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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1772/2000
of 11 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 12 August 2000.

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

Done at Brussels, 11 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 11 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
0702 00 00	052	61,9
	999	61,9
0707 00 05	052	95,1
	999	95,1
0709 90 70	052	79,6
	999	79,6
0805 30 10	388	61,9
	524	83,0
	528	65,5
0806 10 10	999	70,1
	052	92,8
	400	183,3
	508	73,5
	600	94,0
	624	179,8
	999	124,7
0808 10 20, 0808 10 50, 0808 10 90	388	85,2
	400	87,7
	508	59,3
	512	96,1
	528	77,8
	800	161,1
	804	78,9
	999	92,3
0808 20 50	052	97,2
	064	63,3
	388	72,3
	512	48,7
	720	116,4
	804	116,8
0809 30 10, 0809 30 90	999	85,8
	052	140,8
	999	140,8
0809 40 05	064	52,9
	066	49,1
	093	36,2
	624	150,3
	999	72,1

⁽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 1773/2000**of 11 August 2000****amending Regulation (EC) No 1899/97 setting rules of application in the poultrymeat and egg sectors for the arrangements covered by Council Regulation (EC) No 3066/95**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1727/2000 of 31 July 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transnational measure, of certain agricultural concessions provided for in the Europe Agreement with Hungary ⁽¹⁾, and in particular Article 1(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1899/97 of 29 September 1997 setting rules of application in the poultrymeat and egg sectors for the arrangements covered by Council Regulation (EC) No 3066/95 and repealing Regulations (EEC) No 2699/93 and (EC) No 1559/94 ⁽²⁾, as amended by Regulation (EC) No 2719/98 ⁽³⁾, lays down rules of application in these sectors for the arrangements in the Europe Agreements. It requires modification in line with the provisions on poultrymeat and egg products adopted for Hungary in Regulation (EC) No 1727/2000.
- (2) Repayment of import duties on products of groups 1, 2, 4, 7, 8, 9, 44 and 45 listed in Part A of Annex I to Regulation (EC) No 1899/97 as it existed before entry into force of this Regulation and imported under licences used from 1 July 2000 falls within the scope of Articles 878 to 898 of 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 ⁽⁴⁾, as last amended by Regulation (EC) No 1602/2000 ⁽⁵⁾.
- (3) To limit the potential trade problems that might temporarily arise from the parallel existence of two different management procedures for some tariff quotas in the poultrymeat sector, i.e. management via the quarterly issue of import licences and management according to the 'first come first served' principle in line with Articles

308a to 308c of Regulation (EEC) No 2454/93, import licence holders should be given the possibility of cancellation with release of the security.

- (4) Application of this Regulation from 1 July 2000 in parallel with Regulation (EC) No 1727/2000 is required.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1899/97 is amended as follows:

1. the title is replaced by:

'laying down rules of application in the poultrymeat and egg sectors for the arrangements covered by Council Regulations (EC) No 1727/2000 and (EC) No 3066/95 and repealing Regulations (EEC) No 2699/93 and (EC) No 1559/94';

2. Part A of Annex I is replaced by the Annex to this Regulation.

Article 2

1. Holders of import licences issued under Regulation (EC) No 1899/97 for groups 1, 2, 4, 7, 8, 9, 44 and 45 listed in Part A of Annex I thereto in its version before entry into force of this Regulation who applied for them between 1 and 10 July 2000 may request their cancellation with release of the security.

2. Member States shall notify to the Commission before the end of the following month the monthly volume of cancelled licences for each of the said groups.

Article 3

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

It shall apply with effect from 1 July 2000.

⁽¹⁾ OJ L 198, 4.8.2000, p. 6.

⁽²⁾ OJ L 267, 30.9.1997, p. 67.

⁽³⁾ OJ L 342, 17.12.1998, p. 16.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁵⁾ OJ L 188, 26.7.2000, p. 1.

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

Done at Brussels, 11 August 2000.

For the Commission
Pedro SOLBES MIRA
Member of the Commission

ANNEX

'ANNEX I

A. PRODUCTS ORIGINATING IN HUNGARY

Duty applicable: 20 % of MFN

Group No	CN code	Description ⁽¹⁾	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Annual increase from 1.7.2001 (tonnes)
10 (09.4716)	0407 00 30	Eggs of poultry in shell, not for hatching	2 625	265
11 (09.4717)	0408 91 80	Eggs, dried, for human consumption	625	65

⁽¹⁾ Notwithstanding the rules on interpretation of the Combined Nomenclature, the wording of the product description is to be considered as having solely indicative value, the applicability of the preference scheme being determined where this Annex is concerned by the scope of the CN codes. When an ex CN code is indicated applicability of the scheme is determined on the joint basis of the CN code itself and the description.'

COMMISSION REGULATION (EC) No 1774/2000
of 11 August 2000
amending representative prices and additional duties for the import of certain products 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 markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽³⁾, as last amended by Regulation (EC) No 624/98 ⁽⁴⁾, and in particular the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation

(EC) No 1411/2000 ⁽⁵⁾, as last amended by Regulation (EC) No 1744/2000 ⁽⁶⁾.

- (2) It follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 August 2000.

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

Done at Brussels, 11 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 141, 24.6.1995, p. 16.

⁽⁴⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁵⁾ OJ L 161, 1.7.2000, p. 22.

⁽⁶⁾ OJ L 199, 5.8.2000, p. 79.

ANNEX

to the Commission Regulation of 11 August 2000 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	27,36	3,08
1701 11 90 ⁽¹⁾	27,36	7,85
1701 12 10 ⁽¹⁾	27,36	2,94
1701 12 90 ⁽¹⁾	27,36	7,42
1701 91 00 ⁽²⁾	28,84	10,81
1701 99 10 ⁽²⁾	28,84	6,29
1701 99 90 ⁽²⁾	28,84	6,29
1702 90 99 ⁽³⁾	0,29	0,36

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10.4.1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21.4.1972, p. 1).

⁽³⁾ By 1 % sucrose content.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 July 2000

concerning the draft national provisions notified by the Kingdom of Belgium concerning the limitations of the marketing and use of organostannic compounds

(notified under document number C(2000) 2016)

(Only the French and Dutch texts are authentic)

(Text with EEA relevance)

(2000/509/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 95(6) thereof,

Whereas:

which adapts to technical progress for the fifth time Annex I to Directive 76/769/EEC.

(3) Directive 1999/51/EC prohibits the marketing and use of organostannic compounds as substances and constituents of preparations when acting as biocides in free association antifouling paint.

I. FACTS

(4) The Directive also prohibits the use of organostannic compounds as substances and constituents of preparations when acting as biocides to prevent the fouling by microorganisms, plants or animals of

1. Community Legislation: Directive 1999/51/EC

(1) Council Directive 76/769/EEC ⁽¹⁾ of 27 July 1976 on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations, as last amended by Commission Directive 1999/77/EC ⁽²⁾ of 26 July 1999, provides for the prohibition and restriction of the use of certain dangerous substances and preparations. Directive 76/769/EEC is regularly amended to include in its Annex additional substances which are dangerous to man or the environment.

(2) Council Directive 89/677/EEC ⁽³⁾ of 21 December 1989, which amends for the eighth time Directive 76/769/EEC, harmonises amongst others the placing on the market and use of organostannic compounds. The provisions concerning organostannic compounds were modified by Commission Directive 1999/51/EC ⁽⁴⁾ 26 May 1999,

(a) the hulls of:

- boats of an overall length, as defined by ISO 8666, of less than 25 metres,
- vessels of any length for use predominantly on inland waterways and lakes;

(b) cages, floats, net and any other appliances or equipment used for fish or shellfish farming;

(c) any totally or partly submerged appliance or equipment.

Such substances and preparations:

- may be placed on the market only in packages of a capacity equal to or greater than 20 litres,
- may not be sold to the general public but only to professional users.

⁽¹⁾ OJ L 262, 27.9.1976, p. 201.

⁽²⁾ OJ L 207, 6.8.1999, p. 18.

⁽³⁾ OJ L 398, 30.12.1989, p. 19.

⁽⁴⁾ OJ L 142, 5.6.1999, p. 22.

- (5) Without prejudice to the application of other Community provisions on the classification, packaging and labelling of dangerous substances and preparations, the packaging of such preparations shall be legible and indelibly marked as follows:

'Not to be used on boats of an overall length of less than 25 metres, or on vessels of any length for use predominantly on inland waterways and lakes, or any appliances or equipment used in fish or shellfish farming.

Restricted to professional users.'

- (6) The provisions under point 4(a) and the special labelling provisions are applicable to Sweden and Austria from 1 January 2003 and will be reviewed by the Commission in cooperation with Member States and stakeholders before this date.
- (7) Furthermore organostannic compounds may not be used as substances and constituents of preparations intended for the use in the treatment of industrial waters.
- (8) The Directive thus establishes that organostannic compounds may only be used in antifouling products providing for controlled release of active ingredients for ships of a length of more than 25 m that are not predominately used on inland waterways and lakes. Austria and Sweden are authorised to maintain their existing stricter legislation in view of the specific needs to protect the especially sensitive environments of the Baltic Sea and inland waterways.
- (9) The Directive also establishes that the remaining allowed uses are to be reviewed before 1 January 2003. In the second whereas clause, specific reference is made to the developments in the International Maritime Organisation (IMO), which has recognised the risks posed by organostannic compounds. The Marine Environment Protection Committee of the IMP has called for a global prohibition of the application of organostannic compounds which act as biocides in antifouling systems on ships by 1 January 2003.

2. National provisions

- (10) Belgium intends to transpose the provisions of Directive 1999/51/EC concerning organostannic compounds by modifying the Royal Decree of 25 February 1996 placing restrictions on the marketing and use of certain dangerous substances and preparations. The existing Article 1(2) will be replaced by a new text containing exactly the same provisions as adopted in the Community Directive.
- (11) Belgium also intends, after the implementation of the Directive, to replace as from 1 January 2003 the said Article 1(2) of the Royal Decree of 25 February 1996 by the following provision:
- 'Organostannic compounds may not be placed on the

market for use as substances and constituents of preparations when acting as biocides in antifouling paints.'

3. Comparison between the draft national provisions and Directive 1999/51/EC

- (12) When comparing the current Community legislation and the draft national provisions which Belgium intends to apply as of 1 January 2003, it emerges that the national measures are more restrictive, as they amount to a total ban on the marketing and use of organostannic compounds in antifouling products.

II. PROCEDURE

- (13) Directive 1999/51/EC was adopted on 26 May 1999. Member States had to bring into force the national provisions necessary to comply with the Directive before 29 February 2000 and to apply them from 1 September 2000.
- (14) By letter of 21 February 2000, the Belgian Permanent Representative informed the Commission that Belgium would correctly transpose the provisions of Directive 1999/51/EC, but that in accordance with Article 95(5) of the EC Treaty, it was intended to apply stricter measures as of 1 January 2003. Belgium considers it necessary to introduce such national measures to protect the environment against the harmful effects of antifouling paints based on organostannic compounds, on the basis of new scientific evidence. The letter was received on 23 February 2000.
- (15) By letter of 23 March 2000, the Commission informed the Belgian authorities that it had received the notification under Article 95(5) and that the six months period for its examination according to Article 95(6) started on 24 February 2000, the day following the one when the notification was received.

III. ASSESSMENT

1. Consideration of admissibility

- (16) The notification submitted by the Belgian authorities on 21 February 2000 intends to obtain approval to introduce national provisions incompatible with Directive 1999/51/EC, which constitutes a harmonisation measure adopted on the basis of Article 95 of the EC Treaty.
- (17) Article 95(5) of the Treaty reads as follows: 'If, after the adoption by the Council or by the Commission of a harmonisation measure, a Member State deems it necessary to introduce national provisions based on new scientific evidence relating to the protection of the environment or the working environment on grounds of a problem specific to that Member State arising after the adoption of the harmonisation measure, it shall notify the Commission of the envisaged provisions as well as the grounds for introducing them.'

- (18) As required by Article 95(5) of the EC Treaty, Belgium notified the Commission of the actual wording of the provisions that are intended to be introduced as of 1 January 2003, accompanying the request by an explanation of the reasons, which, in its opinion, justify the introduction of those provisions.
- (19) The Commission, therefore, is of the opinion that the notification submitted by Belgium on 21 February 2000 in order to obtain approval for the introduction of national provisions derogating from the provisions of Directive 1999/51/EC is admissible under Article 95(5) of the EC Treaty.

2. Assessment of merits

- (20) In accordance with the provisions of Article 95 of the EC Treaty, the Commission has to ensure that all the conditions enabling a Member State to avail itself of the possibilities of derogation provided for in this article are fulfilled.
- (21) The Commission must therefore assess whether the conditions provided for by Article 95(5) of the EC Treaty are met. This requires (a) 'new scientific evidence with regard to the protection of the environment or the working environment', (b) which causes the applicant Member State to consider the introduction of national provisions to be necessary 'on grounds of a problem specific to that Member State', (c) where the problem concerned arose 'after the adoption of the harmonisation measure'.
- (22) In addition, pursuant to Article 95(6) of the EC Treaty, where it feels that the introduction of such national provisions is justified, the Commission must check whether or not those national provisions are a means of arbitrary discrimination or a disguised restriction on trade between Member States and whether or not they constitute an obstacle to the functioning of the internal market.

2.1. Organostannic compounds - general information

- (23) Organostannic compounds are a group of substances, which are composed of tin and a variable number of organic groups, which are directly bound to the tin atom. Organostannic compounds are very effective anti-fouling agents⁽⁵⁾ for ships, the most important and effective compounds being tributyltin, TBT, and Bis(tributyltin)oxide TBTO.

- (24) Tributyltin compounds are classified according to Council Directive 67/548/EEC of 27 June 1967 relating to the classification, packaging and labelling of dangerous substances⁽⁶⁾ as last amended by Directive 99/33/EC⁽⁷⁾ as:

- harmful in contact with skin,
- toxic if swallowed,
- irritating to eyes and skin,
- toxic: danger of serious damage to health by prolonged exposure through inhalation and if swallowed,
- very toxic to aquatic organisms, may cause long-term adverse effects in the aquatic environment.

- (25) For an antifoulant to be effective, the active substance must be bioavailable, and hence constantly released to the surrounding environment. As a result of this release to the aquatic environment and the high acute and chronic toxicity of organostannic compounds, damage can result to exposed ecosystems.

- (26) TBTO is strongly absorbed to sediment. The principal degradation pathway of TBT is biodegradation to dibutyltin and monobutyltin and eventually tin oxide. The speed of the degradation is strongly influenced by the surrounding matrix, with half-lives in water of two weeks, biota two months, sediment 0,5 to 20 years. TBT shows some bioaccumulation within the environment.

- (27) TBT is interfering with the metabolism of exposed organisms (inhibition of enzymes and denaturing of proteins), and the endocrine system of certain snails (imposing the development of male sexual characteristics in females; a phenomenon called imposex).

- (28) Risks to the aquatic environment from TBT are well recognised and already in 1989, the first Community measures (Directive 89/677/EEC) were taken to reduce the risks from the use of organostannic compounds in antifouling paints by restricting their use to professional users for ships of a length of more than 25 metres.

- (29) A thorough re-evaluation carried out by the Commission in cooperation with the Member States, led to the adoption of Directive 1999/51/EC, which strengthens these protective measures considerably. The Directive bans completely the use of those types of antifouling paints, which are liable to higher and uncontrolled release of organostannic compounds, and the use on boats of any size predominantly employed on inland waterways and lakes. In the course of the review process, the Commission had mandated a study on the matter to an external consultant⁽⁸⁾ and, based on that study, requested the opinion of the Scientific Committee of Toxicity, Ecotoxicity, and the Environment (SCTEE), which was adopted on 27 November 1998.

⁽⁵⁾ Fouling denotes the effect that a wide range of organisms are susceptible to colonise on ships' hulls and constructions in water. The presence of fouling organisms on the surface of ship hulls can have a very significant effect on the performance of a ship, leading to reduced handling and increased fuel consumption.

⁽⁶⁾ OJ 196, 16.8.1967, p. 1.

⁽⁷⁾ OJ L 199, 30.7.1999, p. 57.

⁽⁸⁾ WS, Atkins International Ltd, *Assessment of the risks to health and to the environment of tin organic compounds and of arsenic in certain biocidal products and of the effects of further restrictions on their marketing and use*, Final Report, April 1998.

2.2. *The position of Belgium*

- (30) The Belgian authorities take the view that the proposed measure is designed to protect the health of humans and animals as well as the environment, a fact supported by a number of facts, which add to the underlying reasons for Directive 1999/51/EC.
- (31) According to them, it was already shown at the time of preparation of Directive 1999/51/EC that the concentration of TBT from antifouling paint used to treat the hulls of boats, on busy shipping lanes and in port areas, reaches a level that is harmful to oysters and dogwhelk, and causes shell thickening and imposex in those organisms. These effects and others illustrate the endocrine-destructive capacity of TBT for some animal species at very low concentrations.
- (32) The Belgian authorities acknowledge that because of economic considerations, i.e. the possible consequences of a unilateral European TBT ban for European shipyards with relocation of activities and circumvention of a ban imposed by the European Community, at European level the option for a restricted ban on TBT paint was taken and that, as far as a total ban on TBT was concerned, reference was made to an IMO Decision and the prospect of 1 January 2003.
- (33) In their request, the Belgian authorities state that a recent study shows that exposure to TBT in flatfish reduces resistance to infection. These fish live on the seabed and are exposed to relatively high concentrations of TBT.
- (34) TBT can also damage the immune system of mammals, such as sea otters, which feed on shellfish which live in an environment contaminated with TBT. The effect on immunity on humans is also a possible consequence of exposure to TBT, which is one of the reasons for the low value of the admissible daily intake (ADI) of 0,25 µg/kg/day regarded as possible by the SCTEE. Data on the presence of organostannic compounds in fish, shellfish and crustaceans are limited. The data that are available, however, show that exceeding the ADI of TBT may be the case in people whose eating habits contain a sizeable proportion of fish and shellfish contaminated with TBT, such as mussels. In support of these arguments, the Belgian authorities make reference to a study ⁽⁹⁾ of June 1999.
- (35) It is stated further that an analysis of dredging spoil from Belgian ports showed that the concentration of TBT is over 7 µg/kg, the limit for the marine environment. Samples taken in June 1999 provided readings of more than double this limit.
- (36) According to the Belgian authorities, the scientific information available indicates that within two weeks of applying a fresh coating of paint TBT release averages 110 µg TBT/cm²/day, with peaks of up to 1 128 µg TBT/cm²/day. The treatment with antifouling paints carried out in Belgian ports is likely to increase the contamination in the port area and the nearby shipping lanes, which helps to explain the high TBT levels in the dredging spoil.
- (37) The Belgian authorities also point out that imposex is not limited to dogwhelk but has been noted world-wide in 72 species of marine snails.
- (38) It is underlined that at its 43rd meeting from 28 June to 2 July 1999 the Marine Environment Protection Committee of the IMO took further steps to enable the IMO Diplomatic Conference in 2001 to take the decision to ban the use of organostannic compounds in antifouling paint on sea-going vessels from 1 January 2003.
- (39) The Belgian authorities also claim that antifouling paints without organostannic compounds and of equal duration and effectiveness are already available. Their cost price, which at present is still considerably higher than the price of paints containing TBT, is expected to drop when production is on a larger scale, as was the case years ago for paint containing TBT.
- (40) As the abovementioned damaging effects of TBT contamination of the marine environment were established at a time when TBT had already been banned for some time on boats of less than 25 metres, the Belgian authorities assume that further measures, namely, a total ban on antifouling paints based on organostannic compounds, will be needed in order to counter any further detrimental effects for the environment.
- (41) Being close to the ports and one of the busiest shipping lanes, the marine environment off the Belgian coast is particularly exposed to the consequences of TBT production from sea-going vessels. The abundant sediment in that area forms a reservoir from which, protected against rapid degradation, TBT will pose a threat to the aquatic environment many years after the use of TBT has been stopped.
- (42) To prevent dredging spoil contaminated with TBT from damaging the environment, it will have to be specially treated, which will mean very high costs for the community. These costs will increase the longer the use of paints based on organostannic compounds continues. In view of these costs economic justification for delaying the total ban of TBT is no longer tenable for Belgium.
- (43) The Belgian Government therefore takes the view that the use of antifouling paints should be stopped from 1 January 2003 onwards, the date proposed by the Marine Environment Protection Committee of the IMO.

⁽⁹⁾ A.C. Belfoid, M. Puperhart and F. Ariese, *Organotin levels in seafood in relation to the tolerable daily intake (TDI) for humans*, Institute for Environmental Studies, Vrije Universiteit Amsterdam, June 1999.

2.3. Evaluation of the position of Belgium

- (44) The material and data submitted by the Belgian authorities in support of their request for application of Article 95(5) is rather limited. In the following their statements and positions will be evaluated in the light of the criteria established in that article.

2.3.1. The burden of proof

- (45) It has to be noted that, in the light of the time frame established by Article 95(6), the Commission, when examining whether the draft national measures notified under Article 95(5) are justified, has to take as a basis 'the grounds' put forward by the Member State. This means that, according to the provisions of the Treaty, the responsibility of proving that these measures are justified, lays on the requesting Member State. Given the procedural framework established by Article 95, including in particular a strict six months deadline for a Decision to be adopted, the Commission normally has to limit itself to examining the relevance of the elements which are submitted by the requesting Member State, without having to seek itself possible reasons of justification.
- (46) If the elements submitted by the requesting Member State are not sufficient to enable the Commission to assess whether the conditions of Article 95(5) are fulfilled and the Commission therefore rejects the draft national measures, the Member State is not precluded from notifying its request again and substantiating it with all additional and/or new elements, which are necessary to establish whether or not the conditions of Article 95(5) are fulfilled.

2.3.2. New scientific evidence concerning the protection of the environment or the working environment regarding a problem specific to the Member State arising after the adoption of the harmonisation measure

- (47) The arguments put forward by the Belgian authorities do relate to the protection of the environment. However, the Belgian authorities acknowledge themselves that a very large amount of information on the environmental effects of TBT and other organostannic compounds was already known and taken into account in the preparation of Directive 1999/51/EC. This applies particularly to the work of the IMO, which is specifically mentioned in the second recital of Directive 1999/51/EC. In fact, it is clearly stipulated there that the development of the work and the decisions taken in the IMO will be fully taken into account during the revision of the Directive which will be made before 1 January 2003.
- (48) The Belgian authorities claim that a recent study has shown that exposure to TBT in flatfish reduces resistance to infection. No further information is provided, neither the text of the study, nor a reference. It is therefore not possible to verify whether this information did indeed

occur or become known only after the adoption of Directive 1999/51/EC.

- (49) Effects on human health, specifically due to exposure in the working environment, have been assessed both in the study mandated by the Commission and the opinion of the SCTEE during the preparation of Directive 1999/51/EC. It is therefore unclear whether the information provided by the Belgian authorities based on a study from June 1999⁽¹⁰⁾ to which reference is made (but the text is not provided) constitutes new evidence in the sense of Article 95(5). In particular, the information relates to daily intake of TBT through food, and therefore is not linked to the protection of humans in the working environment.
- (50) The Belgian authorities claim that samples of dredging spoil taken from Belgian ports in June 1999 showed that the concentration of TBT was more than twice the level of 7 µg/kg. No further details are provided. Although these data were measured at a time, when Directive 1999/51/EC was already adopted, they do not *per se* constitute new information. In fact, the study mandated by the Commission in the review of the Community legislation gives examples of various ports around the world (Hong Kong, France, New Zealand, The Netherlands), dating from 1989 to 1995 showing TBT concentrations in harbour sediments from 10 to 2 100 µg/kg. This clearly shows that neither the levels of TBT found in sediments in Belgian ports are of a kind not already known when the Directive was prepared, nor are they unique for Belgium. The problem seems, however, to be specific for Member States, where busy ports are located.
- (51) The Belgian authorities point out that after application of TBT paint in dockyards (which is done in Belgian ports), there are specifically high releases of TBT from the fresh paint, which is one of the reasons why the levels of TBT in harbour sediments are elevated. No specific data for Belgium, nor the timing when the data became available are provided. On the other hand, the effect that there are specifically high releases of biocides (including TBT) from fresh antifouling paint was already well known when Directive 1999/51/EC was prepared and is specifically documented in the study mandated by the Commission⁽¹¹⁾. Furthermore the argument is applicable to any port in the world where drydock work involving antifouling painting is carried out.
- (52) The remaining arguments from the Belgian authorities (see above) give rise to the following comments. The study mandated by the Commission does already acknowledge that imposex is not limited to dogwhelk and occurs in a number of other marine snails. However, the dogwhelk is the most sensitive species. The objective of the actions taken by the Marine Environment Protection Committee of the IMO at its meeting from 28 June to 2 July 1999, namely to enable the IMO Diplomatic Conference to ban the use of organostannic compounds in antifouling paints on sea-going vessels

⁽¹⁰⁾ See footnote No 9.

⁽¹¹⁾ See footnote No 8, page 1-7.

from 1 January 2003, was already known at the time when Directive 1999/51/EC was adopted and is specifically mentioned in the recitals. The fact that alternative paints without organostannic compounds are available and will become less expensive is not relevant in the justification of the Belgian request.

- (53) Lastly the Belgian authorities state that being close to the ports and one of the biggest shipping lanes, the marine environment off the Belgian coast is particularly exposed to the consequences of TBT production from sea-going vessels. To prevent damage to the environment, the sediments will have to be dredged and decontaminated, which will entail high economic costs. No further data, neither on the actual contamination along the Belgian coastline, nor on the economic costs of decontamination are provided. The study mandated by the Commission is well aware of the fact that coast-lines close to major ports and busy shipping lanes are environments at high risk. The example of the Netherlands' coast line is presented in detail. However, the data from the Netherlands indicate that the contamination of the coast line is more due to the effluents and dumping of dredged spoil from busy ports than from the fact that busy shipping lanes are close by.
- (54) Overall it can be seen that the data and justification submitted by the Belgian authorities in support of their request for Article 95(5) do not allow to conclude that the draft national measures are based on new scientific evidence relating to the protection of the environment or the working environment on grounds of a problem specific to Belgium arising after the adoption of the harmonisation measure. The conditions of Article 95(5), therefore are not fulfilled.
- (55) Given these results of the analysis of the submitted material, there is no basis to consult the other Member States, interested groups or request a new opinion of the SCTEE.

2.4. Absence of arbitrary discrimination/disguised restriction of trade/obstacle to the functioning of the internal market

- (56) Under Article 95(6), the Commission will either approve or reject the draft national provisions notified 'after having verified whether or not they are a means of arbitrary discrimination or a disguised restriction on trade between Member States and whether or not they

shall constitute an obstacle to the functioning of the internal market'.

- (57) Since the request made by Belgium does not fulfill the basic conditions set out in Article 95(5) (see point 2.3), the Commission is not obliged to verify whether or not the draft national provisions are a means of arbitrary discrimination or disguised restriction on trade between Member States, and whether or not they constitute an obstacle to the functioning of the internal market.

IV. CONCLUSION

- (58) In the light of the above considerations, the Commission is of the opinion that the request by Belgium for introducing national legislation derogating from the provisions of Directive 1999/51/EC with regards to organostannic compounds as submitted on 21 February 2000:
- is admissible,
 - but does not fulfill the conditions established by Article 95(5).
- (59) The Commission therefore concludes by rejecting that request in accordance with Article 95(6) of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

The draft national provisions concerning organostannic compounds, which the Kingdom of Belgium notified to the Commission by letter dated 21 February 2000, and which intend to derogate from Directive 1999/51/EC as of 1 January 2003, are hereby rejected.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 25 July 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

COMMISSION DECISION
of 26 July 2000
on Community financial assistance towards the eradication of avian influenza in Italy in 1999

(notified under document number C(2000) 2282)

(Only the Italian text is authentic)

(Text with EEA relevance)

(2000/510/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Regulation (EC) No 1258/1999 ⁽²⁾, and in particular Article 3(3) and (5) thereof,

Whereas:

- (1) Outbreaks of avian influenza occurred in Italy in 1999. The appearance of the disease represents a serious danger to Community stocks. With a view to contributing towards the speedy eradication of the disease the Community is able to contribute to eligible expenditure incurred by the Member States.
- (2) As soon as the presence of avian influenza was officially confirmed the Italian authorities reported that they had taken appropriate measures, including the measures listed in Article 3(2) of Decision 90/424/EEC.
- (3) Pending completion of checks by the Commission that, on the one hand, Community veterinary rules have been observed and, on the other, that the conditions for a Community financial contribution are met, a first advance should be paid immediately.
- (4) Further tranches may be granted at a later stage once the Commission has verified the information provided by Italy, subject to appropriations being available.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Italy may obtain financial assistance from the Community for eligible expenditure incurred under eradication measures relating to outbreaks of avian influenza which occurred from December 1999 to April 2000.

1. The Community financial contribution shall be paid to Italy in tranches, on the basis of the information sent by Italy and the results of the Commission checks referred to in Article 4.

2. However, Italy may obtain, on request, an advance of EUR 10 million as soon as this Decision has been adopted.

Article 3

1. Without prejudice to Article 2, the Community financial contribution shall be paid on the basis of the supporting documents submitted by Italy.

2. The documents referred to in paragraph 1 shall include: an epidemiological report covering each holding on which poultry have been slaughtered and a financial report. These reports shall be provided in computerised form in accordance with the model and format requested by the Commission.

3. The supporting documents relating to the measures taken in the period referred to in Article 1 shall be forwarded no later than 1 September 2000.

Article 4

1. The Commission may make on-the-spot checks, with the cooperation of the competent national authorities, on the application of measures and expenditure incurred.

The Commission shall inform the Member States of the result of the checks carried out.

2. Articles 8 and 9 of Council Regulation (EC) No 1258/1999 shall apply *mutatis mutandis*.

Article 5

This Decision is addressed to the Italian Republic.

Done at Brussels, 26 July 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 160, 26.6.1999, p. 103.

COMMISSION DECISION
of 26 July 2000
on additional Community financial assistance towards the eradication of classical swine fever in
Germany in 1997

(notified under document number C(2000) 2284)

(Only the German text is authentic)

(Text with EEA relevance)

(2000/511/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Regulation (EC) No 1258/1999 ⁽²⁾, and in particular Article 3(3) and (5) thereof,

Whereas:

- (1) Outbreaks of classical swine fever occurred in Germany in 1997. The appearance of the disease represents a serious danger to Community pig stocks. With a view to contributing towards the speedy eradication of the disease the Community is able to contribute to eligible expenditure incurred by the Member States.
- (2) On 26 May 1998 Germany presented an application for reimbursement of all the expenditure incurred within the country in 1997.
- (3) The Commission adopted Decisions 98/60/EC ⁽³⁾ and 98/650/EC ⁽⁴⁾ on Community financial aid towards the eradication of classical swine fever in Germany. Two tranches by way of advance payment of ECU 7 million have been paid under those Decisions.
- (4) The amount of the final tranche of Community financial assistance must now be set.
- (5) The Commission has verified that all Community veterinary rules have been applied and that all conditions for Community financial assistance have been met.

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

HAS ADOPTED THIS DECISION:

Article 1

Germany may obtain a third and final tranche of a maximum of EUR 1 750 000 in financial assistance from the Community for eligible expenditure incurred under eradication measures relating to outbreaks of classical swine fever which occurred in the course of 1997.

Article 2

The balance of the Community financial assistance shall be paid to Germany as soon as this Decision has been adopted.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 26 July 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 160, 26.6.1999, p. 103.

⁽³⁾ OJ L 16, 21.1.1998, p. 37.

⁽⁴⁾ OJ L 309, 19.11.1998, p. 47.

COMMISSION DECISION
of 11 August 2000
terminating the anti-dumping proceeding concerning imports of steel wire rod originating in
Turkey

(notified under document number C(2000) 2491)

(2000/512/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2277/96/ECSC of 28 November 1996 on protection against dumped imports from countries not members of the European Coal and Steel Community ⁽¹⁾, as last amended by Decision No 1000/1999/ECSC ⁽²⁾, and in particular Article 9 thereof,

After consulting the Advisory Committee,

Whereas:

A. Procedure

- (1) On 7 April 1999, the Commission received a complaint concerning the alleged injurious dumping by imports of steel wire rod originating in Turkey.
- (2) The complaint was lodged by Eurofer (the European Confederation of Iron and Steel Industries), on behalf of Community producers representing a major proportion of the total Community production of steel wire rod pursuant to Articles 4(1) and 5(4) of Decision No 2277/96/ECSC (hereinafter referred to as the basic Decision).
- (3) The complaint contained prima facie evidence of the existence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of an anti-dumping proceeding.
- (4) The Commission, after consultation, by a notice published in the *Official Journal of the European Communities* ⁽³⁾, accordingly initiated an anti-dumping proceeding concerning imports into the Community of steel wire rod, currently classifiable within CN codes 7213 91 10, 7213 91 41 and 7213 91 49, and originating in Turkey.
- (5) The Commission officially advised the exporting producers, importers and representative associations of importers or exporters known to be concerned, the representatives of the exporting country, the representative users and the complainant Community producers. Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set out in the notice of initiation.

B. Withdrawal of the complaint and termination of the proceedings

- (6) By a letter of 26 June 2000 to the Commission, Eurofer formally withdrew its anti-dumping complaint concerning imports of steel wire rod originating in Turkey.
- (7) In accordance with Article 9(1) of the basic Decision, the proceeding may be terminated where the complaint is withdrawn, unless such termination would not be in the Community interest.
- (8) The Commission considered that the present proceeding should be terminated since the investigation had not brought to light any considerations showing that such termination would not be in the Community interest. Interested parties were informed accordingly and were given the opportunity to comment. No comments were received indicating that such termination would not be in the Community interest.
- (9) The Commission therefore concludes that the anti-dumping proceeding concerning imports into the Community of steel wire rod originating in Turkey should be terminated without the imposition of anti-dumping measures,

HAS ADOPTED THIS DECISION:

Sole Article

The anti-dumping proceeding concerning imports of hot-rolled bars and rods, in irregularly wound coils, of iron or non-alloy steel, other than free cutting steel, of circular cross-section, measuring less than 14 mm in diameter, of a type used for concrete reinforcement and other types not used for tyre cord, containing by weight less than 0,25 % of carbon, currently classifiable within CN codes 7213 91 10, 7213 91 41 and 7213 91 49 and originating in Turkey, is hereby terminated.

Done at Brussels, 11 August 2000.

For the Commission

Pascal LAMY

Member of the Commission

⁽¹⁾ OJ L 308, 29.11.1996, p. 11.

⁽²⁾ OJ L 122, 12.5.1999, p. 35.

⁽³⁾ OJ C 144, 22.5.1999, p. 10.

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 1765/2000 of 10 August 2000 altering the export refunds on milk and milk products**

(Official Journal of the European Communities L 204 of 11 August 2000)

On page 19 the table in the Annex is replaced by the following:

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

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	970	2,327	0402 21 91 9900	+	105,20
	***	—	0402 21 99 9100	+	79,50
0401 10 90 9000	970	2,327	0402 21 99 9200	+	80,10
	***	—	0402 21 99 9300	+	81,00
0401 20 11 9100	970	2,327	0402 21 99 9400	+	86,60
	***	—	0402 21 99 9500	+	88,60
0401 20 11 9500	970	3,597	0402 21 99 9600	+	96,00
	***	—	0402 21 99 9700	+	100,30
0401 20 19 9100	970	2,327	0402 21 99 9900	+	105,20
	***	—	0402 29 15 9200	+	0,5300
0401 20 19 9500	970	3,597	0402 29 15 9300	+	0,6960
	***	—	0402 29 15 9500	+	0,7340
0401 20 91 9100	970	4,551	0402 29 15 9900	+	0,7900
	***	—	0402 29 19 9200	+	0,5300
0401 20 91 9500	+	—	0402 29 19 9300	+	0,6960
0401 20 99 9100	970	4,551	0402 29 19 9500	+	0,7340
	***	—	0402 29 19 9900	+	0,7900
0401 20 99 9500	+	—	0402 29 91 9100	+	0,7950
0401 30 11 9100	+	—	0402 29 91 9500	+	0,8660
0401 30 11 9400	970	10,50	0402 29 99 9100	+	0,7950
	***	—	0402 29 99 9500	+	0,8660
0401 30 11 9700	970	15,77	0402 91 11 9110	+	—
	***	—	0402 91 11 9120	+	—
0401 30 19 9100	+	—	0402 91 11 9310	+	—
0401 30 19 9400	+	—	0402 91 11 9350	+	—
0401 30 19 9700	970	15,77	0402 91 11 9370	+	10,90
	***	—	0402 91 19 9110	+	—
0401 30 31 9100	+	38,32	0402 91 19 9120	+	—
0401 30 31 9400	+	59,85	0402 91 19 9310	+	—
0401 30 31 9700	+	66,00	0402 91 19 9350	+	—
0401 30 39 9100	+	38,32	0402 91 19 9370	+	10,90
0401 30 39 9400	+	59,85	0402 91 31 9100	+	—
0401 30 39 9700	+	66,00	0402 91 31 9300	+	12,90
0401 30 91 9100	+	75,22	0402 91 39 9100	+	—
0401 30 91 9400	+	110,55	0402 91 39 9300	+	12,90
0401 30 91 9700	+	129,01	0402 91 51 9000	+	—
0401 30 99 9100	+	75,22	0402 91 59 9000	+	—
0401 30 99 9400	+	110,55	0402 91 91 9000	+	41,60
0401 30 99 9700	+	129,01	0402 91 99 9000	+	41,60
0402 10 11 9000	+	53,00	0402 99 11 9110	+	—
0402 10 19 9000	+	53,00	0402 99 11 9130	+	—
0402 10 91 9000	+	0,5300	0402 99 11 9150	+	—
0402 10 99 9000	+	0,5300	0402 99 11 9310	+	—
0402 21 11 9200	+	53,00	0402 99 11 9330	+	—
0402 21 11 9300	+	69,60	0402 99 11 9350	+	0,2790
0402 21 11 9500	+	73,40	0402 99 19 9110	+	—
0402 21 11 9900	+	79,00	0402 99 19 9130	+	—
0402 21 17 9000	+	53,00	0402 99 19 9150	+	—
0402 21 19 9300	+	69,60	0402 99 19 9310	+	—
0402 21 19 9500	+	73,40	0402 99 19 9330	+	—
0402 21 19 9900	+	79,00	0402 99 19 9350	+	0,2790
0402 21 91 9100	+	79,50	0402 99 31 9110	+	—
0402 21 91 9200	+	80,10	0402 99 31 9150	+	0,2900
0402 21 91 9300	+	81,00	0402 99 31 9300	+	0,2490
0402 21 91 9400	+	86,60	0402 99 31 9500	+	0,4290
0402 21 91 9500	+	88,60	0402 99 39 9110	+	—
0402 21 91 9600	+	96,00	0402 99 39 9150	+	0,2900
0402 21 91 9700	+	100,30	0402 99 39 9300	+	0,2490

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,4290	0404 90 29 9160	+	100,30
0402 99 91 9000	+	0,4890	0404 90 29 9180	+	105,20
0402 99 99 9000	+	0,4890	0404 90 81 9100	+	0,5300
0403 10 11 9400	+	—	0404 90 81 9910	+	—
0403 10 11 9800	+	—	0404 90 81 9950	+	0,1750
0403 10 13 9800	+	—	0404 90 83 9110	+	0,5300
0403 10 19 9800	+	—	0404 90 83 9130	+	0,6960
0403 10 31 9400	+	—	0404 90 83 9150	+	0,7340
0403 10 31 9800	+	—	0404 90 83 9170	+	0,7900
0403 10 33 9800	+	—	0404 90 83 9911	+	—
0403 10 39 9800	+	—	0404 90 83 9913	+	—
0403 90 11 9000	+	52,10	0404 90 83 9915	+	—
0403 90 13 9200	+	52,10	0404 90 83 9917	+	—
0403 90 13 9300	+	69,00	0404 90 83 9919	+	—
0403 90 13 9500	+	72,70	0404 90 83 9931	+	—
0403 90 13 9900	+	78,20	0404 90 83 9933	+	—
0403 90 19 9000	+	78,80	0404 90 83 9935	+	0,2790
0403 90 31 9000	+	0,5210	0404 90 83 9937	+	0,2900
0403 90 33 9200	+	0,5210	0404 90 89 9130	+	0,7950
0403 90 33 9300	+	0,6900	0404 90 89 9150	+	0,8660
0403 90 33 9500	+	0,7270	0404 90 89 9930	+	0,4601
0403 90 33 9900	+	0,7820	0404 90 89 9950	+	0,6600
0403 90 39 9000	+	0,7880	0404 90 89 9990	+	0,7522
0403 90 51 9100	970	2,327	0405 10 11 9500	+	165,85
	***	—	0405 10 11 9700	+	170,00
0403 90 51 9300	+	—	0405 10 19 9500	+	165,85
0403 90 53 9000	+	—	0405 10 19 9700	+	170,00
0403 90 59 9110	+	—	0405 10 30 9100	+	165,85
0403 90 59 9140	+	—	0405 10 30 9300	+	170,00
0403 90 59 9170	970	15,77	0405 10 30 9500	+	165,85
	***	—	0405 10 30 9700	+	170,00
0403 90 59 9310	+	38,32	0405 10 50 9100	+	165,85
0403 90 59 9340	+	59,20	0405 10 50 9300	+	170,00
0403 90 59 9370	+	59,20	0405 10 50 9500	+	165,85
0403 90 59 9510	+	59,20	0405 10 50 9700	+	170,00
0403 90 59 9540	+	59,20	0405 10 90 9000	+	176,22
0403 90 59 9570	+	59,20	0405 20 90 9500	+	155,49
0403 90 61 9100	+	—	0405 20 90 9700	+	161,71
0403 90 61 9300	+	—	0405 90 10 9000	+	216,00
0403 90 63 9000	+	—	0405 90 90 9000	+	170,00
0403 90 69 9000	+	—	0406 10 20 9100	+	—
0404 90 21 9100	+	53,00	0406 10 20 9230	037	—
0404 90 21 9910	+	—		039	—
0404 90 21 9950	+	7,40		097	37,68
0404 90 23 9120	+	53,00		098	37,68
0404 90 23 9130	+	69,60		400	—
0404 90 23 9140	+	73,40		***	37,68
0404 90 23 9150	+	79,00	0406 10 20 9290	037	—
0404 90 23 9911	+	—		039	—
0404 90 23 9913	+	—		097	35,05
0404 90 23 9915	+	—		098	35,05
0404 90 23 9917	+	—		400	—
0404 90 23 9919	+	—		***	35,05
0404 90 23 9931	+	7,40	0406 10 20 9300	037	—
0404 90 23 9933	+	9,00		039	—
0404 90 23 9935	+	10,90		097	15,39
0404 90 23 9937	+	12,90		098	15,39
0404 90 23 9939	+	13,50		400	—
0404 90 29 9110	+	79,50		***	15,39
0404 90 29 9115	+	80,10			
0404 90 29 9120	+	81,00			
0404 90 29 9130	+	86,60			
0404 90 29 9135	+	88,60			
0404 90 29 9150	+	96,00			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—	0406 30 31 9710	037	—
	097	51,11		039	—
	098	51,11		097	17,88
	400	—		098	9,54
	***	51,11		400	—
0406 10 20 9620	037	—		***	17,88
	039	—	0406 30 31 9730	037	—
	097	51,83		039	—
	098	51,83		097	26,24
	400	—		098	13,99
	***	51,83		400	—
0406 10 20 9630	037	—		***	26,24
	039	—	0406 30 31 9910	037	—
	097	57,86		039	—
	098	57,86		097	17,88
	400	—		098	9,54
	***	57,86		400	—
0406 10 20 9640	037	—		***	17,88
	039	—	0406 30 31 9930	037	—
	097	85,03		039	—
	098	85,03		097	26,24
	400	—		098	13,99
	***	85,03		400	—
0406 10 20 9650	037	—		***	26,24
	039	—	0406 30 31 9950	037	—
	097	70,86		039	—
	098	70,86		097	38,17
	400	—		098	20,36
	***	70,86		400	—
0406 10 20 9660	+	—		***	38,17
0406 10 20 9830	037	—	0406 30 39 9500	037	—
	039	—		039	—
	097	26,28		097	26,24
	098	26,28		098	13,99
	400	—		400	—
	***	26,28		***	26,24
0406 10 20 9850	037	—	0406 30 39 9700	037	—
	039	—		039	—
	097	31,87		097	38,17
	098	31,87		098	20,36
	400	—		400	—
	***	31,87		***	38,17
0406 10 20 9870	+	—	0406 30 39 9930	037	—
0406 10 20 9900	+	—		039	—
0406 20 90 9100	+	—		097	38,17
0406 20 90 9913	037	—		098	20,36
	039	—		400	—
	097	58,77		***	38,17
	098	58,77	0406 30 39 9950	037	—
	400	23,80		039	—
	***	58,77		097	43,16
0406 20 90 9915	037	—		098	23,02
	039	—		400	—
	097	77,56		***	43,16
	098	77,56	0406 30 90 9000	037	—
	400	31,70		039	—
	***	77,56		097	45,28
0406 20 90 9917	037	—		098	24,15
	039	—		400	—
	097	82,41		***	45,28
	098	82,41	0406 40 50 9000	037	—
	400	33,70		039	—
	***	82,41		097	90,00
0406 20 90 9919	037	—		098	90,00
	039	—		400	—
	097	92,10		***	90,00
	098	92,10			
	400	37,60			
	***	92,10			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9951	037	—
	039	—		039	—
	097	92,42		097	78,66
	098	92,42		098	68,98
	400	—		400	—
0406 90 13 9000	***	92,42	0406 90 35 9190	***	78,66
	037	—		037	33,29
	039	—		039	33,29
	097	116,37		097	121,56
	098	101,62		098	105,71
0406 90 15 9100	400	45,30	0406 90 35 9990	400	46,20
	***	116,37		***	121,56
	037	—		037	—
	039	—		039	—
	097	120,25		097	121,56
0406 90 17 9100	098	105,01	0406 90 37 9000	098	105,71
	400	46,70		400	30,20
	***	120,25		***	121,56
	037	—		037	—
	039	—		039	—
0406 90 21 9900	097	120,25	0406 90 61 9000	097	116,37
	098	105,01		098	101,62
	400	46,70		400	45,30
	***	120,25		***	116,37
	037	—		037	47,01
0406 90 23 9900	039	—	0406 90 63 9100	039	47,01
	097	117,54		097	129,64
	098	102,90		098	112,00
	400	33,50		400	43,00
	***	117,54		***	129,64
0406 90 25 9900	037	—	0406 90 63 9900	037	42,83
	039	—		039	42,83
	097	103,92		097	128,55
	098	90,36		098	111,41
	400	—		400	48,10
0406 90 27 9900	***	103,92	0406 90 69 9100	***	128,55
	037	—		037	34,22
	039	—		039	34,22
	097	102,80		097	124,18
	098	89,77		098	107,11
0406 90 31 9119	400	—	0406 90 69 9910	400	36,80
	***	102,80		***	124,18
	037	—		+	—
	039	—		037	—
	097	93,10		039	—
0406 90 33 9119	098	81,30	0406 90 73 9900	097	124,18
	400	—		098	107,11
	***	93,10		400	36,80
	037	—		***	124,18
	039	—		037	—
0406 90 33 9919	097	85,71	0406 90 75 9900	039	—
	098	74,72		097	106,91
	400	19,20		098	93,28
	***	85,71		400	39,60
	037	—		***	106,91
0406 90 33 9919	039	—	0406 90 76 9300	037	—
	097	85,71		039	—
	098	74,72		097	108,07
	400	19,20		098	93,90
	***	85,71		400	16,70
0406 90 33 9919	037	—		***	108,07
	039	—		037	—
	097	78,60		039	—
	098	68,29		097	96,98
	400	—		098	84,68
	***	78,60		400	—
				***	96,98

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 76 9400	037	—	0406 90 85 9999	+	—
	039	—	0406 90 86 9100	+	—
	097	108,62	0406 90 86 9200	037	—
	098	94,85		039	—
	400	17,40		097	102,23
	***	108,62		098	86,17
0406 90 76 9500	037	—		400	20,80
	039	—		***	102,23
	097	102,45	0406 90 86 9300	037	—
	098	90,24		039	—
	400	17,40		097	103,32
	***	102,45		098	87,41
0406 90 78 9100	037	—		400	22,80
	039	—		***	103,32
	097	102,26	0406 90 86 9400	037	—
	098	87,50		039	—
	400	—		097	108,62
	***	102,26		098	92,87
0406 90 78 9300	037	—		400	25,80
	039	—		***	108,62
	097	105,98	0406 90 86 9900	037	—
	098	92,78		039	—
	400	—		097	117,90
	***	105,98		098	102,43
0406 90 78 9500	037	—		400	30,20
	039	—		***	117,90
	097	104,35	0406 90 87 9100	+	—
	098	91,91	0406 90 87 9200	037	—
	400	—		039	—
	***	104,35		097	85,19
0406 90 79 9900	037	—		098	71,81
	039	—		400	18,60
	097	86,27		***	85,19
	098	75,02	0406 90 87 9300	037	—
	400	—		039	—
	***	86,27		097	94,89
0406 90 81 9900	037	—		098	80,27
	039	—		400	21,00
	097	108,62		***	94,89
	098	94,85	0406 90 87 9400	037	—
	400	35,80		039	—
	***	108,62		097	96,33
0406 90 85 9910	037	33,32		098	82,36
	039	33,32		400	23,00
	097	117,90		***	96,33
	098	102,43	0406 90 87 9951	037	—
	400	44,60		039	—
	***	117,90		097	106,68
0406 90 85 9991	037	—		098	93,15
	039	—		400	31,80
	097	117,90		***	106,68
	098	102,43	0406 90 87 9971	037	—
	400	30,20		039	—
	***	117,90		097	106,68
0406 90 85 9995	037	—		098	93,15
	039	—		400	25,80
	097	108,07		***	106,68
	098	93,90	0406 90 87 9972	097	45,63
	400	—		098	39,68
	***	108,07		400	—
				***	45,63

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9973	037	—	2309 10 19 9100	+	—
	039	—	2309 10 19 9200	+	—
	097	104,74	2309 10 19 9300	+	—
	098	91,46	2309 10 19 9400	+	—
	400	18,10	2309 10 19 9500	+	—
	***	104,74	2309 10 19 9600	+	—
0406 90 87 9974	037	—	2309 10 19 9700	+	—
	039	—	2309 10 19 9800	+	—
	097	113,19	2309 10 70 9010	+	—
	098	99,26	2309 10 70 9100	+	13,85
	400	18,10	2309 10 70 9200	+	18,47
	***	113,19	2309 10 70 9300	+	23,09
0406 90 87 9975	037	—	2309 10 70 9500	+	27,70
	039	—	2309 10 70 9600	+	32,32
	097	114,45	2309 10 70 9700	+	36,94
	098	101,25	2309 10 70 9800	+	40,63
	400	24,00	2309 90 35 9010	+	—
	***	114,45	2309 90 35 9100	+	—
0406 90 87 9979	037	—	2309 90 35 9200	+	—
	039	—	2309 90 35 9300	+	—
	097	103,92	2309 90 35 9400	+	—
	098	90,36	2309 90 35 9500	+	—
	400	18,10	2309 90 35 9700	+	—
	***	103,92	2309 90 39 9010	+	—
0406 90 88 9100	+	—	2309 90 39 9100	+	—
0406 90 88 9300	037	—	2309 90 39 9200	+	—
	039	—	2309 90 39 9300	+	—
	097	83,50	2309 90 39 9400	+	—
	098	70,90	2309 90 39 9500	+	—
	400	22,80	2309 90 39 9600	+	—
	***	83,50	2309 90 39 9700	+	—
2309 10 15 9010	+	—	2309 90 39 9800	+	—
2309 10 15 9100	+	—	2309 90 70 9010	+	—
2309 10 15 9200	+	—	2309 90 70 9100	+	13,85
2309 10 15 9300	+	—	2309 90 70 9200	+	18,47
2309 10 15 9400	+	—	2309 90 70 9300	+	23,09
2309 10 15 9500	+	—	2309 90 70 9500	+	27,70
2309 10 15 9700	+	—	2309 90 70 9600	+	32,32
2309 10 19 9010	+	—	2309 90 70 9700	+	36,94
			2309 90 70 9800	+	40,63

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

However:

— “097” covers destination codes from 072 to 083 inclusive,

— “098” covers destination codes 055, 060, 070 and from 091 to 096 inclusive,

— “970” covers the exports referred to in Articles 36(1)(a) and (c) and 44(1)(a) and (b) of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11).

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

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

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