely ground hazelnuts in such quantities that 100 g of the product contain not less than 20 g and not more than 40 g of hazelnuts. The following may be added:
 - (a) milk and/or dry milk solids obtained by evaporation, in such proportion that the finished product does not contain more than 5 % dry milk solids;
 - (b) almonds, hazelnuts and other nut varieties, either whole or broken, in such quantities that, together with the ground hazelnuts, they do not exceed 60 % of the total weight of the product.

4. **Milk chocolate**

- (a) designates the product obtained from cocoa products, sugars and milk or milk products, which, subject to (b) contains:
- not less than 25 % total dry cocoa solids,
 - not less than 14 % dry milk solids obtained by partly or wholly dehydrating whole milk, semi- or full-skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat,
 - not less than 2,5 % dry non-fat cocoa solids,
 - not less than 3,5 % milk fat,
 - not less than 25 % total fat (cocoa butter and milk fat).

- (b) However, where this name is supplemented by the words:
- ‘vermicelli’ or ‘flakes’: the product presented in the form of granules or flakes must contain not less than 20 % total dry cocoa solids, not less than 12 % dry milk solids obtained by partly or wholly dehydrating whole milk, semi- or full-skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat, and not less than 12 % total fat (cocoa butter and milk fat),
 - ‘couverture’: the product must have a minimum total fat (cocoa butter and milk fat) content of 31 %,
 - ‘Gianduja’ (or one of the derivatives of the word ‘gianduja’) nut milk chocolate: the product must be obtained firstly from milk chocolate having a minimum content of 10 % of dry milk solids, obtained by partly or wholly dehydrating whole milk, semi- or full-skimmed milk, cream or from partly or wholly dehydrated cream, butter or milk fat and secondly from finely ground hazelnuts, in such quantities that 100 g of the product contain not less than 15 g and not more than 40 g of hazelnuts. Almonds, hazelnuts and other nut varieties may also be added, either whole or broken, in such quantities that, together with the ground hazelnuts, they do not exceed 60 % of the total weight of the product.
- (c) Where in this name the word ‘milk’ is replaced by:
- ‘cream’: the product must have a minimum milk fat content of 5,5 %,
 - ‘skimmed milk’: the product must have a milk fat content not greater than 1 %.
- (d) The United Kingdom and Ireland may authorise the use in their territory of the name ‘milk chocolate’ to designate the product referred to in point 5, on condition that the term is accompanied in both cases by an indication of the amount of dry milk solids laid down for each of the two products, in the form ‘milk solids: ... % minimum’.

5. **Family milk chocolate**

designates the product obtained from cocoa products, sugars and milk or milk products and which contains:

- not less than 20 % total dry cocoa solids,
- not less than 20 % dry milk solids obtained by partly or wholly dehydrating whole milk, semi- or full-skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat,
- not less than 2,5 % dry non-fat cocoa solids,
- not less than 5 % milk fat,
- not less than 25 % total fat (cocoa butter and milk fat).

6. **White chocolate**

designates the product obtained from cocoa butter, milk or milk products and sugars which contains not less than 20 % cocoa butter and not less than 14 % dry milk solids obtained by partly or wholly dehydrating whole milk, semi- or full-skimmed milk, cream, or from partly or wholly dehydrated cream, butter or milk fat, of which not less than 3,5 % is milk fat.

7. **Filled chocolate, chocolate with ... filling, chocolate with ... centre**

designate the filled product, the outer part of which consists of one of the products defined in 3, 4, 5 and 6. The designations do not apply to products, the inside of which consists of bakery products, pastry, biscuit or edible ice.

The outer chocolate portion of products bearing one of these names shall constitute not less than 25 % of the total weight of the product.

8. **Chocolate a la taza**

designates the product obtained from cocoa products, sugars, and flour or starch from wheat, rice or maize, which contains not less than 35 % total dry cocoa solids, including not less than 18 % cocoa butter and not less than 14 % dry non-fat cocoa solids, and not more than 8 % flour or starch.

9. **Chocolate familiar a la taza**

designates the product obtained from cocoa products, sugars, and flour or starch from wheat, rice or maize, which contains not less than 30 % total dry cocoa solids, including not less than 18 % cocoa butter and not less than 12 % dry non-fat cocoa solids, and not more than 18 % flour or starch.

10. **A chocolate or a praline**

designates the product in single-mouthful size, consisting of:

- filled chocolate, or
- a single chocolate or a combination or a mixture of chocolate within the meaning of the definitions given in 3, 4, 5 or 6 and other edible substances, provided that chocolate constitutes not less than 25 % of the total weight of the product.

B. OPTIONAL AUTHORISED INGREDIENTS*Additions of edible substances*

1. Without prejudice to Article 2 and Section B(2), other edible substances may also be added to the chocolate products defined in Section A(3), (4), (5), (6), (8) and (9).

However, the addition:

- of animal fats and their preparations not deriving solely from milk shall be prohibited,
- of flours, granular or powdered starch shall only be authorised where the addition is in accordance with the definitions laid down in Section A(8) and (9).

The quantity of those edible substances added may not exceed 40 % of the total weight of the finished product.

2. Only those flavourings which do not mimic the taste of chocolate or of milk fat may be added to the products defined in Section A(2), (3), (4), (5), (6), (8) and (9).

C. CALCULATION OF PERCENTAGES

The minimum contents of the products set in Section A(3), (4), (5), (6), (8) and (9) shall be calculated after deduction of the weight of the ingredients provided for in Section B. In the case of the products in Section A(7) and (10), the minimum contents shall be calculated after deducting the weight of the ingredients provided for in Section B, as well as the weight of the filling.

The chocolate contents of the products defined in Section A(7) and (10) shall be calculated in relation to the total weight of the finished product, including its filling.

D. SUGARS

Sugars as referred to in this Directive are not limited only to those sugars covered by Council Directive 73/437/EEC of 11 December 1973 on the approximation of the laws of the Member States concerning certain sugars intended for human consumption ⁽¹⁾.

⁽¹⁾ OJ L 356, 27.12.1973, p. 71. Directive as last amended by the 1985 Act of Accession.

ANNEX II

VEGETABLE FATS REFERRED TO IN ARTICLE 2(1)

The vegetable fats referred to in Article 2(1) are, singly or in blends, cocoa butter equivalents and shall comply with the following criteria:

- (a) they are non-lauric vegetable fats, which are rich in symmetrical monounsaturated triglycerides of the type POP, POSt and StOSt ⁽¹⁾;
- (b) they are miscible in any proportion with cocoa butter, and are compatible with its physical properties (melting point and crystallisation temperature, melting rate, need for tempering phase);
- (c) they are obtained only by the processes of refining and/or fractionation, which excludes enzymatic modification of the triglyceride structure.

In conformity with the above criteria, the following vegetable fats, obtained from the plants listed below, may be used:

Usual name of vegetable fat	Scientific name of the plants from which the fats listed can be obtained
1. Illipe, Borneo tallow or Tengkawang	<i>Shorea</i> spp.
2. Palm-oil	<i>Elaeis guineensis</i> <i>Elaeis olifera</i>
3. Sal	<i>Shorea robusta</i>
4. Shea	<i>Butyrospermum parkii</i>
5. Kokum gurgi	<i>Garcinia indica</i>
6. Mango kernel	<i>Mangifera indica</i>

Furthermore, as an exception to the above, Member States may allow the use of coconut oil for the following purpose: in chocolate used for the manufacture of ice cream and similar frozen products.

⁽¹⁾ P (palmitic acid), O (oleic acid), St (stearic acid).

COMMISSION DIRECTIVE 2000/48/EC**of 25 July 2000****amending the Annexes to Council Directives 86/362/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals and certain products of plant origin, including fruit and vegetables respectively****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals ⁽¹⁾, as last amended by Directive 2000/42/EC ⁽²⁾, and in particular Article 10 thereof,

Having regard to Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin including fruit and vegetables ⁽³⁾, as last amended by Directive 2000/42/EC, and in particular Article 7 thereof,

Having regard to Council Directive 91/414/EEC of 15 July 1991 on the placing of plant protection products on the market ⁽⁴⁾, as last amended by Commission Directive 2000/10/EC ⁽⁵⁾, and in particular Article 4(1)(f) thereof,

Whereas:

- (1) The new active substance, azoxystrobin, was included in Annex I to Directive 91/414/EEC by Commission Directive 98/47/EC ⁽⁶⁾ for use as fungicide only, without specifying particular conditions having an impact on crops which may be treated with plant protection products containing azoxystrobin.
- (2) Maximum levels for azoxystrobin residues in and on all commodities covered by Directives 86/362/EEC and 90/642/EEC were fixed by Commission Directive 1999/71/EC ⁽⁷⁾.
- (3) In fixing the said maximum levels for azoxystrobin residues, it was recognised that these levels should be kept under review and should be changed to take account of new information and data. Directive 1999/71/EC acknowledged that national provisional maximum residue levels for other cereals and fruit and vegetables should be fixed by Member States as a part of their authorisation of plant protection products containing azoxystrobin and should be notified to the Commission under the requirements of Article 4(1)(f) to Directive 91/414/EEC. To facilitate this eventuality, some of the

levels set in Directive 1999/71/EC were fixed on a provisional basis, enabling Member States to grant further authorisations for new uses and to notify the Commission under the procedure described by the said Article. This Article provides that where a provisional Community maximum residue level exists and where the new authorised use would lead to higher levels, the authorising Member State shall establish a national provisional maximum residue level in accordance with Article 4(1)(f) of Directive 91/414/EEC before the authorisation may be granted.

- (4) To ensure that the consumer is adequately protected from exposure to residues in or on products for which no authorisations have been granted, it was considered prudent, in adopting Directive 1999/71/EC, to set provisional maximum residue levels at the lower level of analytical determination for such products. The setting at Community level of such provisional maximum residue levels is without prejudice to the granting of provisional authorisations by the Member States for the use of azoxystrobin on such products in accordance with Article 4(1)(f) of Directive 91/414/EEC.
- (5) In order to authorise a plant protection product, Member States must apply the uniform principles provided for in Annex VI to Directive 91/414/EEC in evaluating, in particular, a dossier conforming to the requirements of Annex III to Directive 91/414/EEC, submitted by the applicant for authorisation. Annex III, Part A, Section 8 of Directive 91/414/EEC requires applicants to submit certain information including proposed maximum residue levels together with full justification and estimations of the potential and actual exposure through diet and other means. Annex VI, Part B, Section 2.4.2 and Part C, Section 2.5 of Directive 91/414/EEC provides for Member States to evaluate the information submitted concerning impact on human or animal health arising from residues and the impact on the environment and to take decisions on authorisations which ensure that residues occurring reflect the minimum quantities of the plant protection product necessary to achieve adequate control corresponding to good agricultural practice, applied in such a manner that the residues at harvest, slaughter or after storage, as appropriate, are reduced to a minimum.

⁽¹⁾ OJ L 221, 7.8.1986, p. 37.

⁽²⁾ OJ L 158, 30.6.2000, p. 51.

⁽³⁾ OJ L 350, 14.12.1990, p. 71.

⁽⁴⁾ OJ L 230, 19.8.1991, p. 1.

⁽⁵⁾ OJ L 57, 2.3.2000, p. 28.

⁽⁶⁾ OJ L 191, 7.7.1998, p. 50.

⁽⁷⁾ OJ L 194, 27.7.1999, p. 36.

- (6) New data has been provided for uses of azoxystrobin on rice, bananas, tomatoes and cucurbits with edible and inedible peel. This new data has been evaluated and it is considered appropriate to revise the provisional maximum residue levels fixed for these products in Directive 1999/71/EC.
- (7) At the inclusion in Annex I to Directive 91/414/EEC the technical and scientific evaluation of azoxystrobin was finalised on 22 April 1998 in the format of the Commission review report for azoxystrobin. In this review report the acceptable daily intake (ADI) for azoxystrobin was set at 0,1 mg/kg bw/day. The lifetime exposure of consumers of food products treated with azoxystrobin has been assessed and evaluated in accordance with the procedures and practices used within the European Community, taking account of guidelines published by the World Health Organisation⁽¹⁾ and it has been calculated that the maximum residue levels fixed in this Directive do not give rise to an exceedence of this ADI.
- (8) Acute toxic effects requiring the setting of an acute reference dose were not noted during the evaluation and discussion that preceded the inclusion of azoxystrobin in Annex I to Directive 91/414/EEC.
- (9) The Community's trading partners have been consulted about the levels set out in this Directive through the World Trade Organisation and their comments on these levels have been considered. The possibility of fixing import tolerance maximum residue levels for specific pesticide/crop combinations will be examined by the Commission on the basis of the submission of acceptable data.
- (10) The advice and recommendations of the Scientific Committee for Plants, in particular concerning the protection of consumers of food products treated with pesticides, have been taken into account.
- (11) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The following shall be added to part A of Annex II to Directive 86/362/EEC:

Pesticide residue	Maximum level in mg/kg
'Azoxystrobin	5 Rice'

Article 2

The maximum residues levels in the Annex to this Directive shall replace those listed for azoxystrobin in Annex II to Directive 90/642/EEC.

Article 3

1. This Directive shall enter into force on the twentieth day following its publication in the *Official Journal of the European Communities*.
2. Member States shall adopt and publish the legislative, regulatory or administrative measures to comply with this Directive by 31 March 2001 at the latest. They shall forthwith inform the Commission thereof.
3. They shall apply these measures as from 1 April 2001.
4. When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 25 July 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ *Guidelines for predicting dietary intake of pesticide residues* (revised), prepared by the GEMS/Food Programme in collaboration with the Codex Committee on Pesticide Residues, published by the World Health Organisation 1997 (WHO/FSF/FOS/97.7).

ANNEX

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)
1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts	
(i) CITRUS FRUIT Grapefruit Lemons Limes Mandarins (including clementines and other hybrids) Oranges Pomelos Others	0,05 (p) (*)
(ii) TREE NUTS (SHELLED OR UNSHELLED) Almonds Brazil nuts Cashew nuts Chestnuts Coconuts Hazelnuts Macadamia Pecans Pine nuts Pistachios Walnuts Others	0,1 (p) (*)
(iii) POME FRUIT Apples Pears Quinces Others	0,05 (p) (*)
(iv) STONE FRUIT Apricots Cherries Peaches (including nectarines and similar hybrids) Plums Others	0,05 (p) (*)
(v) BERRIES AND SMALL FRUIT (a) Table and wine grapes Table grapes Wine grapes (b) Strawberries (other than wild) (c) Cane fruit (other than wild) Blackberries Dewberries Loganberries Raspberries Others	2 0,05 (p) (*) 0,05 (p) (*)

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)
(d) Other small fruit and berries (other than wild)	0,05 (p) (*)
Bilberries	
Cranberries	
Currants (red, black and white)	
Gooseberries	
Others	
(e) Wild berries and wild fruit	0,05 (p) (*)
(vi) MISCELLANEOUS	
Avocados	
Bananas	2
Dates	
Figs	
Kiwi	
Kumquats	
Lychees	
Mangoes	
Olives	
Passion fruit	
Pineapples	
Pomegranates	
Others	0,05 (p) (*)
2. Vegetables, fresh or uncooked, frozen or dry	
(i) ROOT AND TUBER VEGETABLES	0,05 (p) (*)
Beetroot	
Carrots	
Celeriac	
Horseradish	
Jerusalem artichokes	
Parsnips	
Parsley root	
Radishes	
Salsify	
Sweet potatoes	
Swedes	
Turnips	
Yam	
Others	
(ii) BULB VEGETABLES	0,05 (p) (*)
Garlic	
Onions	
Shallots	
Spring onions	
Others	
(iii) FRUITING VEGETABLES	
(a) Solanacea	
Tomatoes	2 (p)
Peppers	
Aubergines	
Others	0,05 (p) (*)
(b) Cucurbits — edible peel	1 (p)
Cucumbers	
Gherkins	
Courgettes	
Others	

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)
(c) Cucurbits — inedible peel Melons Squashes Watermelons Others	0,5 (p)
(d) Sweetcorn	0,05 (p) (*)
(iv) BRASSICA VEGETABLES	0,05 (p) (*)
(a) Flowering brassica Broccoli Cauliflower Others	
(b) Head brassica Brussels sprouts Head cabbage Others	
(c) Leafy brassica Chinese cabbage Kale Others	
(d) Kohlrabi	
(v) LEAF VEGETABLES AND FRESH HERBS	0,05 (p) (*)
(a) Lettuce and similar Cress Lamb's lettuce Lettuce Scarole Others	
(b) Spinach and similar Spinach Beet leaves (chard) Others	
(c) Watercress	
(d) Witloof	
(e) Herbs Chervil Chives Parsley Celery leaves Others	
(vi) LEGUME VEGETABLES (fresh)	0,05 (p) (*)
Beans (with pods)	
Beans (without pods)	
Peas (with pods)	
Peas (without pods)	
Others	
(vii) STEM VEGETABLES (fresh)	0,05 (p) (*)
Asparagus	
Cardoons	
Celery	
Fennel	
Globe artichokes	
Leeks	
Rhubarb	
Others	

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)
(viii) FUNGI	0,05 (p) (*)
(a) Cultivated mushrooms	
(b) Wild mushrooms	
3. Pulses	0,05 (p) (*)
Beans	
Lentils	
Peas	
Others	
4. Oil seeds	0,05 (p) (*)
Linseed	
Peanuts	
Poppy seeds	
Sesame seeds	
Sunflower seed	
Rape seed	
Soya bean	
Mustard seed	
Cotton seed	
Others	
5. Potatoes	0,05 (p) (*)
Early potatoes	
Ware potatoes	
6. Tea (leaves and stems dried, fermented or otherwise, from the leaves of <i>Camellia sinensis</i>)	0,1 (p) (*)
7. Hops (dried), including hop pellets and unconcentrated powder	0,1 (p) (*)
(*) Indicates lower limit of analytical determination.	
(p) Indicates provisional maximum residue level.	

COMMISSION DIRECTIVE 2000/49/EC**of 26 July 2000****including an active substance (metsulfuron-methyl) in Annex I to Council Directive 91/414/EEC concerning the placing of plant protection products on the market**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, as last amended by Commission Directive 2000/10/EC ⁽²⁾, and in particular Article 6(1) and the fourth subparagraph of Article 8(2) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 3600/92 ⁽³⁾, as last amended by Regulation (EC) No 1972/1999 ⁽⁴⁾, has laid down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Directive 91/414/EEC (hereinafter referred to as 'the Directive'). Pursuant to that Regulation, Commission Regulation (EC) No 933/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2230/95 ⁽⁶⁾, lays down the list of active substances of plant protection products to be assessed, with a view to their possible inclusion in Annex I to the Directive.
- (2) Those active substances should be included in that Annex when it may be expected that there will not be any harmful effects on human or animal health or on groundwater or any unacceptable influence on the environment.
- (3) Such inclusions should be made for a period not exceeding 10 years.
- (4) Article 8(2) of the Directive provides that after inclusion of an active substance in its Annex I, Member States shall, within a prescribed period, grant, vary or withdraw, as appropriate, the authorisations of the plant protection products containing the active substance. In particular, Articles 4(1) and 13(1) of the Directive require that plant protection products are not authorised unless account is taken of the conditions associated with the inclusion of the active substance in Annex I and the uniform principles laid down in Annex VI on the basis of a dossier satisfying the data requirements laid down in its Article 13.
- (5) For metsulfuron-methyl the effects on human health and the environment have been assessed in accordance with the provisions laid down in Regulation (EEC) No 3600/92 for a number of uses proposed by the notifiers. France, acting as designated rapporteur Member State

under Regulation (EC) No 933/94 submitted to the Commission on 25 June 1997 the relevant assessment report.

- (6) The said report has been reviewed by the Member States and the Commission within the Standing Committee on Plant Health. This review was finalised on 16 June 2000 in the format of the Commission review report for metsulfuron-methyl.
- (7) The dossier and the information from the review have also been submitted to the Scientific Committee for Plants for consultation. The Scientific Committee for Plants in its opinion ⁽⁷⁾, confirmed that the substance can be used without unacceptable risk but noted that Member States should assess the leaching potential to groundwater in particularly vulnerable locations and should apply risk mitigation measures to protect the aquatic environment.
- (8) It appears from the assessments made that plant protection products containing the active substance concerned may be expected to satisfy in general the requirements laid down in Article 5(1)(a) and (b) of the Directive, in particular with regard to the uses which were examined. Therefore it is appropriate to include the active substance concerned in Annex I, in order to ensure that in all Member States the granting, varying or withdrawing, as appropriate, of the authorisations of plant protection products containing metsulfuron-methyl can be organised in accordance with the provisions of the Directive.
- (9) Before inclusion, a reasonable deadline is necessary to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion. Moreover, after inclusion, a reasonable period is necessary for the Member States to implement the Directive and in particular to vary or withdraw, as appropriate, existing authorisations or grant new authorisations in accordance with the provisions of Directive 91/414/EEC. A longer period should be provided for the submission and assessment of the complete Annex III dossier of each plant protection product in accordance with the uniform principles laid down in Annex VI to the Directive. For plant protection products containing several active substances, the complete evaluation on the basis of the uniform principles can only be carried out when all the active substances concerned have been included in Annex I to the Directive.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 57, 2.3.2000, p. 28.

⁽³⁾ OJ L 366, 15.12.1992, p. 10.

⁽⁴⁾ OJ L 244, 16.9.1999, p. 41.

⁽⁵⁾ OJ L 107, 28.4.1994, p. 8.

⁽⁶⁾ OJ L 225, 22.9.1995, p. 1.

⁽⁷⁾ Scientific Committee for Plants SCP/METSU/002-final, 5 April 2000.

- (10) It is appropriate to provide that the finalised review report (except for confidential information in the meaning of Article 14 of the Directive) is kept available or made available by the Member States for consultation by any interested parties.
- (11) The review report is required for the proper implementation by the Member States of several sections of the uniform principles laid down in Annex VI to the Directive, where these principles refer to the evaluation of the Annex II data which were submitted for the purpose of the inclusion of the active substance in Annex I to the Directive.
- (12) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Metsulfuron-methyl is hereby designated as an active substance in Annex I to Directive 91/414/EEC, as set out in the Annex hereto.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive, at the latest by 31 December 2001. In particular they shall, in accordance with the provisions of Directive 91/414/EEC, where necessary, amend or withdraw existing authorisations for plant protection products containing metsulfuron-methyl as an active substance within such period.
2. However, with regard to evaluation and decision-making pursuant to the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the

requirements of Annex III thereto, the period laid down in the first paragraph is extended:

- for plant protection products containing metsulfuron-methyl as the only active substance to four years from the entry into force of this Directive,
- for plant protection products containing metsulfuron-methyl together with another active substance which is in Annex I to Directive 91/414/EEC, to four years from the entry into force of such Directive as shall include the last of those substances in Annex I.

3. Member States shall keep available the review report (except for confidential information in the meaning of Article 14 of the Directive) for consultation by any interested parties or shall make it available to them on specific request.

4. When Member States adopt the provisions referred to in paragraph 1, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive shall enter into force on 1 July 2001.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 26 July 2000.

For the Commission

David BYRNE

Member of the Commission

ANNEX

Metsulfuron-methyl

1. Identity:

Common name:

Metsulfuron-methyl

IUPAC name:

Methyl 2-(4-methoxy-6-methyl-1,3,5-triazin-2-ylcarbamoysulfamoyl) benzoate

2. Particular conditions to be fulfilled:

2.1. The active substance as manufactured shall have a minimum purity of 960 g/kg.

2.2. Only uses as herbicide may be authorised.

2.3. For the implementation of the uniform principles of Annex VI, the conclusions of the review report on metsulfuron-methyl, and in particular Appendices I and II thereof, as finalised in the Standing Committee on Plant Health on 16 June 2000 shall be taken into account. In this overall assessment Member States:

— must pay particular attention to the protection of groundwater,

— must pay particular attention to the impact on aquatic organisms and must ensure that the conditions of authorisation include, where appropriate, risk mitigation measures.

3. Expiry date of the inclusion: 30 June 2011.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 17 July 2000

on the acceptance, by the European Community, of the amendment to the Agreement establishing the General Fisheries Commission for the Mediterranean with a view to establishing an autonomous budget for that organisation

(2000/487/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof, in conjunction with Article 300(2), first sentence, and (3), first subparagraph,

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

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

Whereas:

- (1) The European Community is a member of the General Fisheries Commission for the Mediterranean (GFCM) ⁽³⁾.
- (2) The management of fish stocks in the Mediterranean requires that action be taken at multilateral level to regulate fishing activities on the high seas. The development of aquaculture can benefit from multilateral cooperation. The GFCM is the appropriate framework for these actions.
- (3) GFCM has recently adopted amendments designed to reinforce its activities by creating a Scientific Advisory Committee, to meet once a year. The new activities of this organisation require the necessary financial means.
- (4) GFCM depends entirely on the budget of the Food and Agriculture Organisation (FAO). The limitations placed on that budget mean that the activities of GFCM which are necessary to accomplish its new reinforced role cannot be funded. GFCM must therefore have its own autonomous budget.
- (5) GFCM adopted, at its meeting from 13 to 16 October 1997, the amendments to the text of the agreement establishing an autonomous budget. The said budget

represents a new obligation on GFCM contracting parties within the meaning of Article X.2 of the Agreement creating the GFCM.

- (6) These new obligations can only enter into force after acceptance by two thirds of the members of the GFCM Commission and with respect to each member, only on acceptance by that member.
- (7) The Community should therefore adopt an instrument of acceptance of the autonomous budget of GFCM,

HAS DECIDED AS FOLLOWS:

Sole Article

1. The Community shall accept the establishment of an autonomous budget for the General Fisheries Commission for the Mediterranean, in accordance with the instrument set out in Annex I.
2. The text of the amended Agreement and the amended Rules of Procedure of the General Fisheries Commission for the Mediterranean, including the provisions on the autonomous budget, are set out in Annex II.

Done at Brussels, 17 July 2000.

For the Council
The President
J. GLAVANY

⁽¹⁾ OJ C 15, 20.1.1999, p. 13.

⁽²⁾ OJ C 150, 28.5.1999, p. 153.

⁽³⁾ Council Decision (98/416/EC) of 16 June 1998 on the accession of the European Community to the General Fisheries Commission for the Mediterranean (OJ L 190, 4.7.1998, p. 34).

ANNEX I

Instrument of acceptance of the autonomous budget of the General Fisheries Commission for the Mediterranean

Sir,

I have the honour to inform you that the European Community has decided to accept the new rules governing the establishment of the autonomous budget of the General Fisheries Commission for the Mediterranean. I therefore convey to you this instrument by which the Community accepts the new Article VIIIa and IXa as well as the amendments to Articles II, VII and IX of the Agreement as adopted at the meeting from 13 to 16 October 1997, in accordance with Article X.2 of the said Agreement.

I have the honour to be, Sir, yours faithfully,

President of the Council of the European Union

Mr Diouf
Director-General
Food and Agriculture Organisation of the United Nations
Via delle Terme di Caracalla
I-00100 Roma

ANNEX II

AGREEMENT**establishing the General Fisheries Commission for the Mediterranean****PREAMBLE**

THE CONTRACTING PARTIES,

Taking account of the relevant provisions of the United Nations Convention on the Law of the Sea which entered into force on 16 November 1994 (hereafter referred to as the United Nations Convention) and which requires all members of the international community to cooperate in the conservation and management of the living marine resources,

Noting also the objectives and purposes stated in Chapter 17 of Agenda 21 adopted by the United Nations Conference on Environment and Development, 1992 and the Code of Conduct for Responsible Fisheries adopted by the FAO Conference in 1995,

Noting also that other international instruments have been negotiated concerning the conservation and management of certain fish stocks,

Having a mutual interest in the development and proper utilisation of the living marine resources in the Mediterranean and the Black Sea and connecting waters (hereafter referred to as the 'Region') and desiring to further the attainment of their objectives through international cooperation which would be furthered by the establishment of a General Fisheries Commission for the Mediterranean,

Recognising the importance of fisheries conservation and management in the Region and of promoting cooperation to that effect,

AGREE AS FOLLOWS:

*Article I***The Commission**

1. The Contracting Parties hereby establish within the framework of the Food and Agriculture Organisation of the United Nations (hereinafter referred to as 'the Organisation') a Commission to be known as the General Fisheries Commission for the Mediterranean (hereinafter referred to as 'the Commission'), for the purpose of exercising the functions and discharging the responsibilities set forth in Article III below.

2. The Members of the Commission shall be such Members and Associate Members of the Organisation and such non-member States as are members of the United Nations, any of its Specialised Agencies or the International Atomic Energy Agency, that are:

- (i) coastal States or Associate Members situated wholly or partly within the Region,
- (ii) States or Associate Members whose vessels engage in fishing in the Region for stocks covered by this Agreement, or
- (iii) regional economic integration organisations of which any State referred to in subparagraphs (i), or (ii) above is a member and to which that State has transferred competence over matters within the purview of this Agreement;

and which accept this Agreement in accordance with the provisions of Article XI below, it being understood that these provisions shall not affect the membership status in the Commission of such States that are not members of the United Nations, any of its Specialised Agencies or the International Atomic Energy Agency as may have become parties to this Agreement prior to 22 May 1963. As regards Associate Members, this Agreement shall, in accordance with the provisions of Article XIV.5 of the Constitution and Rule XXI.3 of the General Rules of the Organisation, be submitted by the Organisation to the authority having responsibility for the international relations of such Associate Members.

*Article II***Organisation**

1. Each Member shall be represented at sessions of the Commission by one delegate, who may be accompanied by an alternate and by experts and advisers. Participation in meetings of the Commission by alternates, experts, and advisers shall not entail the right to vote, except in the case of an alternate who is acting in the place of a delegate during his absence.

2. Subject to paragraph 3, each Member shall have one vote. Decisions of the Commission shall be taken by a majority of the votes cast, except as otherwise provided by this Agreement. A majority of the total membership of the Commission shall constitute a quorum.

3. A Regional Economic Integration Organisation that is a Member of the Commission shall be entitled to exercise in any meeting of the Commission or of any subsidiary body of the Commission a number of votes equal to the number of its Member States that are entitled to vote in such meeting.

4. A Regional Economic Integration Organisation that is a Member of the Commission shall exercise its membership rights on an alternative basis with its Member States that are Members of the Commission in the areas of their respective competence. Whenever a Regional Economic Integration Organisation that is a Member of the Commission exercises its right to vote, its member States shall not exercise theirs, and conversely.

5. Any Member of the Commission may request a Regional Economic Integration Organisation that is a Member of the Commission or its Member States that are Members of the Commission to provide information as to which, as between the Member Organisation and its Member States, has competence in respect of any specific question. The Regional Economic Integration Organisation or the Member States concerned shall provide this information on such request.

6. Before any meeting of the Commission or a subsidiary body of the Commission, a Regional Economic Integration Organisation that is a Member of the Commission or its Member States that are Members of the Commission shall indicate which, as between the Regional Economic Integration Organisation and its Member States, has competence in respect to any specific question to be considered in the meeting and which, as between the Regional Economic Integration Organisation and its Member States, shall exercise the right to vote in respect of each particular agenda item. Nothing in this paragraph shall prevent a Regional Economic Integration Organisation that is a Member of the Commission or its Member States that are Members of the Commission from making a single declaration for the purposes of this paragraph, which declaration shall remain in force for questions and agenda items to be considered at all subsequent meetings subject to such exceptions or modifications as may be indicated before any individual meeting.

7. In cases where an agenda item covers both matters in respect of which competence has been transferred to the Regional Economic Integration Organisation and matters which lie within the competence of its Member States, both the Regional Economic Integration Organisation and its Member States may participate in the discussions. In such cases the meeting, in arriving at its decisions, shall take into account only the intervention of the Member which has the right to vote.

8. For the purpose of determining a quorum of any meeting of the Commission, the delegation of a Regional Economic Integration Organisation that is a Member of the Commission shall be counted to the extent that it is entitled to vote in the meeting in respect of which the quorum is sought.

9. The Commission shall elect a Chairman and two Vice-Chairmen.

10. The Chairman of the Commission shall normally convene a regular session of the Commission every year unless otherwise directed by a majority of the Members. The site and

date of all sessions shall be determined by the Commission in consultation with the Director-General of the Organisation.

11. The seat of the Commission shall be at the headquarters of the Organisation in Rome, or such other location as may be determined by the Commission.

12. The Commission may, by a two-thirds majority of its membership, adopt and amend its own Rules of Procedure provided that such Rules of Procedure or the amendments thereto are not inconsistent with this Agreement or with the Constitution of the Organisation.

13. The Commission may, by a two-thirds majority of its membership, adopt and amend its own Financial Regulations, provided that such Regulations shall be consistent with the Principles embodied in the Financial Regulations of the Organisation. Such Regulations shall be reported to the Finance Committee which shall have the power to disallow such Financial Regulations or amendment if it finds that they are inconsistent with the principles embodied in the Financial Regulations of the Organisation.

Article III

Functions

1. The purpose of the Commission shall be to promote the development, conservation, rational management and best utilisation of living marine resources, as well as the sustainable development of aquaculture in the Region, and to these ends it shall have the following functions and responsibilities:

- (a) to keep under review the state of these resources, including their abundance and the level of their exploitation, as well as the state of the fisheries based thereon;
- (b) to formulate and recommend, in accordance with the provisions of Article V, appropriate measures:
 - (i) for the conservation and rational management of living marine resources, including measures:
 - regulating fishing methods and fishing gear,
 - prescribing the minimum size for individuals of specified species,
 - establishing open and close fishing seasons and areas,
 - regulating the amount of total catch and fishing effort and their allocation among Members,
 - (ii) for the implementation of these recommendations;
- (c) to keep under review the economic and social aspects of the fishing industry and recommend any measures aimed at its development;
- (d) to encourage, recommend, coordinate and, as appropriate, undertake training and extension activities in all aspects of fisheries;
- (e) to encourage, recommend, coordinate and, as appropriate, undertake research and development activities, including cooperative projects in the areas of fisheries and the protection of living marine resources;

- (f) to assemble, publish or disseminate information regarding exploitable living marine resources and fisheries based on these resources;
- (g) to promote programmes for marine and brackish water aquaculture and coastal fisheries enhancement;
- (h) to carry out such other activities as may be necessary for the Commission to achieve its purpose as defined above.

2. In formulating and recommending measures under paragraph 1(b) above, the Commission shall apply the precautionary approach to conservation and management decisions, and take into account also the best scientific evidence available and the need to promote the development and proper utilisation of the marine living resources.

Article IV

Region

The Commission shall carry out the functions and responsibilities set forth in Article III in the Region as referred to in the Preamble.

Article V

Recommendations on management measures

1. The recommendations referred to in Article III(1)(b), shall be adopted by a two-thirds majority of Members of the Commission present and voting. The text of such recommendations shall be communicated by the Chairman of the Commission to each Member.
2. Subject to the provisions of this Article, the Members of the Commission undertake to give effect to any recommendations made by the Commission under Article III(1)(b), from the date determined by the Commission, which shall not be before the period for objection provided for in this Article has elapsed.
3. Any Member of the Commission may within 120 days from the date of notification of a recommendation object to it and in that event shall not be under obligation to give effect to that recommendation. In the event of an objection being made within the 120 days period any other Member may similarly object at any time within a further period of 60 days. A Member may also at any time withdraw its objection and give effect to a recommendation.
4. If objections to a recommendation are made by more than one-third of the Members of the Commission, the other Members shall be relieved forthwith of any obligation to give effect to that recommendation; nevertheless any or all of them may agree among themselves to give effect to it.
5. The Chairman of the Commission shall notify each Member immediately upon receipt of each objection or withdrawal of objection.

Article VI

Reports

The Commission shall transmit, after each session, to the Director-General of the Organisation, a report embodying its views, recommendations and decisions, and make such other reports to the Director-General of the Organisation as may seem to it necessary or desirable. Reports of the committees and working parties of the Commission provided for in Article VII of the Agreement shall be transmitted to the Director-General of the Organisation through the Commission.

Article VII

Committees, working parties and specialists

1. The Commission may establish temporary, special or standing committees to study and report on matters pertaining to the purposes of the Commission and working parties to study and recommend on specific technical problems.
2. The committees and working parties referred to in paragraph 1 above shall be convened by the Chairman of the Commission at such times and places as are determined by the Chairman in consultation with the Director-General of the Organisation, as appropriate.
3. The establishment of committees and working parties referred to in paragraph 1 above and the recruitment or appointment of specialists, shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Commission. Before taking any decision involving expenditures in connection with the establishment of committees and working parties and the recruitment or appointment of specialists, the Commission shall have before it a report from the Secretary of the Commission on the administrative and financial implications thereof.

Article VIII

Cooperation with international organisations

The Commission shall cooperate closely with other international organisations in matters of mutual interest.

Article VIIIa

Finances

1. Each Member of the Commission undertakes to contribute annually its share of the autonomous budget in accordance with a scale of contributions to be adopted by the Commission.
2. At each regular session, the Commission shall adopt its autonomous budget by consensus of its Members, provided however that if, after every effort has been made, a consensus cannot be reached in the course of that session, the matter will be put to a vote and the budget shall be adopted by a two-thirds majority of its Members.
3. (a) The amount of the contribution of each Member of the Commission shall be determined in accordance with a scheme which the Commission shall adopt and amend by consensus.

- (b) The scheme adopted or amended by the Commission shall be set out in the Financial Regulations of the Commission.

4. Any non-Member of the Organisation that becomes a Member of the Commission shall be required to make such contribution towards the expenses incurred by the Organisation with respect to the activities of the Commission as the Commission may determine.

5. Contributions shall be payable in freely convertible currencies unless otherwise determined by the Commission with the concurrence of the Director-General.

6. The Commission may also accept donations and other forms of assistance from organisations, individuals and other sources for purposes connected with the fulfilment of any of its functions.

7. Contributions and donations and other forms of assistance received shall be placed in a Trust Fund administered by the Director-General in conformity with the Financial Regulations of the Organisation.

8. A Member of the Commission which is in arrears in the payment of its financial contributions to the Commission shall have no vote in the Commission if the amount of its arrears equals or exceeds the amount of the contributions due from it for the two preceding calendar years. The Commission may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay was due to conditions beyond the control of the Member but in no case shall it extend the right to vote beyond a further two calendar years.

Article IX

Expenses

1. The expenses of delegates and their alternates, experts and advisers occasioned by attendance at sessions of the Commission and the expenses of representatives sent to committees or working parties established in accordance with Article VII of this Agreement shall be determined and paid by respective Members.

2. The expenses of the Secretariat, including publications and communications and the expenses incurred by the Chairman and Vice-Chairmen of the Commission, when performing duties on behalf of the Commission between Commission sessions, shall be determined and paid from the budget of the Commission.

3. The expenses of research and development projects undertaken by individual Members of the Commission, whether independently or upon recommendation of the Commission, shall be determined and paid by the Members concerned.

4. The expenses incurred in connection with cooperative research or development projects undertaken in accordance with the provisions of Article III(1)(e), unless otherwise available shall be determined and paid by the Members in the form and proportion to which they shall mutually agree. Contribu-

tions for cooperative projects shall be paid into a trust fund to be established by the Organisation and shall be administered by the Organisation in accordance with the Financial Regulations and Rules of the Organisation.

5. The expenses of experts invited to attend meetings of the Commission, committees or working parties in their individual capacity shall be borne by the budget of the Commission.

6. The Commission may accept voluntary contributions generally or in connection with specific projects or activities of the Commission. Such contributions shall be paid into a trust fund to be established by the Organisation. The acceptance of such voluntary contributions and the administration of the trust fund shall be in accordance with the Financial Regulations and Rules of the Organisation.

Article IXa

Administration

1. The Secretary of the Commission (hereinafter referred to as the 'Secretary') shall be appointed by the Director-General with the approval of the Commission, or in the event of appointment between regular sessions of the Commission, with the approval of the Members of the Commission.

2. The Secretary shall be responsible for implementing the policies and activities of the Commission and shall report thereon to the Commission. The Secretary shall also act as Secretary to other subsidiary bodies established by the Commission, as required.

3. The expenses of the Commission shall be paid out of its autonomous budget except those relating to such staff and facilities as can be made available by the Organisation. The expenses to be borne by the Organisation shall be determined and paid within the limits of the biennial budget prepared by the Director-General and approved by the Conference of the Organisation in accordance with the General Rules and the Financial Regulations of the Organisation.

4. Expenses incurred by delegates, their alternates, experts and advisers when attending, as government representatives, sessions of the Commission, its sub-commissions and its committees, as well as the expenses incurred by observers at sessions, shall be borne by the respective governments or organisations. The expenses of experts invited by the Commission to attend, in their individual capacity, meetings of the Commission or its sub-commissions or committees shall be borne by the budget of the Commission.

Article X

Amendments

1. The General Fisheries Commission for the Mediterranean may amend this Agreement by a two-thirds majority of all the Members of the Commission. Subject to paragraph 2 below, amendments shall come into force as from the date of their adoption by the Commission.

2. Amendments involving new obligations for Members shall come into force after acceptance by two-thirds of the Members of the Commission and with respect to each Member only on acceptance of it by that Member. The instruments of acceptance of amendments involving new obligations shall be deposited with the Director-General of the Organisation who shall inform all the Members of the General Fisheries Commission for the Mediterranean, as well as the Secretary-General of the United Nations, of the receipt of acceptance and the entry into force of such amendments. The rights and obligations of any Member of the General Fisheries Commission for the Mediterranean that has not accepted an amendment involving additional obligations shall continue to be governed by the provisions of this Agreement as they stood prior to the amendment.

3. Amendments to this Agreement shall be reported to the Council of the Organisation which shall have the power to disallow any amendment which it finds to be inconsistent with the objectives and purposes of the Organisation or the provisions of the Constitution of the Organisation. If the Council of the Organisation considers it desirable, it may refer the amendment to the Conference of the Organisation which shall have the same power.

Article XI

Acceptance

1. This Agreement shall be open to acceptance by Members or Associate Members of the Organisation.

2. The Commission may, by a two-thirds majority of its membership, admit to membership such other States that are Members of the United Nations, any of its Specialised Agencies or the International Atomic Energy Agency as have submitted an application for membership and a declaration made in a formal instrument that they accept this Agreement as in force at the time of admission.

3. Participation in the activities of the Commission by Members of the Commission which are not Members or Associate Members of the Organisation shall be contingent upon the assumption of such proportionate share in the expenses of the Secretariat as may be determined in the light of the relevant provisions of the Financial Regulations of the Organisation.

4. Acceptance of this Agreement by any Member or Associate Member of the Organisation shall be effected by the deposit of an instrument of acceptance with the Director-General of the Organisation and shall take effect on receipt of such instrument by the Director-General.

5. Acceptance of this Agreement by non-members of the Organisation shall be effected by the deposit of an instrument of acceptance with the Director-General of the Organisation. Membership shall become effective on the date on which the Commission approves the application for membership, in conformity with the provisions of paragraph 2 of this Article.

6. The Director-General of the Organisation shall inform all Members of the Commission, all Members of the Organisation and the Secretary-General of the United Nations of all acceptances that have become effective.

7. Acceptance of this Agreement may be made subject to reservations which shall become effective only upon unanimous approval by the Members of the Commission. Members of the Commission not having replied within three months from the date of the notification shall be deemed to have accepted the reservation. Failing such approval, the nation or regional economic integration organisation making the reservation shall not become a party to this Agreement. The Director-General of the Organisation shall notify forthwith all Members of the Commission of any reservations.

8. References in this Agreement to the United Nations Convention on the Law of the Sea, 1982, or to other international agreements do not prejudice the position of any State with respect to signature, ratification, or accession to the 1982 United Nations Convention or with respect to other agreements.

Article XII

Entry into force

This Agreement shall enter into force as from the date of receipt of the fifth instrument of acceptance.

Article XIII

Territorial application

The Members of the Commission shall, when accepting this Agreement, state explicitly to which territories their participation shall extend. In the absence of such a declaration, participation shall be deemed to apply to all the territories for the international relations of which the Member is responsible. Subject to the provisions of Article XIV below, the scope of the territorial application may be modified by a subsequent declaration.

Article XIV

Withdrawal

1. Any Member may withdraw from this Agreement at any time after the expiration of two years from the date upon which the Agreement entered into force with respect to that Member, by giving written notice of such withdrawal to the Director-General of the Organisation who shall immediately inform all the Members of the Commission and the Members of the Organisation of such withdrawal. Notice of withdrawal shall become effective three months from the date of its receipt by the Director-General.

2. A Member of the Commission may give notice of withdrawal with respect to one or more of the territories for the international relations of which it is responsible. When a Member gives notice of its own withdrawal from the Commission it shall state to which territory or territories the withdrawal is to apply. In the absence of such a declaration, the withdrawal shall be deemed to apply to all the territories for the international relations of which the Member of the Commission is responsible, with the exception of Associate Members.

3. Any Member of the Commission that gives notice of withdrawal from the Organisation shall be deemed to have simultaneously withdrawn from the Commission, and this withdrawal shall be deemed to apply to all the territories for the international relations of which the Member concerned is responsible, except that such withdrawal shall not be deemed to apply to an Associate Member.

Article XV

Interpretation and settlement of disputes

Any dispute regarding the interpretation or application of this Agreement, if not settled by the Commission, shall be referred to a committee composed of one member appointed by each of the parties to the dispute, and in addition an independent chairman chosen by the members of the committee. The recommendations of such a committee, while not binding in character, shall become the basis for renewed consideration by the parties concerned of the matter out of which the disagreement arose. If as the result of this procedure the dispute is not settled, it shall be referred to the International Court of Justice in accordance with the Statute of the Court, or, in the case of a Regional Economic Integration Organisation that is a Member of the Commission, it shall be submitted to arbitration unless the parties to the dispute agree to another method of settlement.

Article XVI

Termination

This Agreement shall be automatically terminated if and when, as the result of withdrawals, the number of Members of the Commission drops below five, unless the remaining Members unanimously decide otherwise.

Article XVII

Certification and registration

The text of this Agreement was originally formulated at Rome on the twenty-fourth day of September one thousand nine hundred and forty-nine in the French language. Two copies in the English, French and Spanish languages of this Agreement and of any amendments to this Agreement shall be certified by the Chairman of the Commission and by the Director-General of the Organisation. One of these copies shall be deposited in the archives of the Organisation. The other copy shall be transmitted to the Secretary-General of the United Nations for registration. In addition, the Director-General shall certify copies of this Agreement and transmit one copy to each Member of the Organisation and to such non-member nations of the Organisation that are or may become parties to this Agreement.

RULES OF PROCEDURE OF THE GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN

Rule I

For the purpose of these Rules, the following definitions apply:

Agreement:

The Agreement for the establishment of the General Fisheries Commission for the Mediterranean formulated at Rome (Italy), 24 September 1949 as amended in conformity with Article X thereof.

Commission:

The General Fisheries Commission for the Mediterranean.

Chairman:

The Chairman of the Commission.

Vice-Chairman:

The Vice-Chairman of the Commission.

Delegate:

The representative of a Member as specified in Article II(1) of the Agreement.

Delegation:

The delegate and his alternate, experts, and advisers.

Member:

Members and Associate Members of the Organisation, and non-members of the Organisation, as may be Members of the Commission.

Secretary:

The Secretary of the Commission.

Organisation:

The Food and Agriculture Organisation of the United Nations.

Conference:

The Conference of the Organisation.

Observer nation, Associate Member or Organisation:

A nation that is not a Member of the Commission or of the Organisation, or an international organisation invited to attend a session of the Commission, or a Member or Associate Member of the Organisation attending a session of the Commission while not a Member of the Commission.

Observer:

The representative of an observer nation or organisation.

Rule II

Sessions of the Commission

1. In pursuance of, and in accordance with, Article II(10) of the Agreement, the Commission, in consultation with the Director-General, shall at each regular session decide the time

and place for the next session in accordance with the requirements of the Commission's programmes and the terms of the invitation of the country in which the session is to be held. The Chairman, accordingly, shall issue the announcement of the session.

2. The Chairman may convene a special session of the Commission at the request or with the approval of the majority of the Members.

3. Invitations to a regular session of the Commission shall be issued by the Secretary on behalf of the Chairman not less than sixty days in advance of the date fixed for the opening of the session. Invitations to special sessions shall be issued not less than forty days in advance of the date fixed for the opening of the session.

4. In order that a proposal to hold a session of the Commission or any of its organs, in a given country, may be considered, such country must have (a) ratified without reservation the Convention on the Privileges and Immunities of the Specialised Agencies of the United Nations, or (b) given the assurance that all delegates, representatives, experts, observers, or other persons entitled to attend such session in accordance with the terms of the Agreement or these Rules, will enjoy the privileges and immunities necessary for the independent exercise of their function in connection with the session.

Rule III

Credentials

At each session the Secretary shall receive the credentials of delegations and observers. Such credentials shall conform to the standard form set by the Secretariat. Upon examination thereof the Secretariat shall report to the Commission for the necessary action.

Rule IV

Agenda

1. The agenda of each regular session shall include:
 - (a) as appropriate, election of the Chairman and of two Vice-Chairmen as provided under Article II(9) of the Agreement;
 - (b) adoption of the agenda;
 - (c) a report by the Secretary on the financial affairs and activities of the Commission;
 - (d) consideration of the proposed budget;
 - (e) reports of committees;

- (f) consideration of the time and place of the next session;
- (g) proposals for amendments to the Agreement and the present Rules of Procedure;
- (h) applications for membership, in accordance with Article XI(2) of the Agreement, from States which, while not Members of the Organisation, are Members of the United Nations, any of its Specialised Agencies or the International Atomic Energy Agency;
- (i) items referred to the General Fisheries Commission for the Mediterranean by the Conference, the Council or the Director-General of the Organisation.

2. The agenda shall also include, upon approval by the Commission:

- (a) items approved at the previous session;
- (b) items proposed by a Member.

3. The provisional agenda shall be sent by the Secretary to members and observer nations and organisations not less than 60 days before the date of the session, together with reports and documents available in connection therewith.

4. The agenda of a special session shall consist only of items relating to the purpose for which the session was called.

Rule V

The Secretariat

1. The Secretariat shall consist of the Secretary and such staff responsible to him as may be determined by the Director-General.
2. The duties of the Secretary shall include the receipt, collation, and circulation of documents, reports, and resolutions of the sessions of the Commission and its committees, the record of their proceedings, the certification of expenditures and financial commitments, and the performance of such other duties as the Commission may direct.
3. Copies of all communications concerning the affairs of the Commission shall be sent to the Secretary for purposes of information and record.

Rule VI

Plenary meetings of the Commission

Plenary meetings of the Commission shall be held in public unless otherwise decided by the Commission. When the Commission decides to hold a private meeting, it shall at the same time determine the scope of such a decision with respect to observers.

Rule VII

Election of Chairman and Vice-Chairmen

1. The Commission shall elect the Chairman and first and second Vice-Chairman of the Commission who shall assume office immediately following the regular session at which they were elected and who shall be elected for two regular sessions.
2. Nominees must be delegates or alternates present at the regular session at which they are to be elected. They shall be eligible for re-election for a further two regular sessions.

Rule VIII

Functions of the Chairman and Vice-Chairmen

1. The Chairman shall exercise the functions conferred on him elsewhere in these Rules and, in particular, shall:
 - (a) declare the opening and closing of each plenary meeting of the Commission;
 - (b) direct the discussions at such meetings and ensure observance of these Rules, accord the right to speak, put questions and announce decisions;
 - (c) rule on points of order;
 - (d) subject to these Rules, have complete control over the proceedings of the session;
 - (e) appoint such committees of the session as the Commission may direct.
2. In the absence of the Chairman, or at his request, his functions shall be exercised by the first Vice-Chairman or, in the absence of the latter, by the second Vice-Chairman.
3. The Chairman or Vice-Chairmen, when acting as Chairman shall not vote and another member of their delegations shall represent their governments.
4. The Secretary shall temporarily exercise the functions of the Chairman in the event the Chairman and Vice-Chairmen are unable to serve.

Rule IX

Voting arrangements and procedures

1. Except as provided in paragraph 4 of this Rule, voting in plenary meetings shall be oral or by show of hands, except that a vote by roll call shall be taken if a special majority is required by the Agreement or these Rules, or if a request for a vote by roll call is made by any delegation.
2. A vote by roll call shall be conducted by calling upon delegations in the French alphabetical order.
3. The record of any roll call vote shall show the votes cast by each delegate and any abstention.

4. Voting on matters relating to individuals, except the election of officers of the Commission and its committees, shall be by secret ballot.

5. When no nominee for an office obtains on the first ballot a majority of the votes cast, there shall be taken a second ballot confined to the two candidates obtaining the largest number of votes. If, on the second ballot, the votes are equally divided, the Chairman shall decide between the candidates by drawing lots.

6. If the Commission is equally divided when a vote is taken on a question other than election, a second vote shall be taken at the next meeting of the current session. If the Commission is then again equally divided, the proposal shall be regarded as rejected.

7. Voting arrangements and other related matters not specifically provided for by the Agreement, or by these Rules, shall be governed *mutatis mutandis* by the provisions of the General Rules of the Organisation.

Rule X

Committees

1. There shall be established a Committee on Aquaculture which shall be open to all members of the Commission and which shall:

- (a) monitor development and trends of aquaculture practices in the region;
- (b) monitor the interaction between aquaculture development and the environment;
- (c) oversee and guide work of the four networks created as a result of the activities of MEDRAP II and in particular by monitoring the progress, evaluating the proposed programmes of the various networks, and directing the work of the SIPAM network through the FAO Secretariat;
- (d) seek additional support to complement the contribution of the institutions, which support the established networks, namely, CIHEAM, MAP-PAP/RAC and FAO, and to enhance the work of the four networks;
- (e) carry out other duties related to aquaculture promotion and development that may be referred to it by the Commission.

2. (a) There shall be established a Scientific Advisory Committee which shall provide scientific, social and economic information, data, or advice relating to the work of the Commission.

(b) The Committee shall be open to all members of the Commission. Each Member of the Commission may designate a member of the Committee, and a member may be accompanied by experts.

(c) The Committee may establish working groups to analyse data and to advise the Committee on the state of shared and straddling resources.

(d) The Committee shall provide independent advice on the technical and scientific bases for decisions concerning fisheries conservation and management, including biological, social and economic aspects, and in particular, it shall:

- (1) assess information provided by members and relevant fisheries organisations or programmes on catches, fishing effort, and other data relevant to the conservation and management of fisheries;
- (2) formulate advice to the Commission on the conservation and management of fisheries;
- (3) identify cooperative research programmes and coordinate their implementation;
- (4) undertake such other functions or responsibilities as may be conferred on it by the Commission.

(e) Members have an obligation to provide information on catches and other data relevant to the functions of the committee in such a way as to enable the Committee to fulfil its responsibilities under this paragraph.

3. The Commission may establish such other committees and working parties as it considers desirable.

4. The establishment of committees and working parties under this Rule shall be subject to the provisions of Article VII(4) of the Agreement.

5. The procedures of such committees and working parties shall be governed *mutatis mutandis* by the Rules of Procedure of the Commission.

Rule XI

Budget and finance

1. Except as otherwise provided in these Rules, the Financial Regulations of the Organisation, as amplified by the Administrative Manual and memoranda and the procedures based thereon, shall apply to the Commission.

2. A proposed budget of the Commission for the next succeeding financial period consisting of proposed expenses of the Secretariat, including publications and communications, the proposed travelling expenses of the Chairman and Vice-Chairmen, when engaged in the work of the Commission between its sessions, and the expense, if any, of the committees, shall after approval by the Commission be submitted to the Director-General for consideration in the preparation of the general budget estimates of the Organisation.

3. When adopted by the Conference as part of the general budget of the Organisation, the budget of the Commission shall constitute the limits within which funds may be committed for purposes approved by the Conference.

4. All cooperative projects shall be submitted to the Council or the Conference of the Organisation prior to implementation.

Rule XII

Participation by observers

1. Participation of international organisations in the work of the Commission and the relations between the Commission and such organisations shall be governed by the relevant provisions of the Organisation, as well as by the rules on relations with international organisations adopted by the Conference or Council of the Organisation.

2. Members and Associate Members of the Organisation that are not members of the Commission may, upon their request, be represented by an observer at sessions of the Commission and its subsidiary bodies.

3. States that are not Members of the Commission, nor Members or Associate Members of the Organisation, but are Members of the United Nations, any of its Specialised Agencies or the International Atomic Energy Agency may, upon request, and with the approval of the Council of the Organisation and of the General Fisheries Commission for the Mediterranean, attend sessions of the Commission and its subsidiary bodies in an observer capacity, in accordance with the Statement of Principles adopted by the Conference relating to the granting of observer status to nations.

4. Unless the Commission expressly determines otherwise, observers may attend the plenary meetings of the Commission and participate in the discussions at any technical committee sessions which they may be invited to attend. In no case will they be entitled to vote.

Rule XIII

Cooperative projects

In the furtherance of cooperative projects provided for in Article III(1)(e) of the Agreement, and of studies undertaken outside the region referred to in the Preamble of the Agreement, arrangements may be made with governments that are not members of the Commission. All such arrangements shall be made by the Director-General of the Organisation.

Rule XIV

Records, reports and recommendations

1. Summary records shall be made of each plenary meeting of the Commission and each committee meeting, and shall be distributed as soon as possible to the participants.

2. A summary shall be prepared of the proceedings of each session of the Commission and shall be published together with such reports of committees, technical papers and other documents as the Commission may consider advisable.

3. At each session the Commission shall approve a report embodying its views, recommendations, resolutions and decisions, including, when requested, a statement of minority views.

4. Subject to the provisions of Article V of the Agreement, the conclusions and recommendations of the Commission shall be transmitted to the Director-General of the Organisation at the close of each session, who shall circulate them to Members of the Commission, nations and international organisations that were represented at the session and make them available to other Members and Associate Members of the Organisation for their information.

5. Recommendations having policy, programme or financial implications for the Organisation shall be brought by the Director-General to the attention of the Conference through the Council of the Organisation for action.

6. Subject to the provisions of the preceding paragraph, the Chairman may request Members of the Commission to supply the Commission or the Director-General with information on action taken on the basis of recommendations made by the Commission.

Rule XV

Recommendations to Members

1. The Commission may take recommendations for action by Members on any matter pertaining to the functions described in Article III of the Agreement.

2. The Secretary shall receive on behalf of the Commission the replies of the Members in respect of such recommendations and shall prepare a summary and an analysis of such communications for presentation at the next session.

Rule XVI

Amendments to the Agreement

1. Proposals for the amendment of the Agreement as provided by Article X of the Agreement may be made by any Member in a communication addressed to the Secretary. The Secretary shall transmit to all Members and to the Director-General a copy of such proposals for amendment immediately upon their receipt.

2. No action on a proposal for the amendment of the Agreement shall be taken by the Commission at any session unless it has been included in the provisional agenda of the session.

Rule XVII

Suspension and amendment of Rules

1. Subject to the provisions of the Agreement any of the foregoing Rules, other than Rules IV, V, X(3) and (4), XI, XII, XIV(4) and XVI, may be suspended on the motion of any delegation by a majority of the votes cast at any plenary meeting of the Commission, provided that announcement is made at a plenary meeting of the Commission and copies of the proposal for suspension have been distributed to the delegations not less than 48 hours before the meeting at which action is to be taken.

2. Amendments of, or addition to, these Rules may be adopted on the motion of any delegation by a two-thirds majority of the Members of the Commission, at any plenary meeting of the Commission, provided an announcement is made at a plenary meeting and copies of the proposal for the amendment or addition have been distributed to delegations not less than 24 hours before the meeting at which action is to be taken.
3. Any amendment to Rule XVI which may be adopted in accordance with the provisions of paragraph 2 of this Rule, shall not become effective until the next session of the Commission.

Rule XVIII

Official languages

1. The official languages of the Commission shall be such languages of the Organisation as the Commission itself may decide. The delegations may use any one of these languages at sessions and for their reports and communications. A delegation using a non-official language shall provide for interpretation into one of the official languages.
 2. During the meetings, interpretation in one or more of the official languages will be provided by the Secretariat when requested by one of the delegates present.
 3. Publications of reports and communications shall be in the language in which they are submitted and, when required by the Commission, abstracts in translation may be published.
-

COUNCIL DECISION

of 20 July 2000

concerning the conclusion of an agreement between the Community and Cyprus establishing cooperation in the field of small and medium-sized enterprises within the framework of the third multiannual programme for small and medium-sized enterprises (SMEs) in the European Union (1997 to 2000)

(2000/488/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 157(3), in conjunction with Article 300(2) and (3), first subparagraph thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) The Resolution of the EC-Cyprus Association Council of 12 June 1995 and the conclusions of the Luxembourg European Council of 12 and 13 December 1997 established certain elements of a pre-accession strategy which include the participation of Cyprus in Community programmes, as confirmed by the Conclusions of the Helsinki European Council of 10 and 11 December 1999.
- (2) Council Decision 97/15/EC of 9 December 1996, concerning the third multiannual programme for small and medium-sized enterprises (SMEs) in the European Union (1997 to 2000) ⁽²⁾ hereinafter called 'the programme' provides, in Article 7(2), that this programme shall be open to the participation of Cyprus.
- (3) The Commission has negotiated, on behalf of the European Community, an agreement to enable Cyprus to participate in the programme.
- (4) This Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Community and the Republic of Cyprus establishing cooperation in the field of small and medium-sized enterprises within the framework of

the third multiannual programme for small and medium-sized enterprises (SMEs) in the European Union (1997 to 2000) is hereby approved on behalf of the European Community.

The text of the Agreement is attached to this Decision.

Article 2

The Commission shall represent the Community in the Joint Committee provided for in Article 6 of the Agreement.

Article 3

The President of the Council is hereby authorised to appoint the person(s) empowered to sign the Agreement in order to bind the Community.

Article 4

The President of the Council shall, on behalf of the Community, give the notification provided for in Article 13 of the Agreement.

Done at Brussels, 20 July 2000.

For the Council

The President

F. PARLY

⁽¹⁾ Opinion delivered on 5 July 2000 (not yet published in the Official Journal).

⁽²⁾ OJ L 6, 10.1.1997, p. 25.

AGREEMENT

between the European Community and the Republic of Cyprus establishing cooperation in the field of small and medium-sized enterprises within the framework of the third multiannual programme for small and medium-sized enterprises (SMEs) in the European Union (1997 to 2000)

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community'

of the one part, and

THE REPUBLIC OF CYPRUS, hereinafter referred to as 'Cyprus'

of the other part,

WHEREAS, pursuant to Council Decision 97/15/EC of 9 December 1996 ⁽¹⁾, a third multiannual programme for small and medium-sized enterprises (SMEs) in the European Union (1997 to 2000) hereinafter referred to as 'the programme' was established;

WHEREAS Decision 97/15/EC provides, in its Article 7(2), for the opening of the programme to Cyprus;

WHEREAS the participation of Cyprus in the programme constitutes a significant step in the pre-accession strategy of Cyprus;

WHEREAS the Contracting Parties have a common interest in cooperation in the field of small and medium-sized enterprises as part of the wider cooperation between the Community and Cyprus and with the aim of contributing to a dynamic and homogeneous development in this field;

WHEREAS, in particular, cooperation between the Community and Cyprus, with a view to pursuing the objectives fixed for the Programme, within the context of transnational cooperation activities involving the Community and Cyprus, by its nature enriches the impact of the different actions undertaken pursuant to that programme, and strengthens the competitiveness of small and medium-sized enterprises in the Community and Cyprus;

WHEREAS the Contracting Parties consequently expect to obtain mutual benefits from the participation of Cyprus in the programme;

WHEREAS successful cooperation in this field implies a general commitment by the Contracting Parties to make complementary efforts to stimulate the European dimension in the field of small and medium-sized enterprises,

HAVE AGREED AS FOLLOWS:

Article 1

Field of cooperation

Cyprus shall participate in the programme in conformity, unless otherwise provided in this Agreement, with the objectives, criteria, procedures and deadlines laid down in Decision 97/15/EC and in particular Article 2, Article 7 and the Annex which forms an integral part of this Agreement. Specifically, Cyprus will participate in the measures: C, 'Help SMEs to Europeanise and internationalise their strategies in particular through better information and cooperation services' and E, 'Promote entrepreneurship and support special target groups'.

Article 2

Eligible institutions, organisations and individuals

The eligibility of institutions, organisations and individuals established in Cyprus shall be subject to the rules set out or deriving from Decision 97/15/EC, in particular Article 2, Article 7 and the Annex.

⁽¹⁾ OJ L 6, 10.1.1997, p. 25.

Article 3

Procedures

Eligible institutions, organisations and individuals established in Cyprus shall take part in the programme according to the conditions and rules set out or deriving from Decision 97/15/EC, in particular Article 2, Article 7 and the Annex. The terms and conditions for the submission, evaluation and selection of applications and proposals of pilot projects, programmes and any other measures shall be the same as those applicable to institutions, organisations and individuals of the Community.

Projects and activities carried out solely between Cyprus and EFTA/EEA States or any other third country, including those with an Association Agreement with the Community, to which participation in the programme is open, shall not be eligible for Community financial support.

Article 4

National structures

Cyprus shall provide, where necessary, the appropriate structures and mechanisms at national level and shall take all other necessary steps to ensure national coordination and organisation of the implementation of the programme, in conformity with Article 7(2) of Decision 97/15/EC.

*Article 5***Financial conditions**

To cover the costs arising from its participation in the Programme, Cyprus shall pay each year a contribution to the general budget of the European Union, according to the terms and conditions set out in the Annex to this Agreement.

*Article 6***Joint Committee**

A Joint Committee is hereby established.

The Joint Committee shall consist, on the one hand, of representatives of the Community, and, on the other, of representatives of Cyprus.

The Joint Committee shall be responsible for the implementation of this Agreement.

At the request of either Party, the Contracting Parties shall exchange information and hold consultations within the Joint Committee on activities covered by this Agreement and related financial aspects.

The Joint Committee shall act by agreement.

The Joint Committee shall meet at the request of either Contracting Party, in accordance with the conditions to be laid down in its rules of procedure.

*Article 7***Coordination meetings**

The representatives of the Community in the Joint Committee shall take the appropriate steps to ensure coordination between the implementation of the Agreement and the decisions taken by the Community in respect of the implementation of the programme.

In order to facilitate this coordination and without prejudice to the procedures referred to in Article 4 of Decision 97/15/EC, representatives of Cyprus shall be invited to coordination meetings on any question concerning the implementation of this Agreement prior to the regular meetings of the programme committee. The Commission shall inform Cyprus about the results of such regular meetings.

*Article 8***Free movement**

The Contracting Parties shall make every effort within the framework of existing provisions to facilitate the free movement and residence of all eligible persons to the programme moving between Cyprus and the Community for the purpose of participating in the activities covered by this Agreement.

*Article 9***Monitoring, evaluation and reports**

Without prejudice to the responsibilities of the Commission and the Court of Auditors of the Community in relation to the monitoring and evaluation of the programme pursuant to

Article 5 and Article 6 of Decision 97/15/EC, the participation of Cyprus in the programme shall be continuously monitored and evaluated on a partnership basis involving the Commission and Cyprus. On this basis, Cyprus shall submit the necessary reports to the Commission and take part in any other specific activity set out by the Commission or undertake any other specific steps set out on the basis of Article 7(2).

*Article 10***Use of languages**

The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programme shall be one of the official languages of the Community.

*Article 11***Territories**

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other, to the territory of Cyprus.

*Article 12***Duration**

This Agreement is concluded for the duration of the programme (until 31 December 2000).

Should the programme be revised, this Agreement may be renegotiated or terminated. Cyprus shall be notified of the revised programme within one month of its adoption. Within a further two months, either Contracting Party may request a renegotiation or termination of this Agreement. In the event of termination, the practical arrangements for dealing with outstanding commitments shall be the subject of negotiations between the Contracting Parties.

Either Contracting Party may, at any time, request a revision of this Agreement. To this end, it shall submit a request to the other Contracting Party. The Contracting Parties may instruct the Joint Committee to examine this request and, where appropriate, to make recommendations to them, particularly with a view to opening negotiations.

Should the Community adopt a new multiannual programme for the SMEs, this Agreement may be renegotiated or renewed under mutually agreed conditions.

*Article 13***Entry into force**

This Agreement shall enter into force on the first day of the month following the notification by the Contracting Parties of the completion of their respective procedures.

*Article 14***Languages of the Agreement**

This Agreement is drawn up in duplicate in the Danish, Dutch, English, French, Finnish, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each of these texts being equally authentic.

Done at Brussels, 24 July 2000.

For the European Community

For the Republic of Cyprus

A handwritten signature in black ink, appearing to be 'P. Delors', with a long horizontal stroke extending to the right.A handwritten signature in black ink, appearing to be 'J. Vassiliou', with a stylized, cursive script.

ANNEX

FINANCIAL CONDITIONS

1. Cyprus shall pay an annual contribution to the general budget of the European Union to cover the subsidies or other financial support from the programme to be received by the Cypriot beneficiaries. This contribution will be:
 - (i) EUR 40 000 for the measure C, 'Help SMEs to Europeanise and internationalise their strategies in particular through better information services';
 - (ii) EUR 110 000 for the measure E, 'Promote entrepreneurship and support special target groups'.

Cyprus's annual contribution in 2000 will amount to a minimum of EUR 150 000.

For the budget year 2000, the aggregated amount of subsidies or any other financial support received from the programme by the Cypriot beneficiaries may not exceed the above contribution.

Should the aggregated amount of subsidies or the financial support received by the Cypriot beneficiaries from the programme be lower than the contribution and given that 2000 is the last possible year of participation, the Commission of the European Communities will reimburse the remaining amount to Cyprus.

2. In addition to the contribution referred to in point 1, Cyprus will pay in 2000, 7 % which on the basis of the minimum annual contribution (EUR 150 000) would come to an additional EUR 10 500 to cover supplementary administrative costs related to the management of the programme by the Commission stemming from Cyprus's participation. These amounts will not be subject to the provisions set out in the final paragraph of point 1.
3. The Financial Regulation applicable to the general budget of the European Community shall apply, in particular, to the management of the contribution of Cyprus.

After the entry into force of this Agreement, the Commission shall send to Cyprus a call for funds corresponding to its contribution referred to in points 1 and 2.

This contribution shall be expressed in euro and paid into a euro bank account of the Commission.

Cyprus shall pay its contribution at the latest within three months of the call for funds. Any delay in the payment of the contribution shall give rise to the payment of interest by Cyprus on the outstanding amount from the due date. The interest rate shall correspond to the rate applied by the European Central Bank, for the month of the due date, for its operations in euro ⁽¹⁾, increased by 1,5 percentage points.

4. If necessary to take into account programme developments, the contribution of Cyprus referred to in points 1 and 2 may be adapted by the Joint Committee.

⁽¹⁾ Rates published in the *Official Journal of the European Communities* — C series.

COMMISSION

COMMISSION DECISION

of 18 July 2000

amending Decision 1999/217/EC adopting a register of flavouring substances used in or on foodstuffs

(notified under document number C(2000) 1722)

(Text with EEA relevance)

(2000/489/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2232/96 of the European Parliament and of the Council of 28 October 1996 laying down a Community procedure for flavouring substances used or intended for use in or on foodstuffs ⁽¹⁾, and in particular Article 3(2) thereof,

Whereas:

- (1) Pursuant to Article 3(2) of Regulation (EC) No 2232/96, the Commission through Decision 1999/217/EC ⁽²⁾ adopted a register of flavouring substances used in or on foodstuffs.
- (2) It is necessary, in order to proceed with their evaluation, to integrate a number of substances that have not yet been entered in the above register, and to amend a number of entries in the light of new findings.
- (3) For a number of substances, in application of Commission Recommendation 98/282/EC of 21 April 1998 on the ways in which the Member States and signatory States to the European Economic Area should protect intellectual property in connection with the development and manufacture of flavouring substances referred to in Regulation (EC) No 2232/96 of the European Parliament and of the Council ⁽³⁾, the notifying Member

State has indicated that they do not require protection and can therefore be moved to the open parts of the Register.

- (4) Decision 1999/217/EC should therefore be amended accordingly.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee for Foodstuffs,

HAS ADOPTED THIS DECISION:

Article 1

Decision 1999/217/EC is hereby amended as shown in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 July 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 299, 23.11.1996, p. 1.

⁽²⁾ OJ L 84, 27.3.1999, p. 1.

⁽³⁾ OJ L 127, 29.4.1998, p. 32.

ANNEX

1. Part 1 is amended as follows:

(a) The following entries are inserted:

CAS	Name	FEMA	CoE	Einecs	Comments	Synonyms	Systematic name
52-89-1	L-Cysteine hydrochloride		11746	200-157-7	(1)		
52-90-4	L-Cysteine	3263	10464	200-158-2	(1)		
56-40-6	Glycine	3287	11771	200-272-2	(1)		
94-13-3	Propyl 4-hydroxybenzoate	2951	678	202-307-7			
592-98-3	3-Octene						
5090-41-5	9-Octadecenal						
7367-90-0	Ethyl 3-hydroxyoctanoate		10603	230-919-4			
21662-08-8	5-Decenal						
22610-86-2	5-Octen-2-one		11171				
23747-34-4	2-Propionyl-3-methyl-furan		10970				
30086-02-3	3,5-Octadien-2-one		2148				
39924-52-2	Methyl 3-oxo-2-(pent-2-enyl)cyclopentaneacetate	3410	10821	254-705-5			
37160-77-3	3-Hydroxy-2-octanone						
38533-54-9	1,3,5,8-Undecatetraene						
40716-66-3	Trans-3,7,11-trimethyldeca-1,6,10-trien-3-ol			255-053-4			
56554-87-1	16-Octadecenal						
59303-07-0	2-Methyl-3-furfurylthiopyrazine	3189					
72401-53-7	Tannic acid			276-638-0			D-glucose pentakis-[3,4-dihydroxy-5-[(trihydroxy-3,4,5-benzoyl)oxy]benzoate]
136954-20-6	3-Mercapto hexyl acetate	3851					
136954-21-7	3-Mercapto hexyl butyrate	3852					

(b) For the following substances entries in the 'Comments' column shall be amended as follows:

CAS	Comments	CAS	Comments
56-41-7	(1)-(3)	107-95-9	(1)-(3)
56-84-8	(1)-(3)	130-89-2	(2)-(3)
56-85-9	(1)-(3)	130-95-0	(2)-(3)
56-87-1	(1)-(3)	147-85-3	(1)-(3)
56-89-3	(1)-(3)	150-30-1	(1)-(3)
58-08-2	(2)-(3)	302-72-7	(1)-(3)
59-51-8	(1)-(3)	302-84-1	(1)-(3)
60-18-4	(1)-(3)	443-79-8	(1)-(3)
61-90-5	(1)-(3)	516-06-3	(1)-(3)
63-68-3	(1)-(3)	549-56-4	(2)-(3)
67-03-8	(1)-(3)	595-39-1	(1)-(3)
70-54-2	(1)-(3)	657-27-2	(1)-(3)
71-00-1	(1)-(3)	3130-87-8	(1)-(3)
72-18-4	(1)-(3)	3184-13-2	(1)-(3)
73-32-5	(1)-(3)	6119-47-7	(2)-(3)
74-79-3	(1)-(3)	6119-70-6	(2)-(3)
80-68-2	(1)-(3)	7200-25-1	(1)-(3)
83-67-0	(2)-(3)	7549-43-1	(2)-(3)
107-35-7	(1)-(3)	10098-89-2	(1)-(3)

(c) For the CAS No 36413-60-2 the entry in the 'Comments' column shall be deleted.

(d) The two entries shown below are deleted:

CAS	Name	FEMA	CoE	Einecs	Comments	Synonyms	Systematic name
25007-53-8	Ethyl 4-hydroxy-3-methoxybenzyl ether			236-136-4			
132344-97-9	2-Butyl-4-methyl(4H)pyrrolidino[1,2e]-1,3,5-dithiazine						4-Butyl-2-methyl-1-aza-3,5-dithiabicyclo[4.3.0]nonane

(e) The entry for CAS No 13184-86-6 is replaced by the following:

CAS	Name	FEMA	CoE	Einecs	Comments	Synonyms	Systematic name
13184-86-6	Ethyl 4-hydroxy-3-methoxybenzyl ether			236-136-4			

(f) The entry for CAS No 132344-97-9 is replaced by the following:

CAS	Name	FEMA	CoE	Einecs	Comments	Synonyms	Systematic name
132344-97-9	2-Butyl-4-methyl(4H)pyrrolidino[1,2d]-1,3,5-dithiazine						4-Butyl-2-methyl-1-aza-3,5-dithiabicyclo[4.3.0]nonane

2. In Part 2 the entry for CoE 10038 is replaced by the following:

CoE	Name	FEMA	Einecs	Comments	Synonyms	Systematic name
10038	1-Isoamyl-1-ethoxypropane				Propanal ethyl 3-methylbutyl acetal	1-Ethoxy-1-(2-methylpropoxy)ethane

3. Part 4 is amended as follows:

(a) The following entry is inserted:

	Date of receipt of the notification by the Commission
CN064	3.2.1999

(b) The following entries are deleted:

	Date of receipt of the notification by the Commission
CN011	17.10.1998
CN020	17.10.1998
CN025	17.10.1998
CN028	17.10.1998
CN029	17.10.1998
CN032	17.10.1998
CN038	17.10.1998
CN040	17.10.1998
CN044	17.10.1998
CN055	17.10.1998
CN056	17.10.1998
CN062	26.10.1998

COMMISSION DECISION
of 24 July 2000
providing for a compulsory beef labelling system in Denmark

(notified under document number C(2000) 2157)

(Only the Danish text is authentic)

(2000/490/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 820/97 of 21 April 1997 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products ⁽¹⁾, and in particular Article 19(5) thereof,

Having regard to the request submitted by Denmark,

Whereas:

- (1) Article 19(4) of Regulation (EC) No 820/97 provides for Member States, where there is a sufficiently developed identification and registration system for bovine animals, to impose a compulsory labelling system for beef from animals born, fattened and slaughtered on their territory.
- (2) Article 1(1) of Council Regulation (EC) No 2772/1999 of 21 December 1999 providing for the general rules for a compulsory beef labelling system ⁽²⁾, provides for an extension of this possibility after 1 January 2000.
- (3) Commission Decision 1999/376/EC recognises the fully operational character of the Danish database for bovine animals ⁽³⁾.
- (4) Denmark has applied to the Commission for approval for a compulsory beef labelling system in accordance with Article 19(5) of Regulation (EC) No 820/97 and Article 1(1) of Regulation (EC) No 2772/1999.

- (5) It is foreseen that full indication of origin in a compulsory Community beef labelling system shall come into force on 1 January 2002. It is therefore necessary to limit the duration of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The Danish request, as summarised in the Annex, for the introduction of a compulsory labelling system for beef from animals born, fattened and slaughtered on its territory, is approved in accordance with Article 19(5) of Regulation (EC) No 820/97.

Article 2

This Decision shall be applicable until 31 December 2001.

Article 3

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 24 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 117, 7.5.1997, p. 1.

⁽²⁾ OJ L 334, 28.12.1999, p. 1.

⁽³⁾ OJ L 144, 9.6.1999, p. 35.

ANNEX

1. *Labelling of beef and beef products with an indication of Danish origin*

Beef and beef products from bovine animals born, raised and slaughtered in Denmark shall be labelled with an indication of Danish origin.

2. *Cut or minced beef*

Cut or minced beef of Danish origin, which is unwrapped, wrapped or packaged, shall be labelled with information on the date of cutting or mincing.

3. *Beef in the form of whole or half carcasses, half carcasses and quarters*

Beef in the form of whole or half carcasses, half carcasses cut into no more than three pieces and quarters shall be labelled with information on the date of slaughter.

4. *Unwrapped beef sold to the end-user*

Where unwrapped beef is sold to the end-user, information on Danish origin and on date of cutting, mincing or slaughtering may be supplied verbally on request.
