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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1957/2000
of 15 September 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 16 September 2000.

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

Done at Brussels, 15 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 15 September 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	85,5
	999	85,5
0707 00 05	052	85,5
	999	85,5
0709 90 70	052	82,7
	999	82,7
0805 30 10	388	60,7
	524	93,3
	528	60,7
	999	71,6
0806 10 10	052	76,2
	064	58,3
	400	196,1
	999	110,2
	388	90,0
0808 10 20, 0808 10 50, 0808 10 90	400	57,3
	800	185,1
	804	73,7
	999	101,5
	052	84,4
0808 20 50	064	55,3
	999	69,8
	052	128,9
0809 30 10, 0809 30 90	999	128,9
	052	68,5
0809 40 05	060	55,7
	064	55,7
	066	46,6
	068	51,1
	400	125,4
	624	226,5
	999	89,9
	999	89,9

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

COMMISSION REGULATION (EC) No 1958/2000
of 15 September 2000
prohibiting fishing for haddock by vessels flying the flag of Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2742/1999 of 17 December 1999 fixing for 2000 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required and amending Regulation (EC) No 66/98 ⁽³⁾ lays down quotas for haddock for 2000.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of haddock in the waters of ICES zones VII, VIII, IX and X and CECAF area 34.1.1 (EC waters) by

vessels flying the flag of Spain or registered in Spain have exhausted the quota allocated for 2000. Spain has prohibited fishing for this stock from 1 September 2000. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of haddock in the waters of ICES zones VII, VIII, IX and X and CECAF area 34.1.1 (EC waters) by vessels flying the flag of Spain or registered in Spain are hereby deemed to have exhausted the quota allocated to Spain for 2000.

Fishing for haddock in the waters of ICES zones VII, VIII, IX and X and CECAF area 34.1.1 (EC waters) by vessels flying the flag of Spain or registered in Spain is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 1 September 2000.

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

Done at Brussels, 15 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 341, 31.12.1999, p. 1.

COMMISSION REGULATION (EC) No 1959/2000
of 15 September 2000
prohibiting fishing for redfish by vessels flying the flag of Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2742/1999 of 17 December 1999 fixing for 2000 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required and amending Regulation (EC) No 66/98 ⁽³⁾ lays down quotas for redfish for 2000.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of redfish in the waters of ICES divisions V, XII and XIV (Community fishing waters and areas beyond fisheries jurisdiction of the coastal States) by vessels flying the flag of Portugal or registered in

Portugal have exhausted the quota allocated for 2000. Portugal has prohibited fishing for this stock from 25 August 2000. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of redfish in the waters of ICES divisions V, XII and XIV (Community fishing waters and areas beyond fisheries jurisdiction of the coastal States) by vessels flying the flag of Portugal or registered in Portugal are hereby deemed to have exhausted the quota allocated for 2000.

Fishing for redfish in the waters of ICES divisions V, XII and XIV (Community fishing waters and areas beyond the fisheries jurisdiction of the coastal States) by vessels flying the flag of Portugal or registered in Portugal is hereby prohibited, as are the retention on board, transhipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 25 August 2000.

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

Done at Brussels, 15 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 341, 31.12.1999, p. 1.

COMMISSION REGULATION (EC) No 1960/2000**of 15 September 2000****amending Annexes I and III to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, as last amended by Commission Regulation (EC) No 1295/2000 ⁽²⁾, and in particular Articles 6, 7 and 8 thereof,

Whereas:

- (1) In accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals.
- (2) Maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs.
- (3) In establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue).
- (4) For the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney. However, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues.

- (5) In the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey.
- (6) Spectinomycin, dicyclanil and tylosin should be inserted into Annex I to Regulation (EEC) No 2377/90.
- (7) In order to allow for the completion of scientific studies deltamethrin should be inserted into Annex III to Regulation (EEC) No 2377/90.
- (8) In order to allow for the completion of scientific studies, the duration of the validity of the provisional maximum residue limits previously defined in Annex III to Regulation (EEC) No 2377/90 should be extended for dihydrostreptomycin, gentamicin, neomycin (including framycetin) and streptomycin.
- (9) An adequate period should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive 81/851/EEC ⁽³⁾, as last amended by Commission Directive 2000/37/EC ⁽⁴⁾, to take account of the provisions of this Regulation.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THE FOLLOWING REGULATION:

Article 1

Annexes I and III to Regulation (EEC) No 2377/90 are hereby amended as set out in the Annex hereto.

Article 2

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

It shall apply from the 60th day following its publication.

⁽¹⁾ OJ L 224, 18.8.1990, p. 1.

⁽²⁾ OJ L 146, 21.6.2000, p. 11.

⁽³⁾ OJ L 317, 6.11.1981, p. 1.

⁽⁴⁾ OJ L 139, 10.6.2000, p. 25.

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

Done at Brussels, 15 September 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

A. Annex I to Regulation (EEC) No 2377/90 is amended as follows:

1. Anti-infectious agents
- 1.2. Antibiotics
- 1.2.4. Macrolides

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Tylosin	Tylosin A	Poultry	100 µg/kg 100 µg/kg 100 µg/kg 100 µg/kg 200 µg/kg	Muscle Skin and fat Liver Kidney Eggs'	

1.2.10. Aminoglycosides

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Spectinomycin	Spectinomycin	Bovine Porcine, chicken	300 µg/kg 500 µg/kg 1 000 µg/kg 5 000 µg/kg 200 µg/kg 300 µg/kg 500 µg/kg 1 000 µg/kg 5 000 µg/kg	Muscle Fat Liver Kidney Milk Muscle Skin and fat Liver Kidney'	

- 2. Antiparasitic agents
- 2.2. Agents acting against ectoparasites
- 2.2.5. Pyrimidines derivatives

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Dicyclanil	Sum of dicyclanil and 2, 4, 6-triamino-pyrimidine-5-carbonitrile	Ovine	200 µg/kg 50 µg/kg 400 µg/kg 400 µg/kg	Muscle Fat Liver Kidney	Not for use in animals from which milk is produced for human consumption'

B. Annex III to Regulation (EEC) No 2377/90 is amended as follows:

- 1. Anti-infectious agents
- 1.2. Antibiotics
- 1.2.5. Aminoglycosides

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Dihydrostreptomycin	Dihydrostreptomycin	Bovine, ovine Porcine	500 µg/kg 500 µg/kg 500 µg/kg 1 000 µg/kg 200 µg/kg 500 µg/kg 500 µg/kg 500 µg/kg 1 000 µg/kg	Muscle Fat Liver Kidney Milk Muscle Skin and fat Liver Kidney	Provisional MRLs expire on 1.6.2002
Gentamicin	Gentamicin	Bovine Bovine, porcine	100 µg/kg 50 µg/kg 50 µg/kg 200 µg/kg 750 µg/kg	Milk Muscle Fat Liver Kidney	Provisional MRLs expire on 1.6.2002

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Neomycin (including framycetin)	Neomycin B	Bovine, porcine, chicken Bovine Chicken	500 µg/kg 500 µg/kg 500 µg/kg 5 000 µg/kg 500 µg/kg 500 µg/kg	Muscle Fat Liver Kidney Milk Eggs	Provisional MRLs expire on 1.6.2002
Streptomycin	Streptomycin	Bovine, ovine Porcine	500 µg/kg 500 µg/kg 500 µg/kg 1 000 µg/kg 200 µg/kg 500 µg/kg 500 µg/kg 500 µg/kg 1 000 µg/kg	Muscle Fat Liver Kidney Milk Muscle Skin and fat Liver Kidney	Provisional MRLs expire on 1.6.2002'

2. Antiparasitic agents

2.2. Agents acting against ectoparasites

2.2.3. Pyrethroids

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Deltamethrin	Deltamethrin	Fin fish	10 µg/kg	Muscle and skin in natural proportions	Provisional MRLs expire on 1.1.2002'

COMMISSION REGULATION (EC) No 1961/2000**of 15 September 2000****amending Regulation (EC) No 174/1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Articles 26(3), 30 and 31(14) thereof,

Whereas:

- (1) Article 10 of Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products ⁽³⁾, as amended by Regulation (EC) No 1596/1999 ⁽⁴⁾, provides for various measures to control quantities in relation to licences issued, and in particular the power to suspend the issue of licences. Experience shows that the possibility of suspending the lodging of applications should be extended to save traders, the national authorities and the Commission unnecessary work.
- (2) Article 15 of Regulation (EC) No 174/1999 provides for the grant of refunds for various zones of destination in the case of cheese exports. As a result of changes in the rate of refund for some of those destinations, the definition of the zones concerned should be adjusted.
- (3) Article 20 of Regulation (EC) No 174/1999 lays down provisions on cheese exports to the United States of America under certain tariff quotas. Notwithstanding the fact that, since 1 July 2000, the refund rates for certain cheeses exported to the United States of America have been zero, presentation of an export licence and the lodging of a security are also indispensable for such exports to enable the regime to function properly. The provisions concerned should be adjusted accordingly.
- (4) Provision should be made for the allocation of licences on the basis of the criteria laid down in Article 20(3) to be decided in accordance with the procedure laid down in Article 42 of Regulation (EC) No 1255/1999.

(5) Given that applications for the export licences referred to in Article 20 are to be lodged in mid-September 2000, this Regulation should enter into force immediately.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 174/1999 is amended as follows:

1. Article 10 is replaced by the following:

'Article 10

1. Export licences shall be issued on the fifth working day following the day on which applications are submitted, provided that the quantities for which licences have been applied for have been communicated in accordance with Article 9(1) of Commission Regulation (EC) No 1498/1999 ^(*) and that the special measures referred to in points (a) and (b) of the first subparagraph of paragraph 3 have not been adopted in the meantime.

2. A decision may be taken to adopt one or more of the special measures provided for in paragraph 3 where the issue of the licences:

(a) appears likely to result in an overrun in the budget resources available or in the exhaustion of the maximum quantities which may be exported with refund during the 12-month period in question or in a shorter period to be determined pursuant to Article 11;

or

(b) does not allow the continuity of exports to be guaranteed during the rest of the period concerned;

or

(c) would lead to a distortion of competition between traders.

For the purposes of the first subparagraph, account shall be taken, as regards the product in question, of the seasonal nature of trade, the market situation and in particular the trend in prices on the market and the export conditions resulting therefrom.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 188, 21.7.1999, p. 39.

3. In the cases referred to in paragraph 2, the Commission may decide, for the product or products in question:

- (a) to reject all or part of pending applications for which export licences have not yet been issued;
- (b) to apply an allocation coefficient to the quantities requested. Where a coefficient of less than 0,4 is applied to the quantities requested, applicants may, within three working days of publication of the decision fixing the coefficient, request the cancellation of their licence application and the release of their security;
- (c) to suspend the lodging of licence applications for a maximum of five working days.

Furthermore, in accordance with the procedure provided for in Article 42 of Regulation (EC) No 1255/1999, the Commission may decide:

- (a) to suspend the lodging of licence applications for the product or products concerned for a period exceeding five working days;
- (b) at the end of the period of suspension of the lodging of applications or after the applications have been rejected, to fix refunds by invitation to tender for products falling within CN codes 0402 10 19, 0405 10 90, 0405 90 10, 0405 90 90 and 0405 10 19. The relevant licences shall then be issued.

(*) OJ L 174, 9.7.1999, p. 3.

2. Article 15(3) is replaced by the following:

'3. The zones referred to in paragraph 1 shall be as follows:

- Zone I: destination codes 055, 060, 070 and 091 to 096 (inclusive),

- Zone II: destination codes 072 to 083 (inclusive)
- Zone III: destination code 400,
- Zone IV: all other destination codes.'

3. Article 20 is amended as follows:

- (a) The first subparagraph of paragraph 2 is replaced by the following:

'2. Exports of cheese to the United States of America under the quotas referred to in paragraph 1 shall be subject to presentation of an export licence.

Traders may apply, within a period to be determined, for a provisional export licence for the export of the products referred to in paragraph 1 during the following calendar year subject to the lodging of a security equal to 50 % of the rate fixed in accordance with Article 9, with a minimum of EUR 9 per 100 kg.'

- (b) The first sentence of paragraph 3 is amended as follows:

'3. Where applications for provisional licences are submitted in respect of a quantity of products in excess of one of the quotas referred to in paragraph 1 for the year in question, the Commission may, in accordance with the procedure laid down in Article 42 of Regulation (EC) No 1255/1999.'

- (c) Paragraph 11 is replaced by the following:

'11. Chapter I, with the exception of the first sentence of Article 1(1) and Article 10 shall apply to full licences. However, the term of validity of licences as provided for in Article 6 may not extend beyond the end of the year concerned.'

Article 2

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

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

Done at Brussels, 15 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1962/2000**of 15 September 2000****fixing the maximum aid for concentrated butter for the 232nd special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 232nd special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

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

Article 2

This Regulation shall enter into force on 16 September 2000.

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

Done at Brussels, 15 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

COMMISSION REGULATION (EC) No 1963/2000**of 15 September 2000****fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 60th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices and the maximum aid and processing securities applying for the 60th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 September 2000.

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

Done at Brussels, 15 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 15 September 2000 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 60th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	217	220	—	—
		Concentrated	211	—	—	—
Processing security		Unaltered	144	144	—	—
		Concentrated	144	—	—	—
Maximum aid	Butter ≥ 82 %		95	91	—	91
	Butter < 82 %		92	88	—	—
	Concentrated butter		117	113	117	113
	Cream		—	—	40	38
Processing security	Butter		105	—	—	—
	Concentrated butter		129	—	129	—
	Cream		—	—	44	—

**COMMISSION REGULATION (EC) No 1964/2000
of 15 September 2000
suspending the buying-in of butter in certain Member States**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 2 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as amended by Regulation (EC) No 1560/2000 ⁽⁴⁾, lays down the criteria for opening or suspending the buying-in of butter by invitation to tender in the Member States.
- (2) Commission Regulation (EC) No 1824/2000 ⁽⁵⁾ suspending the buying-in of butter in certain Member States establishes the list of Member States in which intervention is suspended. As a result of the market prices communicated by the United Kingdom intervention must be suspended in this country and the list of

Member States established by Regulation (EC) No 1824/2000 adjusted accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

Regulation (EC) No 1824/2000 is hereby repealed.

Article 3

This Regulation shall enter into force on 16 September 2000.

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

Done at Brussels, 15 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 179, 18.7.2000, p. 10.

⁽⁵⁾ OJ L 216, 26.8.2000, p. 7.

COMMISSION REGULATION (EC) No 1965/2000
of 15 September 2000
on the issuing of A1 export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 298/2000 ⁽²⁾, and in particular Article 2(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1877/2000 ⁽³⁾ sets the quantities for which A1 export licences, other than those requested in the context of food aid, may be issued.
- (2) Article 2 of Regulation (EC) No 2190/96 sets the conditions under which special measures may be taken by the Commission with a view to avoiding an overrun of the quantities for which A1 licences may be issued.
- (3) The Commission has received information which indicates that those quantities, reduced or increased by the quantities referred to in Article 2(3) of Regulation (EC) No 2190/96, would be exceeded if A1 licences were issued without restriction for hazelnuts in shell in

response to applications submitted since 11 September 2000; therefore, one percentage should be fixed for the issuing of licences for quantities applied for on 11 September 2000 and applications for A1 licences submitted later in that application period should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

A1 export licences for hazelnuts in shell for which applications were submitted on 11 September 2000 pursuant to Article 1 of Regulation (EC) No 1877/2000 shall be issued for 41,3 % of the quantities applied for.

Applications for A1 export licences submitted after 11 September 2000 and before 9 November 2000 for this product shall be rejected.

Article 2

This Regulation shall enter into force on 16 September 2000.

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

Done at Brussels, 15 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 34, 9.2.2000, p. 16.

⁽³⁾ OJ L 225, 5.9.2000, p. 10.

COMMISSION REGULATION (EC) No 1966/2000
of 15 September 2000
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 September 2000.

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

Done at Brussels, 15 September 2000.

For the Commission

Franz FISCHLER

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 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 315, 25.11.1998, p. 7.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00	0,00
	medium quality ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	0,12	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	0,12	0,00
	medium quality	22,97	12,97
	low quality	48,76	38,76
1002 00 00	Rye	45,00	35,00
1003 00 10	Barley, seed	45,00	35,00
1003 00 90	Barley, other ⁽³⁾	45,00	35,00
1005 10 90	Maize seed other than hybrid	94,00	84,19
1005 90 00	Maize other than seed ⁽³⁾	94,00	84,19
1007 00 90	Grain sorghum other than hybrids for sowing	69,70	59,70

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

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

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

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

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

ANNEX II

Factors for calculating duties

(period from 31 August 2000 to 14 September 2000)

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

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	129,03	126,16	109,39	84,76	186,50 (**)	176,50 (**)	105,31 (**)
Gulf premium (EUR/t)	—	11,46	2,45	6,35	—	—	—
Great Lakes premium (EUR/t)	21,15	—	—	—	—	—	—

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

(**) Fob Great Lakes.

2. Freight/cost: Gulf of Mexico — Rotterdam: 20,29 EUR/t; Great Lakes — Rotterdam: 30,58 EUR/t.

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

II

(Acts whose publication is not obligatory)

EUROPEAN PARLIAMENT

DECISION OF THE EUROPEAN PARLIAMENT

of 6 July 2000

giving discharge in respect of implementation of the general budget of the European Union for the 1998 financial year — Section I — European Parliament/Ombudsman Annex

(2000/545/EC)

THE EUROPEAN PARLIAMENT,

Having regard to its Rules of Procedure, and in particular Rule 184(3) thereof,

Having regard to Article 77 of the Financial Regulation and Article 13 of the Internal Rules for the implementation of the European Parliament's budget,

Having regard to its resolution of 13 April 2000 postponing the decision on giving discharge in respect of implementation of the general budget for the 1998 financial year — Section I — European Parliament/Ombudsman Annex [SEC(1999) 414 — C5-0008/1999 — 1999/2051(DEC)],

Having regard to the information provided by its Secretary General in response to the specific instructions contained in paragraph 33 of the aforementioned decision,

Having regard to the fact that the giving of discharge has been linked to the issue of financing of the political groups and parties, which goes beyond the administrative remit of the Secretary General,

Having regard to the report of the Committee on Budgetary Control (A5-0189/2000),

1. Recalls that:

- (a) the figures closing the accounts of the institution for the 1998 financial year were adopted in the context of the abovementioned resolution of 13 April 2000;
- (b) the abovementioned resolution instructed the Secretary General to take a number of steps, aimed at improving financial and administrative management in Parliament; including the following, with deadlines:
 - by 1 June 2000, proposal of concrete measures to reverse the increase in use of the exceptional direct treaty procedure, for which calls for tenders should be substituted, including measures to train and improve the qualifications of Parliament's staff involved in the awarding of contracts,
 - by 1 June 2000, the Committee on Budgetary Control to be informed of progress made in introducing the new inventory system,
 - by 30 June 2000, a report to be submitted on the conclusions from the current reform process in the Commission relating to staffing policy,
 - by 1 July 2000, the Bureau to submit options for an accurate action and financing plan, particularly for the Louise Weiss Building in Strasbourg, including a legal assessment taking account of the state of the negotiations,

- in good time before the first reading of the 2001 budget, submission of a report assessing whether it is advisable to assign the European Parliament sole responsibility for the management of its freelance interpreting needs;
- (c) it called on the Court of Auditors:
- to deliver an opinion in the very near future on whether the procedure adopted for funding the Altiero Spinelli building is applicable to future projects in the light of the amendments which have now been made to the Financial Regulation and the rules on awarding public service contracts,
 - to submit a special report on the practice of awarding contracts for security services for EP buildings, including an examination of whether it is economically feasible;
- (d) paragraph 33 of the abovementioned resolution called for the following additional information and action before the discharge was given:
- that an action plan be presented to reduce dramatically the number of restricted tenders and direct agreements,
 - that the 1998 inventory be completed and presented,
 - that the appropriate bodies be informed about the progress of current disciplinary procedures, especially those linked to cases lost in the Court of Justice,
 - that a long-term buildings policy be presented, including financing, new investments and expected total costs, as well as an action plan to avoid contractual obligations limiting the European Parliament's possibilities for open tendering,
 - that a timetable be presented for the administrative reform of Parliament,
 - that the new contracts authorised for the security and guarding of the buildings in Strasbourg be in full accordance with the rules, especially on calls for tender,
 - that, in the light of the final report of the Court of Auditors on the expenditure of political groups, the latter take specific measures to rectify the disclosed shortcomings within two months of receiving the report.
2. Takes note of the information put at the disposal of the Committee on Budgetary Control outlining the action taken and the undertakings made, which should allow for a more efficient use of appropriations earmarked for the institution. Considers its Judgement to have been confirmed that postponing the discharge for 1998 had a constructive effect and spurred Parliament's administration on to greater efforts to use taxpayers' money more efficiently.
3. Instructs its Committee on Budgetary control, when considering the discharge for 1999, to return to the central topics broached in connection with the postponement of the discharge for 1998: shortcomings in tenderings, buildings policy, staff policy and the inventory.

Competitive tendering — Awarding contracts

4. Notes the action plan to facilitate competitive tendering under the terms laid down by the current rules; asks for the optimal planning of awards of contracts and expects a strict monitoring of that planning as well as the introduction of administrative measures which will make this possible. Recalls that free competition among providers of goods and services is one of the fundamental principles of Community law, that Parliament must set a good example in this field and that therefore contracts may be awarded by private treaty only in exceptional cases, as indeed the Financial Regulation expressly stipulates. Calls for a report on the state of implementation and a first evaluation by 31 January 2001.
5. Strongly supports the notion of interinstitutional cooperation with regard to the awarding of contracts, whenever possible; approves the expressed intention on the part of the Secretary General to take the necessary steps to that effect in cooperation with his counterparts; expects precise information to be provided as part of the Revenue and Expenditure Account and Balance Sheet, including comparable statistical data from the various institutions and advisory bodies, in the interest of increased competition and of the protection of the Union's financial interests.

Inventory

6. Instructs its competent committee to continue to monitor closely the taking of the inventory and to ascertain whether the new system for the management of Parliament's property (ELS) is being operated properly and effectively. Asks that, as a part of the Revenue and Expenditure Account and Balance Sheet for every financial year, a detailed account is made of the physical permanent inventory; expects in particular that the Revenue and Expenditure Account and Balance sheet for 2000 will indicate the completion of measures which are still pending. Expects measures to ensure implementation in accordance with the new system.
7. Instructs its Secretary-General to take the initiative with his counterparts for the adoption of rules governing inventory management on an interinstitutional basis, including common rules on depreciation.

Lost court cases relating to senior appointments

8. Notes the Secretary-General's statement that at present no disciplinary proceedings are pending within Parliament's administration. Welcomes the fact that on 1 December 1999, i.e. even before the deliberations on the discharge for 1998, the Bureau, at the proposal of the Secretary-General, started an administrative inquiry. Notes the Bureau decision of 13 June 2000, in connection with the Frederiksen case, not to seek redress as provided for by Article 22 of the Staff Regulations. Notes that this decision is based on the consideration that the administrative inquiry did not reveal evidence of 'serious misconduct' by individuals as referred to in Article 22 of the Staff Regulations. Points out, however, that the administrative inquiry revealed both problems with internal decision-making procedures and a tendency to neglect risks associated with court cases in events that it would have been appropriate to review the case and reappraise the risks associated with legal proceedings at a considerably earlier stage; recalls paragraph 23 of its abovementioned resolution of 13 April 2000, calling on the legal service to inform the Bureau about the risks of court cases before the Bureau takes its decisions, particularly in the light of previous judgements on staff matters; welcomes the Bureau decision of 13 June 2000 instructing Vice-Presidents Lienemann and Provan to examine whether further internal administrative reforms are needed in order to avoid similar outcomes. Instructs its Bureau to inform the competent committees about its conclusions on this matter.

Buildings' policy

9. Regrets the geographical dispersion of Parliament's working places, as well as that of its services, for which the institution itself bears no direct responsibility, as it is a consequence of the Treaty between the governments of the Member States. Emphasises the need to minimise further logistical inconveniences in the context of the institution's future building needs in view of the upcoming enlargement. Consequently insists that any future decision in the area of building's policy be guided by the principle of functionality, particularly as regards the regrouping of Parliament's services in each working place, and the optimal use of financial resources.
10. Expects those countries hosting Parliament's buildings to each make contributions of a comparable value toward the acquisition of immovable property;
11. Reiterates its principled position that the method of financing to be used in future acquisitions, including that of the Louise Weiss building in Strasbourg, be that of direct financing in order to ensure the maximum degree of Transparency possible as well as obtaining the best value for the European taxpayers' money; strongly urges the Council to reconsider its position in this matter.

Administrative reform

12. Welcomes the submitted timetable. Instructs its Bureau and Secretary General to keep its competent committees informed of progress in the implementation of the internal administrative reform; emphasises the need for active involvement of staff in this procedure.
13. Reiterates its call for a common buildings budget and common buildings management for the institutions and advisory bodies of the European Union.

Security

14. Notes the Bureau's overruling of the Financial Controller's withholding of Approval No 00/025, in its capacity as the superior authority; regrets that no attempt was made to award the contract for guarding its buildings in Strasbourg for a shorter, transitional period and to make use of this time to rerun the award procedure in full accordance with Community regulations on the award of public contracts.

Financing of the political groups and parties

15. Takes explicit note of the fact that only the political groups themselves have any responsibility for the use of appropriations made available to them under Chapter 37.
16. Notes with satisfaction the answers of the Bureau to the preliminary observations of the Court of Auditors and expects that measures aimed at radically reforming the relevant legal framework be completed without delay in conformity with financial regulations and the principle of transparency.
17. Welcomes the fact that all five political groups currently active in Parliament who had also been active during the previous legislative period have provided their specific responses to the preliminary observations of the Court of Auditors.
18. Regrets the unwillingness of the Court of Auditors explicitly to name those groups whose questionable financial practices are specifically mentioned within the body of the report.
19. Acknowledges the findings of the Court and as a result of these findings:
- welcomes the decision of the Conference of Presidents of 26 February 1999 to enact guidelines for the purposes of defining those information activities which are characteristic of election campaigning and are thus to be excluded from being financed by funds derived from the information campaign budget of the political groups,
 - demands that internal bookkeeping procedures be transparent and that these procedures be followed by all groups, and supplemented by specific group financial regulations, which, as the court points out, is not the case,
 - demands that transparency be achieved with regard to the financial operations and internal audit systems of the national delegations of the political groups,
 - criticises the failure on the part of certain groups to provide the Office of the President of the Parliament with the certification of their accounts by an external auditor, even if this was not a mandatory provision at the time,
 - demands that measures be taken to avoid the possibility that financial assistance could be provided to national political parties or other similar organisations as a result of joint actions undertaken between them and the political groups,
 - regrets that one group has only now, in the context of the annual report, informed the President of Parliament of the accumulated capital of a public foundation created under Luxembourg law to which it has allocated funds,
 - stresses the need for clarity in regard to work contracts.

The case relating to the Members' cash office

20. Expects the competent authorities, in the light of the judgement dated 29 March 2000 of the Luxembourg Court of Appeal in the case brought by Parliament against Royale Belge SA, to initiate the procedure provided for in Article 22 of the Staff Regulations with a view towards defining responsibilities in connection with the discrepancy of BEF 4 126 125 between the actual cash situation and their corresponding accounts in 1982.
21. Gives the Secretary-General discharge in respect of the implementation of the budget for the 1998 financial year.
22. Authorises the giving of discharge to the accounting officer for the 1998 financial year.
23. Instructs its President to forward this decision to the Commission, the Council, the Court of Justice of Auditors, the Economic and Social Committee, the Committee of the Regions and the European Ombudsman.

The Secretary-General
Julian PRIESTLEY

The President
Nicole FONTAINE

DECISION OF THE EUROPEAN PARLIAMENT**of 6 July 2000****giving discharge to the Commission in respect of implementation of the general budget of the European Union for the 1998 financial year**

(2000/546/EC, ECSC, Euratom)

THE EUROPEAN PARLIAMENT,

Having regard to the revenue and expenditure account, the analysis of financial management and the balance sheet of the European Union for the 1998 financial year [SEC(1999) 412 — C5-0006/1999, SEC(1999) 413 — C5-0007/1999, SEC(1999) 415 — C4-0009/1999, SEC(1999) 1473 — C5-0204/1999],

Having regard to the annual report concerning the 1998 financial year (C5-0266/1999) and the special reports of the Court of Auditors and the Institutions' replies ⁽¹⁾,

Having regard to the statement of assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors pursuant to Article 248 of the EC Treaty (C5-0266/1999),

Having regard to the Council recommendation of 13 March 2000 (C5-0154/2000),

Having regard to its resolution of 13 April 2000 on the postponement of discharge to the Commission in respect of implementation of the general budget of the European Union for the financial year 1998 and the Commission's replies,

Having regard to the ECSC Treaty and in particular Article 78g thereof,

Having regard to the EC Treaty and in particular Article 276 thereof,

Having regard to the EAEC Treaty and in particular Article 180b thereof,

Having regard to Rule 93 of its Rules of Procedure,

Having regard to the report of the Committee on Budgetary Control (A5-0190/2000),

Whereas:

- A. Pursuant to Article 274 of the EC Treaty, the Commission bears responsibility for implementing the budget in accordance with the principles of sound financial management.
- B. The Commission must, in so doing, ensure the legality and regularity of revenue and expenditure.
- C. Pursuant to Article 276 of the EC Treaty, Parliament is required to give a discharge to the Commission in respect of implementation of the budget and thereby assumes responsibility for ensuring that the Commission meets its Treaty obligations in full.
- D. Parliament is thus accountable to the citizens of the Union for ensuring that their money is spent as economically and efficiently as possible and that the institutions of the Union do everything in their power to secure maximum protection against fraud, corruption and organised crime and to reduce the number of errors in the implementation of the budget as far as possible.
- E. Parliament has postponed discharge for the 1998 financial year in order to ensure that the Commission actually makes all the necessary efforts to improve the implementation of the budget as far as possible and that the Commission pursues a policy of zero tolerance in dealing with cases of fraud, corruption or mismanagement.
- F. The Commission has satisfied most of the requirements set out in its abovementioned resolution of 13 April 2000 on the postponement of the discharge:
 - (a) the Commission is prepared to take action to cut drastically the errors in implementation of the budget;

⁽¹⁾ OJ C 349, 3.12.1999.

- (b) against the background of the Fléhard case, the Commission has clarified its procedure for the forfeiture of claims and has announced that in revising the Financial Regulation it will propose a clear allocation of responsibilities for all areas of implementation of the budget, including the charging of costs;
 - (c) the Commission has agreed to answer further questions on the Fléhard case;
 - (d) the European Anti-Fraud Office (OLAF) has renewed its search for the minutes of the meeting of 7 January 1994 in the private office of the then Commission President relating to the Fléhard case;
 - (e) the Commission will issue new rules for the electronic registration, archiving and management of documents by the end of 2000;
 - (f) the Commission has stated its readiness to reopen disciplinary proceedings in connection with the Echo affair if new evidence comes to light;
 - (g) OLAF is examining whether the full dossier has been submitted to the competent judicial authorities in Belgium, France and Italy in the MED affair;
 - (h) the Commission is prepared to consider the opening of disciplinary proceedings in the light of the outcome of the investigations conducted by the national judicial authorities in the MED affair;
 - (i) the Commission has reported the findings of its investigation into visiting scientists' contracts for the 1998 financial year to Parliament, started disciplinary proceedings in connection with the case of a visiting scientist employed at the instigation of a former Commissioner and forwarded the relevant OLAF report to the Belgian judicial authorities;
 - (j) the Member of the Commission responsible for financial control has launched an administrative investigation in connection with the withheld warning of serious deficiencies at the Joint Research Centre (particularly with the handling of nuclear materials);
 - (k) the Commission has submitted a report by the Financial Controller on the number of correcting communications and postponements/withholdings of approvals in 1998, including an analysis of the most frequent types of errors;
 - (l) the Commission has submitted a report on action taken with regard to Member States which have not yet implemented the integrated administration and control system for agricultural expenditure. Parliament in its abovementioned resolution of 13 April 2000 called for the system to be fully implemented by April 2002 at the latest;
 - (m) the Commission has submitted a report on the measures that it has taken in response to the recommendations of Parliament's Committee of Inquiry into the Community Transit System;
 - (n) the Commission has submitted a report on the number and outcome of disciplinary proceedings carried out since 1998 in all cases in which the Community's financial interests are affected.
- G. The Fléhard case cannot be considered closed until the problems it has revealed, and in particular the questions relating to the monitoring and control of export operations, the proportionality of penalties and the structure of administrative and judicial penalties, have been satisfactorily resolved.
- H. The Commission and Parliament have concluded an interinstitutional agreement to address the fundamental principles set out in particular in paragraph 26 of its resolution of 19 January 2000 on the discharge for the 1997 financial year on Parliament's access to information within the framework of Article 276 of the EC Treaty. Deploring, however, that the Commission is not yet prepared to afford Parliament at least the same access to its documents as the Court of Auditors.
- I. The Commission has also not said that it will introduce an independent external element in its disciplinary procedure but that it will do no more than ensure that the various institutions are represented on the disciplinary board in future.
- J. The current practice of administrative investigations and disciplinary proceedings within the Commission should be evaluated by an independent external body, including a study of best practice within public administration.

- K. The new director of OLAF has submitted a revealing list of cases of suspected fraud or corruption.
- L. The Commission has brought forward a comprehensive package of proposals in the White Paper on administrative reform.
- 1. Gives the Commission discharge in respect of the implementation of the general budget of the European Union for the 1998 financial year.
- 2. Records its comments in the attached resolution.
- 3. Instructs its President to forward this Decision and the resolution containing its comments to the Commission, the Council, the Court of Justice, the Court of Auditors and the European Investment Bank and to have it published in the *Official Journal of the European Communities* (L series).

The Secretary-General

Julian PRIESTLEY

The President

Nicole FONTAINE

RESOLUTION

of the European Parliament containing the comments which form an integral part of the decision giving discharge to the Commission for the implementation of the general budget of the European Union for the 1998 financial year (SEC(1999) 412 — C5-0006/1999 — 1999/2050(DEC))

THE EUROPEAN PARLIAMENT,

Having regard to Article 276 of the EC Treaty,

Having regard to Article 89(7) of the Financial Regulation, pursuant to which each Community institution is required to take all appropriate steps to act on the comments appearing in the decisions giving discharge,

Whereas pursuant to paragraph 8 of the same article the institutions are also required to report, at the request of the European Parliament, on the measures taken in the light of these comments and particularly on the instructions given to those of their departments which are responsible for the implementation of the budget,

Having regard to the annual report concerning the 1998 financial year (C5-0266/1999) ⁽¹⁾, and the special reports of the Court of Auditors and the Institutions' replies,

Having regard to the Council recommendation of 13 March 2000 (C5-0154/2000),

Having regard to the report of the Committee on Budgetary Control (A5-0190/2000),

Whereas:

- A. Commission President Prodi took office with the ambition of transforming the European Commission into an efficient and transparent public service conscious of its responsibilities and, in the process, of combating mismanagement, fraud and corruption at all levels.
- B. Although the new Commission may not be directly responsible for these cases, it is responsible for the extent to which it succeeds in drawing the requisite conclusions.
- C. The European Parliament has stressed the need for zero tolerance in cases of fraud and other irregularities which cause damage to the financial interests of the Union, while at the same time underlining the need for objective, transparent disciplinary proceedings conducted in accordance with the rules of due process and respect for the rights of the defence.
- D. The discharge postponed on 13 April 2000 can therefore now be granted although Parliament expects the Commission to take further measures, which are outlined below.

Statement of assurance

1. Points out that in 1998 for the fifth consecutive time the Court of Auditors declined to provide an assurance that the transactions underlying the payments for the financial year were, taken as a whole, legal and regular ⁽²⁾.
2. Points out that against this background the Council failed for the first time to make its recommendation unanimously.
3. Points out that the figures provided by the Court of Auditors do not indicate a positive trend, that the number of substantive errors is still high and that the expenditure managed directly by the Commission is no less affected than Community expenditure effected by the Member States.
4. Concludes that the SEM 2000 reform of financial management introduced in 1995 by the then Commission has so far failed to produce any tangible results whatsoever in 1998; notes, with a view to future discharge procedures, that in the Court of Auditors' estimation the potential benefits are unlikely to be felt until after the end of the current programme planning period in 2000.

⁽¹⁾ OJ C 349, 3.12.1999.

⁽²⁾ OJ C 349, 3.12.1999, pp. 168 and 169.

5. Warns of the risk that the current reform could suffer a similar fate and confirms the call made in its resolution of 13 April 2000 on the postponement of the 1998 discharge for the Commission to arrive at a positive statement of assurance for the 2003 financial year at the latest.
6. Underlines the need to set verifiable intermediate objectives for this process; calls on the Commission to formulate such objectives by the end of the year.

Own resources

7. Calls on the Commission to initiate a policy to assess the extent of conformity of national VAT legislation and to submit an initial report shortly, limited if necessary to a sectoral investigation.
8. Calls on the Commission to submit to Parliament and the Council a report analysing the Member States' VAT revenue since the transitional VAT system was set up, with evaluations and details of the type of the various frauds which have been detected.

Common agricultural policy

9. Calls on the Commission to ensure that the principle of budgetary universality is respected, in such a way that the sums recovered by the Commission in respect of Member State expenditure are entered as revenue in the Community budget, and that corrections made by Member States concerning an earlier declaration no longer give rise to any offsettings against expenditure for the month concerned.
10. Calls on the Commission to propose suitable amendments to the Financial Regulation and the regulation concerned, to ensure respect for the principle of annuality and allow expenditure to be entered in the accounts for the financial year to which it belongs.
11. Calls on the Commission, in the context of clearance of the EAGGF accounts, in future to continue to assess claims for repayments by Member States on the basis of proven loss to the Union budget and to carry out flat-rate financial corrections only in cases where no precise figure can be put on the loss.
12. Concludes in the specific case of export of butter to the former USSR that in 1994 the Commission's Directorate-General for Agriculture after initial in-house resistance from other Commission departments ultimately suggested to the Irish authorities that the penalty deposit be reduced from ECU 17,6 million to ECU 3 million although according to the Court of Auditors, there was no specific statutory basis for doing so. Furthermore concludes that the handling of this and similar cases by the Commission has been contested by the Court of Auditors.
13. Welcomes the fact that OLAF has opened an investigation to determine why the minutes of the crucial meeting of 7 January 1994 in the private office of the then Commission President are apparently nowhere to be found. Calls on OLAF to forward the report of its investigation to Parliament as soon as possible and also to report on whether the firm concerned has since been the subject of investigations by Commission departments or the competent national investigative authorities.
14. Makes clear that consideration of the case and the issue of possible consequences cannot be concluded until:
 - the results of the OLAF investigation have been assessed, and
 - it has been established that the Commission has forwarded to Parliament all available documents relating to the case.
15. Calls upon its Committee responsible to follow-up on the general issues brought up by this case, notably:
 - (a) the retroactive application of Community law;
 - (b) the criteria that determine the proportionality of the reduction of financial corrections;

- (c) the circumstances under which a significant amount of debt (ECU 135 million) is waived annually by the Commission under Article 29 of the Financial Regulation;
 - (d) the extent to which similar cases to the butter exports to the former USSR exist;
 - (e) the question of who holds ultimate responsibility if individual judgments involve potential losses up to a set amount;
- and to report on its findings in the context of the 1999 discharge.

16. Expects the Commission to cooperate constructively in the clarification of these matters.

Structural measures

- 17. Considers that the responsibility for implementing the Structural Funds should more clearly delineate the role of the Commission (if necessary by amending the implementing regulations), and should give it power to impose penalties which would make it possible genuinely to mitigate any shortcomings.
- 18. Calls for monitoring of the Structural Funds to be more effective and for mid-term evaluation to be a genuine instrument of sound management.
- 19. Considers that the Commission must unambiguously clarify what expenditure is eligible for support, particularly with regard to the actual implementation of the Structural Funds as a whole in the Objective 1 and 2 regions for which they are intended under the regulations, and welcomes the development of new data sheets on eligibility.
- 20. Insists that it be kept informed by the Commission about the effectiveness of the controls by the Member States on the basis of Article 39(1) of Regulation (EC) No 1260/1999.
- 21. Insists it be informed about general problems in contacts with the Member States relating to the application of Article 39(2) of that Regulation.
- 22. Considers that an improvement in the advance estimation of the payment appropriations which will be required could prevent the substantial differences between budget allocations and budget implementation in the case of structural measures. Regards the persistent attempts by the Council to cut payment appropriations for the Structural Funds as causing unnecessary liquidity shortfalls, as well as problems in their application in regions suffering from both the highest rates of unemployment and the lowest levels of per capita income.
- 23. Deplores the persistently large number of irregularities identified by the Court of Auditors, particularly with regard to expenditure certificates. Calls on the Member States, therefore, to bring their administrative systems into line with the requirements of the Structural Fund regulations in order to ensure efficient administration of structural measures in the new programme planning period, 2000 to 2006.
- 24. Observes with some surprise that even at the end of this programming period measures from before 1989 have still not been concluded, and calls on the Commission to close the 1989 to 1993 programming period more rapidly, making use of the option to cancel commitments automatically.
- 25. Notes that, despite having been called upon to do so in the past, the Commission still has not ensured that the payment appropriations of the European Social Fund are brought into line with actual needs.
- 26. Observes that it was not possible for the Commission to implement satisfactorily the allocation for integrated measures through multifund projects, entered in the context of the Community initiatives. Now expects cooperation with other Community programmes at the Directorates-General responsible to proceed more efficiently once each Community initiative is financed from a single fund.
- 27. Draws attention to the criticism by the Court of Auditors that the impact of Structural Fund measures on employment cannot be sufficiently ascertained, and calls on the Council and Commission to comply with Parliament's reiterated call for the adoption of appropriate indicators and improved evaluation.
- 28. Expects the Commission, in the negotiations on the programme planning period 2000 to 2006, to insist on a better thematic balance in national plans for European Social Fund measures.
- 29. Hopes that the Commission will adopt more effective measures to eliminate the errors in payments (eligible expenditure) identified by the Court of Auditors in its Annual Report.

Internal policies

30. Stresses that it is of great importance that key policy and financial management tasks are carried out by officials who are fully answerable to the institution for their work and that excessive reliance on external contractors is to be avoided.
31. Recognises that the budgetary authority will have to take full account of the human and financial resource requirements of, and the need for redeployment due to, new initiatives requested of the Commission, respecting the Treaty and interinstitutional limits agreed by the institutions and the Member States in the agreement of 6 May 1999.
32. Calls upon the Commission to establish indicators that will enable programme effectiveness and efficiency to be assessed, taking into consideration the relative significance of administrative costs.
33. Draws the Commission's attention to the fact that Parliament's committees have begun to establish monitoring mechanisms and recalls its demand that they should be provided with the necessary information on a regular basis.

Research

34. Deplores the significant incidence of substantive errors in approximately one third of the payments where the Commission had paid too much, mostly due to ineligible costs having been claimed by the beneficiaries and, in addition, the formal errors which occurred in almost one fifth of the payments.
35. Deplores the errors and inaccuracies, including deliberate overcharging, in almost two thirds of the payments based upon cost declarations, due to misinterpretations, insufficient control by Commission services and the absence of contractually defined penalties in cases of overcharging.
36. Calls on the Commission rapidly to ensure the clarification and simplification of its standard contracts and give precise and unambiguous definitions of eligible costs' in order to reduce the risk of overcharging.
37. Calls on the Commission to eliminate defects inherent in the system by revising the legislation and to improve the legality and regularity of payments by improving and intensifying its control of cost claims submitted by beneficiaries.
38. Asks the Court of Auditors for an in-depth examination of the legality and regularity of payments, in particular in the research area, which accounts for almost two thirds of the internal policy budget.
39. Believes that improved management and coordination across the participating directorates-general is essential to ensure the effectiveness of research programmes and that progress should be closely monitored with regular reporting to the committee responsible.
40. Requests from the Commission an in-depth assessment of the Performance Audit of the Joint Research Centre (JRC) of 28 April 1998 and a report on the lessons learnt.
41. Calls on the Commission, when submitting new legislative proposals, to pay closer attention to the following:
 - (a) transparency, simplicity and clarity;
 - (b) optimum opportunities for auditing;
 - (c) penalties for violations of the rules and deliberately inaccurate statements of costs to apply to all involved who have made errors in that connection.

External aid

42. Notes that the situation with regard to invitations to tender under the TACIS and PHARE programmes has not changed despite the comments by the Commission Financial Controller and the European Court of Auditors on the 1997 and 1998 financial years.

43. Notes that this situation presents a potential risk of harming the financial interests of the EU in the recipient countries and continues to be harmful to its image with these countries.
44. Repeats its calls to the Commission in its resolution of 4 May 1999 ⁽¹⁾ when the 1997 budget discharge was postponed, and now expects rigorous measures and a clear response from the Commission.
45. Once more calls on the European Court of Auditors to carry out an audit of the procedures for invitations to tender and on record-keeping in the context of the PHARE and TACIS programmes.
46. Points out that in the selection and supervision of the firm that was responsible for the transportation of humanitarian aid in connection with 'Echo Flight', there were serious omissions.
47. In the case of lessons to be learnt from the ECHO affair, notes that the Commission has stated its readiness to reopen disciplinary proceedings if new evidence comes to light, but is not satisfied that the Commission has not yet made a commitment to introduce an external element in its disciplinary procedure.

Reform of disciplinary procedures

48. Considers that the disciplinary cases raised by the 1998 discharge procedure reinforce its call, made in its resolution of 19 January 2000 on the second report of the Committee of Independent Experts (paragraph 37) for the long-standing provisions in the Financial Regulation and the Staff Regulations concerning officials' financial liability for the damage their actions cause no longer to be left to internal Commission bodies, but that instead this task should be entrusted to a chamber for disciplinary procedures for budgetary irregularities in the Court of Auditors or the Court of Justice.

Functioning of control systems

49. Notes with concern that in 1998 the already small number of checks by Commission services in the area of the Structural Funds was significantly reduced.
50. Regards it as a sign of the weakness of the Commission's financial control that despite the high error rate found by the Court of Auditors in 1998, in not a single case did Financial Control withhold approval.
51. Reaffirms its call for the Commission, made in its abovementioned resolution of 19 January 2000 (paragraphs 10 and 11 (f)) to strengthen on a lasting basis the role of the financial controller in line with the Court of Auditors' recommendations through the following measures:
 - (a) instead of across-the-board prior checks targeted prior checks carried out on the basis of risk analyses or at the request of the authorising officer concerned;
 - (b) financial control staff must not be subordinate to the directors-general monitored but independent financial control must be retained and decentralised in accordance with Article 24 of the Financial Regulation.

Parliament's access to information

52. Recalls that the Commission is required, pursuant to Article 276 of the EC Treaty, to submit any necessary information to Parliament at the latter's request in connection with the discharge procedure.
53. Reaffirms the fundamental principles set out in particular in paragraph 26 of its resolution of 19 January 2000 on the discharge for the 1997 financial year on Parliament's access to information.
54. Notes that the Commission and the European Parliament have concluded an interinstitutional agreement concerning Parliament's access to information; underlines its determination to follow closely the implementation of this agreement, in particular to ensure that the rights of individual Members will not be infringed.

⁽¹⁾ OJ C 279, 1.10.1999, p. 119.

55. Regrets that in the 1998 discharge procedure the Commission has refused to submit reports and minutes concerning administrative investigations that it submitted to the Court of Auditors.
 56. Points out that Parliament, as the discharge authority, expects the Commission:
 - (a) to inform the competent judicial authorities fully of cases where there is a suspicion of fraud;
 - (b) to fulfil its obligation under Articles 73 and 74 of the Financial Regulation;and that Parliament must be granted access to the relevant documents in order to establish to its satisfaction that the Commission is fulfilling its obligations.
 57. Recalls that the transmission of confidential information must comply with the provisions governing judicial and disciplinary proceedings.
 58. Calls on the Commission therefore to reconsider its position and, as guardian of the treaties, to ensure that Parliament is able to comply fully with its supervisory obligations within the framework of the discharge procedure.
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DECISION OF THE EUROPEAN PARLIAMENT
of 6 July 2000
closing the accounts relating to the implementation of the general budget of the European Union
for the 1998 financial year

(2000/547/EC, ECSC, Euratom)

THE EUROPEAN PARLIAMENT,

Having regard to the budget of the European Union for the 1998 financial year,

Having regard to the consolidated revenue and expenditure account and balance sheet for the 1998 financial year ⁽¹⁾,

Having regard to the annual report concerning the 1998 financial year (C5-0266/1999) ⁽²⁾ and the special reports of the Court of Auditors and the Institutions' replies,

Having regard to the Statement of Assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors pursuant to Article 248 of the EC Treaty (C5-0266/1999) ⁽³⁾,

Having regard to the Council recommendation of 13 March 2000 (C5-0154/2000),

Having regard to its resolution of 13 April 2000 on the postponement of discharge to the Commission in respect of implementation of the general budget of the European Union for the 1998 financial year,

Having regard to the ECSC Treaty and in particular Article 78g thereof,

Having regard to the EC Treaty and in particular Article 276 thereof,

Having regard to the EAEC Treaty and in particular Article 180b thereof,

Having regard to Rule 93 of and Annex V to its Rules of Procedure,

Having regard to the report of the Committee on Budgetary Control (A5-0190/2000),

Whereas:

pursuant to Article 275 of the EC Treaty responsibility for drawing up the revenue and expenditure account lies with the Commission,

1. Notes that the estimated revenue for the 1998 financial year and the resources finally approved for payments amounted to:

	<i>(ECU million)</i>
(a) Revenue	83 652,2
(b) Appropriations for payments	83 833,7

2. Notes the following amounts relating to commitments:

	<i>(ECU million)</i>
(a) Appropriations available	91 257,2
(b) Commitments entered into	88 340,1

⁽¹⁾ OJ C 350, 3.12.1999, p. 1.

⁽²⁾ OJ C 349, 3.12.1999.

⁽³⁾ OJ C 349, 3.12.1999, pp. 168 and 169.

3. Notes the following consolidated revenue and expenditure account for the 1998 financial year drawn up by the Commission:

	(ECU million)
(a) Revenue	84 529,688
(b) Expenditure	81 637,410
Outturn for the financial year	2 892,278
Appropriations carried over from previous year which lapsed	139,888
Exchange differences	- 9,069
(c) Balance for the 1998 financial year	3 023,097
This balance reflects the accounting situation only and does not include expenditure actually incurred during the financial year.	

4. Notes the following consolidated balance sheet drawn up by the Commission:

ASSETS

	(ECU)
	31 December 1998
I. Initial costs	0,00
II. Intangible fixed assets	5 845 764,72
III. Tangible fixed assets	3 310 191 517,32
IV. Investments	1 759 379 676,18
V. Long-term assets	5 220 957 624,15
VI. Stocks	115 403 333,57
VII. Short-term assets	3 398 243 672,09
VIII. Cash investments	28 133 056,11
IX. Disposable assets	10 369 743 197,83
X. Transitional accounts	297 899 722,12
Total	24 505 797 564,09

LIABILITIES

	(ECU)
	31 December 1998
I. Own capital	9 739 965 069,34
II. Provisions for risks and liabilities	1 281 955 805,29
III. Long-term liabilities	5 445 277 097,45
IV. Short-term liabilities	7 588 124 501,33
V. Transitional accounts	450 475 090,68
Total	24 505 797 564,09

5. Recalls that, according to the statements made by the Court of Auditors in the context of its abovementioned Statement of Assurance, the figures presented in the consolidated revenue and expenditure account are marred by a number of errors and weaknesses:
- (a) the understatement of fixed assets, essentially buildings, by around ECU 540 million;
 - (b) a net overstatement of debtors in the region of ECU 1 000 million principally resulting from the overstatement of sums likely to be recovered for unpaid customs duties and agricultural levies;

- (c) an understatement of cash and debtors amounting to at least ECU 600 million because some amounts held on bank accounts, or paid as advances to third parties which act as agents for the Commission, have been omitted from the balance sheet;
 - (d) the inaccurate and inadequate presentation of information on advances and payments on account at 31 December 1998;
 - (e) the overstatement of commitments still to be settled by some ECU 660 million;
 - (f) the omission of certain commitments (ECU 352,7 million) and potential liabilities (at least ECU 2 794 million);
6. Approves the closure of the accounts for the implementation of the general budget for the financial year 1998.
7. Instructs its President to forward this Decision to the Commission, the Council, the Court of Justice, the Court of Auditors and the European Investment Bank and to have it published in the *Official Journal of the European Communities* (L series).

The Secretary-General

Julian PRIESTLEY

The President

Nicole FONTAINE

DECISION OF THE EUROPEAN PARLIAMENT**of 6 July 2000****giving discharge to the Commission in respect of the financial management of the sixth, seventh and eighth European Development Funds for the 1998 financial year**

(2000/548/EC)

THE EUROPEAN PARLIAMENT,

Having regard to the balance sheets and accounts of the sixth, seventh and eighth EDF for the 1998 financial year [COM(1999)227 — C5-0003/1999],

Having regard to the Convention signed in Lomé on 31 October 1979 (sixth EDF, Lomé II) ⁽¹⁾,Having regard to the Convention signed in Lomé on 8 December 1984 (seventh EDF, Lomé III) ⁽²⁾,Having regard to the Convention signed in Lomé on 15 December 1989 (eighth EDF, Lomé IV) ⁽³⁾,Having regard to the Convention signed in Mauritius on 4 November 1995 (eighth EDF, Lomé IV bis) ⁽⁴⁾,Having regard to the Annual report of the Court of Auditors for the 1998 financial year, and the replies of the institutions (C5-0266/1999) ⁽⁵⁾,

Having regard to the recommendation of the Council of 13 March 2000 (C5-0154/2000),

Having regard to Article 276 of the EC Treaty,

Having regard to Rule 93 and Annex V of its Rules of Procedure,

Having regard to the report of the Committee on Budgetary Control (A5-0167/2000),

1. Gives the Commission discharge in respect of the implementation of the sixth, seventh and eighth EDF for the 1998 financial year.
2. Records its comments in the resolution which forms part of this decision.
3. Instructs its President to forward this decision and the resolution containing its comments to the Commission, the Council, the Court of Justice, the Court of Auditors, the European Investment Bank and to each of the other relevant Community bodies and to have them published in the *Official Journal of the European Communities* (L series).

The Secretary General

Julian PRIESTLEY

The President

Nicole FONTAINE

⁽¹⁾ OJ L 347, 22.12.1980, p. 1.⁽²⁾ OJ L 86, 31.3.1986, p. 1.⁽³⁾ OJ L 229, 17.8.1991, p. 1.⁽⁴⁾ OJ L 156, 29.5.1998, p. 1.⁽⁵⁾ OJ C 349, 3.12.1999, p. 1.

RESOLUTION

of the European Parliament containing its comments accompanying the European Parliament decision giving discharge to the Commission in respect of the sixth, seventh and eighth European Development Funds for the 1998 financial year (COM(1999) 227 — C5-0003/1999 — 1999/2004(DEC))

THE EUROPEAN PARLIAMENT,

Having regard to the balance sheets and accounts of the sixth, seventh and eighth EDF for the 1998 financial year [COM(1999) 227 — C5-0003/1999],

Having regard to the Convention signed in Lomé on 31 October 1979 (sixth EDF, Lomé II) ⁽¹⁾,

Having regard to the Convention signed in Lomé on 8 December 1984 (seventh EDF, Lomé III) ⁽²⁾,

Having regard and to the Convention signed in Lomé on 15 December 1989 (eighth EDF, Lomé IV) ⁽³⁾

Having regard to the Convention signed in Mauritius on 4 November 1995 (eighth EDF, Lomé IV bis) ⁽⁴⁾;

Having regard to the report of the Court of Auditors for the 1998 financial year, and the replies of the institutions (C5-0266/1999) ⁽⁵⁾,

Having regard to the recommendation of the Council of 13 March 2000 (C5-0154/2000),

Having regard to its resolution of 13 April 2000 on postponement of the decision concerning discharge to the Commission in respect of the financial management of the sixth, seventh and eighth European Development Funds for the 1998 financial year 1998 [COM(1999) 227 — C5-0003/1999-2004(DEC)], pending a commitment to enact a series of recommendations in an action plan before 15 May 2000,

Having regard to the Commission's action plan responding to each of the points raised by Parliament adopted formally by the Commission on 10 May 2000 and duly transmitted to the Committee on Budgetary Control,

Having regard to Article 276 of the EC Treaty,

Having regard to Rule 93 and Annex V of its Rules of Procedure,

Having regard to the report of the Committee on Budgetary Control (A5-0167/2000),

Whereas:

- A. External pressure from Parliament has helped the Commission to deal rapidly with a number of cases of negligence and irregularity within its management of the European Development Fund.
- B. In the past Parliament, the Anti-Fraud Office and the Court of Auditors were not systematically informed by the Commission of alleged or *prima facie* cases of fraud or negligence in development aid programmes, leaving Parliament on a number of occasions to uncover irregularities and alert the other two bodies.
- C. The Commission has announced that in future it will inform Parliament's Committee on Budgetary Control, the Anti-Fraud Office and the Court of Auditors of its audit and evaluation work programmes, detected irregularities and corrective measures taken or planned.
- D. General weaknesses in the use of aid were illustrated in the implementation of Structural Adjustment Support programmes in a number of countries whereby the use of counterpart funds suffered at times from inadequate management, poor supervision and insufficient evaluation.

⁽¹⁾ OJ L 347, 22.12.1980, p. 1.

⁽²⁾ OJ L 86, 31.3.1986, p. 1.

⁽³⁾ OJ L 229, 17.8.1991, p. 1.

⁽⁴⁾ OJ L 156, 29.5.1998, p. 1.

⁽⁵⁾ OJ C 349, 3.12.1999, p. 1.

- E. The Commission intends in future to draw up memoranda of understanding with beneficiary governments setting out their obligations, including corrective measures, the first such memorandum of understanding having been signed in Côte d'Ivoire on 7 September 1999.
- F. The Commission has undertaken to inform Parliament of the recovery of ineligible expenditure for six other countries as soon as final audit reports have been completed.
- G. When mismanaged funds are recovered from beneficiary country authorities, the Commission should try to ensure equivalent supplementary financing to NGOs operating in this country.
- H. Some Commission delegation staff appear, in a number of instances, to have failed to act as an effective first line of control against misuse of funds; whereas the Commission is carrying out a substantial reform which also affects staff and the duties of its delegations.
- I. The Commission is looking to make radical improvements in the speed, quality and impact of external aid programmes by overhauling its approach to assistance and reunifying the project cycle in the hands of a single external body, Europe Aid, which will replace the Joint Relex Service created in July 1998, and by devolving greater power to the delegations.
- J. Following Parliament's insistence on zero tolerance of fraud the Commission has promised to recover embezzled funds and launch administrative enquiries into the role of delegation staff in irregularities and has made a commitment to open disciplinary proceedings on the basis of evidence of involvement in or cover-up of the fraudulent use of Community funds.
- K. The central Internal Audit Service created on 1 May 2000 will not be fully staffed before the end of 2000.
- L. The Commission will improve the flow of information to ensure that feedback from often expensive and time-consuming evaluation reports is systematically used in the design of programmes and projects.
- M. The Court of Auditors, in its annual report for 1999 ⁽¹⁾, reminded the Commission that supervision is primarily the task of the delegation in each country concerned and called explicitly for improvements in monitoring by delegations and strengthening of controls in national administrations through the systematic supply of technical assistants.
- N. In a follow-up enquiry in 1999, the Court of Auditors found that a number of problems flagged earlier were still persisting, with a general failure by the Commission to appraise service providers, to analyse costs or to evaluate technical cooperation.
- O. On 4 May 1999 Parliament gave discharge in respect of the sixth and seventh European Development Funds for the 1997 financial year ⁽²⁾ based on firm commitments that the Joint Relex Service would show a more robust and systematic approach for tendering, executing, audit and evaluations, that delegation staff would carry out more rather than fewer checks, evaluations would measure the quality of impact rather than the quantity of inputs, that a decentralised accounting system would be introduced to ensure a tighter grip on financial controls, and that technical assistance to National Authorising Officers would be reinforced.
- P. The Commission has assured Parliament that it will continually strive to learn from best practice on audit and evaluation systems of Member States in response to the call for a benchmarking exercise.
- Q. Its Committee on Budgetary Control and the Committee on Development and Cooperation have worked in close cooperation during the 1998 EDF discharge procedure so that budgetary control and development policy aspects were taken into account during the appraisal of the Commission's performance in 1998, as well as its Action Plan,

⁽¹⁾ OJ C 340, 12.11.1996, p. 1.

⁽²⁾ OJ C 279, 1.10.1999, p. 132.

Adoption of action plan

1. acknowledges that the Commission has taken a first step in the process of reforming external relations, both at its headquarters and in its delegations, by seeking to address problems in the delivery of external aid and expects, therefore, that this reform will result in the effective management of funds by both the Commission and local authorities and will help final beneficiaries towards the goal of sustainable development.
2. welcomes the Commission's adoption of an action plan and looks forward to receiving a clear timetable on measures initiated by the Commission and, as far as possible, information on steps taken by beneficiary countries.

Ongoing monitoring of action plan

3. welcomes the commitments made by the Commission and asks to be informed every six months about progress achieved as regards implementation of the action plan as of October 2000:

An output-oriented approach

- (a) an output-oriented approach should be adopted, in which clear and disaggregated targets are set for specific results expected from the aid programme; reporting on EU development cooperation must evolve further towards DAC/OECD standards and shift gradually from input orientation towards results — with OECD standards adopted for reporting by 2001;
- (b) more attention should be devoted to actual disbursement levels and mechanisms should be put into place to increase the rate of disbursement, as this would bring about a real improvement in getting aid to the poor;

Independent administrative and disciplinary procedure

- (c) the Commission is rightly committed to launching administrative and, if necessary, disciplinary proceedings and these should be conducted in a professional and transparent manner, with information provided to Parliament on a case-by-case basis;

Delegations

- (d) as the number of properly qualified staff in certain delegations is not always commensurate with the amount of funds managed in the beneficiary countries, a reallocation of human, administrative and financial resources should be made to ensure that the size of delegations is proportional to the risks involved, with more use being made of locally hired staff, particularly to ensure appropriate levels of qualified professionals;
- (e) a culture of accountability and sense of financial responsibility in delegation staff should be fostered by spelling out clearly the role of officials, local agents and other categories of staff, with particular emphasis on the management powers of heads of delegation and ensuring that delegation staff have a greater degree of autonomy in taking financial decisions;
- (f) as the Commission agrees that decentralisation of responsibilities to delegations will need to be accompanied by a reinforcement of officials with appropriate expertise (e.g. in health, education, gender) and project management abilities, staff with suitable experience should be assigned and provided with induction training during the handover period between outgoing and incoming staff;
- (g) greater emphasis should be placed on measuring the performance of delegation staff and in particular their management of development aid projects and programmes;

Relations between headquarters and delegations

- (h) communication between the centre and periphery would be improved markedly with more systematic use of IT tools;
- (i) the operation of the EDF Committee should be refocused on the programming stage of the project cycle, concentrating on issues of policy and strategy rather than on an examination of individual projects; the Committee should only deal with major projects over a certain size;

Evaluations

- (j) positive and negative lessons drawn from evaluations in the field should be fed back to both headquarters and other delegations to improve planning and implementation of future operations;

Capacity building in beneficiary countries

- (k) the sustainability of aid should be strengthened by promoting ownership of aid projects and programmes by local beneficiaries and by encouraging the participation of local administrations, consultants and NGOs;
- (l) the capacity of local administrations to monitor and control expenditure in a proper fashion should be supported by the European Union along with other donors in order to make assessments of public finances that go beyond a simple analysis of the budget, and include:
 - (i) legislation on the budget preparation, expenditure and reporting,
 - (ii) quality of the procedures on the same aspects,
 - (iii) quality of budgetary control at both governmental and parliamentary level;

Improved coordination

- (m) to reduce any possible overlap and improve added value, the Commission must improve coordination with other actors, including officials of Member States in the countries concerned, the European Investment Bank and bilateral and multilateral donors.

Anti-Fraud Office

- 4. invites the Anti-Fraud Office to report promptly on cases of alleged fraud or corruption relating to the management of the EDF.

Court of Auditors

- 5. invites the Court of Auditors to investigate the audit and control systems used by delegations to monitor Structural Adjustment Support and to make recommendations for improvements to the EDF management before 15 March 2001 and to report on the effectiveness of the EU in implementing international targets on poverty reduction.

Follow-up

- 6. informs the Commission that it intends to examine closely in the next discharge procedure progress made on overhauling the management of development aid.
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DECISION OF THE EUROPEAN PARLIAMENT
of 6 July 2000
closing the accounts of the sixth, seventh and eighth European Development Funds for the 1998 financial year

(2000/549/EC)

THE EUROPEAN PARLIAMENT,

Having regard to Article 276 of the EC Treaty,

Having regard to Article 89 of the Financial Regulation, under which each Community Institution is required to take all appropriate steps to take action on the comments appearing in the decisions giving discharge,

Whereas under the same article the institutions are also required to report, at Parliament's request, on the measures taken in the light of these comments and, in particular, on the instructions given to those of their departments which are responsible for the implementation of the budget,

Having regard to the recommendation of the Council of 13 March 2000 (C5-0154/2000),

Having regard to the report of the Committee on Budgetary Control (A5-0167/2000),

1. Notes that the authorised revenue and expenditure for the 1998 financial year amounted to EUR 1 469 million;
2. Notes that the balance sheets and use of resources for the sixth, seventh and eighth EDF at 31 December 1998 were as follows:

BALANCE SHEET OF SIXTH EDF AT 31 DECEMBER 1998

(EUR '000)

ASSETS	SITUATION AS AT 31 DECEMBER 1998
Long-term	
Initial allocation	7 500 000,00
EIB special contribution	60 000,00
Current	
Stabex debts to be recovered from MS	669 144,99
Interest for late payment of EDF contributions	1 856,86
Treasury advance to 7 th EDF	451 135,52
Advances	26 654,88
Cash at bank	714 103,51
Total assets	1 862 895,76
LIABILITIES	
Fund capital	
Initial allocation	7 500 500,00
EIB special contribution	60 000,00
Other resources	322 613,75
Expenditure paid	
Expenditure already booked	6 931 513,53
Expenditure to be regularised	12 706,38
Creditors	
Revenue to be regularised	—
Total liabilities	1 862 895,76

USE OF RESOURCES — SIXTH EDF AT 31 DECEMBER 1998

Breakdown of funds

(in EUR)

	Initial appropriation	Resources or deductions at 31 December 1997	Resources or deductions during 1998	New situation
Total ACP	7 400 000 000,00	418 087 485,12	39 000 384,57	7 779 087 100,55
Total OCT	100 000 000,00	3 526 646,39	0,00	103 526 646,39
Total	7 500 000 000,00	421 614 131,51	39 000 384,57	7 882 613 746,94

BALANCE SHEET OF SEVENTH EDF AT 31 DECEMBER 1998

(EUR '000)

ASSETS	SITUATION AS AT 31 DECEMBER 1998
Long-term	
Initial allocation	10 940 000,00
Contributions received	6 300 000,00
Current	
Debtors	0,00
Cash at bank	0,00
Total assets	4 640 000,00
LIABILITIES	
Fund capital	
Initial allocation	10 940 000,00
Other resources	642 984,64
Expenditure paid	
Expenditure already booked	7 394 120,06
Creditors	
Treasury advance from sixth EDF	451 135,52
Total liabilities	4 640 000,00

USE OF RESOURCES — SEVENTH EDF AT 31 DECEMBER 1998

Breakdown of funds

(in EUR)

	Initial appropriation	Resources or deductions at 31 December 1997	Resources or deductions during 1998	New situation
Total ACP	10 800 000 000,00	819 417 031,44	205 063 426,07	11 414 353 605,37
Total OCT	140 000 000,00	14 800 964,10	0,00	154 800 964,10
Sundry revenue	0,00	51 070 499,79	37 240 430,95	13 830 068,84
Total	10 940 000 000,00	885 288 495,33	242 303 857,02	11 582 984 638,31

BALANCE SHEET OF EIGHTH EDF AT 31 DECEMBER 1998

(EUR '000)

ASSETS	SITUATION AS AT 31 DECEMBER 1998
Long-term	
Initial allocation	12 840 000,00
Contributions called upon	1 080 000,00
Contributions still to be called upon	11 760 000,00
Total assets	11 760 000,00
LIABILITIES	
Fund capital	
Initial allocation	12 840 000,00
Other resources	311 117,78
Expenditure paid	
Expenditure already booked	466 620,75
Treasury advances from 6 th EDF	924 497,03
Total liabilities	11 760 000,00

USE OF RESOURCES — EIGHTH EDF AT 31 DECEMBER 1998

Breakdown of funds

(in EUR)

	Initial appropriation	Resources or deductions at 31 December 1997	Resources or deductions during 1998	New situation
Total ACP	12 967 000 000,00		19 117 785,43	12 986 117 785,43
Total OCT	165 000 000,00		0,00	165 000 000,00
Total	13 132 000 000,00		19 117 785,43	13 151 117 785,43

3. Closes the accounts relating to the implementation of the sixth, seventh and eighth EDF for the 1998 financial year.
4. Instructs its President to forward this decision to the Commission, the Council, the Court of Justice, the Court of Auditors, the European Investment Bank and to each of the other relevant Community bodies, and to have them published in the *Official Journal of the European Communities* (L series).

The Secretary-General
Julian PRIESTLEY

The President
Nicole FONTAINE

COMMISSION

COMMISSION DECISION

of 15 September 2000

amending for the second time Decision 2000/486/EC concerning certain protection measures with regard to foot-and-mouth disease in Greece

(notified under document number C(2000) 2701)

(Text with EEA relevance)

(2000/550/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular Article 10 thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 9 thereof,

Whereas:

- (1) Due to outbreaks of foot-and-mouth disease in Greece Commission Decision 2000/486/EC of 31 July 2000/486/EC of 31 July 2000 concerning protection measures with regard to foot-and-mouth disease in Greece ⁽⁴⁾, as last amended by Decision 2000/538/EC ⁽⁵⁾, was adopted to reinforce the control measures taken by Greece.
- (2) The two outbreaks reported in Xanthi have been successfully controlled and their epidemiological link to the disease situation in Evros clearly established.
- (3) In the light of the disease evolution it appears appropriate to limit the protection measures to the initial areas established by Decision 2000/486/EC.

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

HAS ADOPTED THIS DECISION:

Article 1

Annex I and Annex II of Decision 2000/486/EC shall be replaced by the Annex to this Decision.

Article 2

Member States shall amend the measures, which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 15 September 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 395, 30.12.1989, p. 13.

⁽⁴⁾ OJ L 195, 1.8.2000, p. 59.

⁽⁵⁾ OJ L 229, 9.9.2000, p. 59.

ANNEX

The Provinces of:

EVROS

RODOPI

XANTHI

COMMISSION DECISION
of 15 September 2000
on certain protection measures with regard to equidae coming from certain parts of the United States of America affected by West Nile fever

(notified under document number C(2000) 2711)

(Text with EEA relevance)

(2000/551/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, as last amended by Directive 96/43/EC ⁽²⁾, and in particular Article 18(1) thereof,

Whereas:

- (1) Council Directive 90/426/EEC of 26 June 1990 lays down the animal health conditions governing the movement and import from third countries of equidae ⁽³⁾.
- (2) In certain states of the United States of America cases of West Nile fever, a non-contagious vector-transmitted viral disease accompanied by clinical signs of encephalitis, have been reported in horses.
- (3) The presence of this disease is liable to constitute a danger for humans and equidae.
- (4) Pending the meeting of the Standing Veterinary Committee the Commission should take interim protective measures with regard to equidae coming from the affected parts of the territory of the United States of America,

HAS ADOPTED THIS DECISION:

Article 1

1. In addition to the animal health certificate required in accordance with Council Directive 90/426/EEC for the temporary admission of registered horses, the re-entry after temporary export of registered horses and the imports and transit of

equidae, coming from areas in the United States of America specified in Annex I to this Decision, a supplementary certificate in accordance with the specimen in Annex II to this Decision, duly completed and signed by the central competent veterinary authorities of the United States, shall be required for individual equidae.

2. The provisions in paragraph 1 shall not apply to equidae coming from areas outside those specified in Annex I and which are transported on main roads in transit without stopping through the areas specified in Annex I directly to an airport situated within the areas specified in Annex I for subsequent air transport to the Community. During the transit and transshipment operations suitable measures must be taken to protect the equidae from vector insects.

Article 2

Member States shall amend the measures they apply with regard to the United States of America to bring them into line with this Decision.

They shall inform the Commission thereof.

Article 3

This Decision shall apply until 31 October 2000.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 15 September 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 268, 24.9.1991, p. 56.

⁽²⁾ OJ L 162, 1.7.1996, p. 149.

⁽³⁾ OJ L 224, 18.8.1990, p. 42.

ANNEX I

In the United States of America the States of:

- New York, including New York City
- New Jersey
- Massachusetts
- Connecticut
- Rhode Island

ANNEX II

Supplementary Certificate

Reference Number of Animal Health Certificate:

The equine animal described in the above mentioned animal health certificate complies with one of the following conditions:

- (1) Either it comes from a holding situated in the centre of an area of at least 50 km radius around that holding where there was no case of West Nile fever reported in equidae during the past 15 days, and had no contact during the preceding 15 days with equidae which have been resident on holdings where West Nile fever was confirmed during the previous 30 days ⁽¹⁾,
or
- (2) it comes from a holding situated within an area of 50 km radius around a holding on which West Nile fever was confirmed in equidae during the previous 30 days and has prior to dispatch
 - either undergone pre-movement isolation under vector-protected conditions for a period of at least 21 days and during that period the body temperature taken daily remained within the normal physiological range and has been subjected to a IG-M capture ELISA test for the detection of antibodies against West Nile virus with negative result, carried out on a blood sample taken not earlier than 17 days from the date the isolation commenced ⁽¹⁾,
or
 - been subjected to two capture ELISA tests for the detection of antibodies against West Nile virus, with negative result in the case of IG-M capture ELISA, and with positive result at a serum dilution of 1 in 100 in the case of IG-G capture ELISA, carried out on a blood sample taken within 21 days of dispatch ⁽¹⁾.

Date and place	Name and function	Signature of the official veterinarian

⁽¹⁾ Delete as appropriate

COMMISSION DECISION
of 15 September 2000
on certain protection measures with regard to movement of equidae within and dispatch from
certain parts of France affected by West Nile Fever

(notified under document number C(2000) 2712)

(Text with EEA relevance)

(2000/552/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) In certain departments of France cases of West Nile Fever, a non-contagious vector-transmitted viral disease accompanied by clinical signs of encephalitis, have been reported in horses.
- (2) The presence of this disease is liable to constitute a danger for humans and equidae.
- (3) Council Directive 90/426/EEC of 26 June 1990 lays down the animal health conditions governing the movement and import from third countries of equidae ⁽³⁾.
- (4) France has taken national measures to control the disease, however, additional restrictions shall be applied until further results of epidemiological enquiries become available. Since it is possible to identify geographically areas presenting a particular risk, the restrictions on movement of equidae should apply on a regional basis.
- (5) Pending the meeting of the Standing Veterinary Committee and in collaboration with the Member State concerned the Commission should take interim protective measures with regard to equidae moving within and out of the affected parts of the territory of France.
- (6) This Decision shall be reviewed at the Standing Veterinary Committee scheduled for 3rd October 2000.

HAS ADOPTED THIS DECISION:

Article 1

1. Without prejudice to Article 8 of Directive 90/426/EEC, equidae shall not be moved from a holding situated within the areas specified in Annex I to another holding situated within

the areas specified in Annex I and shall not be moved out of or transit through the areas specified in Annex I, unless they are accompanied by an individual animal health certificate complying in the case of a registered equine animal with the model in Annex B or in the case of an equine animal for breeding and production or slaughter with the model in Annex C of that Directive.

2. In addition to the provisions in paragraph 1, a supplementary certificate in accordance with the specimen in Annex II to this Decision, duly completed and signed by the competent veterinary authorities of the 'département', shall be required for the movement of individual equidae within and out of the areas specified in Annex I.

3. The provisions in paragraph 2 shall not apply to transport of equidae on main roads in transit without stopping through the areas specified in Annex I to a certified destination outside the areas specified in Annex I or directly to an airport situated within the areas specified in Annex I for subsequent air transport. During the transit and transhipment operations suitable measures must be taken to protect the equidae from vector insects.

Article 2

Member States shall amend the measures they apply with regard to France to bring them into line with this Decision.

They shall inform the Commission thereof.

Article 3

This Decision shall apply until 31 October 2000.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 15 September 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 224, 18.8.1990, p. 42.

ANNEX I

In France the 'départements' of:

- L'Hérault (34)
- Gard (30)
- Bouches-du Rhône (13)

ANNEX II

Supplementary Certificate

Reference Number of Animal Health Certificate:

The equine animal described in the above mentioned animal health certificate complies with one of the following conditions:

- (1) Either it comes from a holding situated in the centre of an area of at least 50 km radius around that holding where there was no case of West Nile fever reported in equidae during the past 15 days, and had no contact during the preceding 15 days with equidae which have been resident on holdings where West Nile fever was confirmed during the previous 30 days ⁽¹⁾,
or
- (2) it comes from a holding situated within an area of 50 km radius around a holding on which West Nile fever was confirmed in equidae during the previous 30 days and has prior to dispatch
 - either undergone pre-movement isolation under vector-protected conditions for a period of at least 21 days and during that period the body temperature taken daily remained within the normal physiological range and has been subjected to a IG-M capture ELISA test for the detection of antibodies against West Nile virus with negative result, carried out on a blood sample taken not earlier than 17 days from the date the isolation commenced ⁽¹⁾,
or
 - been subjected to two capture ELISA tests for the detection of antibodies against West Nile virus, with negative result in the case of IG-M capture ELISA, and with positive result at a serum dilution of 1 in 100 in the case of IG-G capture ELISA, carried out on a blood sample taken within 21 days of dispatch ⁽¹⁾.

Date and place	Name and function	Signature of the official veterinarian

⁽¹⁾ Delete as appropriate