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Legislation

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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2027/2000
of 27 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 28 September 2000.

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

Done at Brussels, 27 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 27 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	98,3
	999	98,3
0707 00 05	052	91,1
	628	145,8
	999	118,5
0709 90 70	052	71,5
	999	71,5
0805 30 10	052	65,6
	388	65,6
	524	71,0
	528	65,4
	999	66,9
0806 10 10	052	88,1
	064	71,8
	400	274,9
	999	144,9
0808 10 20, 0808 10 50, 0808 10 90	388	86,1
	400	53,2
	512	87,9
	800	148,5
	804	58,3
	999	86,8
0808 20 50	052	94,6
	064	59,1
	999	76,8
0809 30 10, 0809 30 90	052	146,3
	624	192,1
	999	169,2
0809 40 05	052	92,1
	060	69,5
	064	54,0
	066	86,3
	400	140,1
	624	170,3
	999	102,1

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

COMMISSION REGULATION (EC) No 2028/2000**of 27 September 2000****fixing the maximum export refund for white sugar for the ninth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1531/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the ninth partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1531/2000 the maximum amount of the export refund is fixed at 41,931 EUR/100 kg.

Article 2

This Regulation shall enter into force on 28 September 2000.

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

Done at Brussels, 27 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 175, 14.7.2000, p. 69.

COMMISSION REGULATION (EC) No 2029/2000**of 27 September 2000****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 September 2000.

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 27 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

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

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	9,30	—	0
1703 90 00 ⁽¹⁾	9,93	—	0

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

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

COMMISSION REGULATION (EC) No 2030/2000
of 27 September 2000
fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 September 2000.

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

Done at Brussels, 27 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 89, 10.4.1968, p. 3.

⁽⁴⁾ OJ L 349, 31.12.1994, p. 105.

⁽⁵⁾ OJ L 214, 8.9.1995, p. 16.

ANNEX

to the Commission Regulation of 27 September 2000 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	35,78 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	32,22 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	35,78 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	32,22 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,3890
1701 99 10 9100	A00	EUR/100 kg	38,90
1701 99 10 9910	A00	EUR/100 kg	38,90
1701 99 10 9950	A00	EUR/100 kg	38,90
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,3890

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

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

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46).

COMMISSION REGULATION (EC) No 2031/2000
of 26 September 2000
establishing unit values for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 September 2000.

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

Done at Brussels, 26 September 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 119, 7.5.1999, p. 1.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 188, 26.7.2000, p. 1.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.30	Onions (other than seed) 0703 10 19	a) b) c)	43,84 260,66 369,48	603,25 287,57 1 768,50	85,74 34,53 26,58	327,13 84 886,08	14 872,72 96,61	7 294,36 8 789,13
1.40	Garlic 0703 20 00	a) b) c)	113,17 672,90 953,82	1 557,30 742,37 4 565,40	221,35 89,13 68,62	844,48 219 134,07	38 394,04 249,40	18 830,45 22 689,21
1.50	Leeks ex 0703 90 00	a) b) c)	45,99 273,44 387,60	632,84 301,67 1 855,23	89,95 36,22 27,88	343,17 89 049,06	15 602,11 101,35	7 652,09 9 220,17
1.60	Cauliflowers 0704 10 00	a) b) c)	55,28 328,68 465,90	760,67 362,61 2 229,99	108,12 43,54 33,52	412,49 107 037,01	18 753,74 121,82	9 197,82 11 082,64
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	23,94 142,33 201,76	329,40 157,03 965,68	46,82 18,85 14,51	178,63 46 351,79	8 121,20 52,75	3 983,06 4 799,28
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> <i>L. convar. botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	74,29 441,71 626,12	1 022,25 487,31 2 996,85	145,30 58,51 45,04	554,34 143 845,50	25 202,88 163,71	12 360,82 14 893,81
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	84,62 503,13 713,18	1 164,40 555,07 3 413,56	165,50 66,64 51,31	631,42 163 847,17	28 707,34 186,48	14 079,58 16 964,79
1.110	Cabbage lettuce (head lettuce) 0705 11 00	a) b) c)	152,67 907,73 1 286,70	2 100,79 1 001,45 6 158,69	298,60 120,24 92,56	1 139,19 295 610,34	51 793,30 336,44	25 402,15 30 607,59
1.130	Carrots ex 0706 10 00	a) b) c)	20,46 121,65 172,44	281,54 134,21 825,35	40,02 16,11 12,40	152,67 39 616,08	6 941,06 45,09	3 404,26 4 101,86
1.140	Radishes ex 0706 90 90	a) b) c)	129,01 767,06 1 087,30	1 775,22 846,25 5 204,25	252,32 101,60 78,22	962,65 249 798,19	43 766,64 284,30	21 465,46 25 864,18
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	a) b) c)	333,37 1 982,11 2 809,61	4 587,22 2 186,74 13 447,96	652,01 262,55 202,12	2 487,51 645 487,17	113 094,52 734,64	55 467,49 66 833,94

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	a) b) c)	169,45 1 007,50 1 428,12	2 331,68 1 111,52 6 835,60	331,42 133,45 102,74	1 264,40 328 100,95	57 485,91 373,42	28 194,11 33 971,67
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	a) b) c)	143,37 852,45 1 208,33	1 972,83 940,45 5 783,59	280,41 112,91 86,93	1 069,81 277 605,74	48 638,75 315,95	23 854,99 28 743,39
1.180	Broad beans ex 0708 90 00	a) b) c)	157,74 937,88 1 329,43	2 170,55 1 034,71 6 363,22	308,51 124,23 95,64	1 177,02 305 427,23	53 513,30 347,61	26 245,73 31 624,03
1.190	Globe artichokes 0709 10 00	a) b) c)	141,89 843,64 1 195,85	1 952,45 930,74 5 723,83	277,51 111,75 86,03	1 058,75 274 737,35	48 136,18 312,68	23 608,51 28 446,39
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	364,18 2 165,34 3 069,35	5 011,29 2 388,89 14 691,16	712,28 286,82 220,80	2 717,47 705 159,13	123 549,52 802,56	60 595,17 73 012,40
1.200.2	— other ex 0709 20 00	a) b) c)	479,76 2 852,50 4 043,38	6 601,58 3 146,99 19 353,28	938,32 377,84 290,88	3 579,84 928 935,99	162 757,02 1 057,24	79 824,58 96 182,32
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	102,31 608,29 862,24	1 407,77 671,09 4 127,03	200,09 80,57 62,03	763,39 198 093,01	34 707,48 225,45	17 022,37 20 510,61
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	74,07 440,40 624,26	1 019,23 485,87 2 987,98	144,87 58,33 44,91	552,70 143 419,52	25 128,25 163,23	12 324,21 14 849,70
1.230	Chantarelles 0709 51 30	a) b) c)	447,28 2 659,43 3 769,70	6 154,75 2 933,99 18 043,36	874,81 352,26 271,19	3 337,54 866 061,24	151 740,86 985,68	74 421,68 89 672,25
1.240	Sweet peppers 0709 60 10	a) b) c)	87,65 521,12 738,68	1 206,03 574,92 3 535,61	171,42 69,03 53,14	653,99 169 705,16	29 733,70 193,15	14 582,97 17 571,33
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	60,19 357,87 507,27	828,22 394,81 2 428,01	117,72 47,40 36,49	449,12 116 541,96	20 419,08 132,64	10 014,59 12 066,79
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	176,48 1 049,30 1 487,37	2 428,42 1 157,63 7 119,19	345,16 138,99 107,00	1 316,86 341 712,93	59 870,84 388,91	29 363,80 35 381,06
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	80,98 481,51 682,53	1 114,36 531,22 3 266,89	158,39 63,78 49,10	604,29 156 806,89	27 473,82 178,47	13 474,60 16 235,83

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 00	a) b) c)	131,48 781,72 1 108,08	1 809,15 862,43 5 303,74	257,15 103,55 79,71	981,05 254 573,62	44 603,33 289,74	21 875,82 26 358,63
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	114,43 680,37 964,42	1 574,59 750,61 4 616,09	223,81 90,12 69,38	853,85 221 567,38	38 820,38 252,17	19 039,55 22 941,16
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 10	a) b) c)	47,17 280,46 397,55	649,07 309,41 1 902,83	92,26 37,15 28,60	351,97 91 333,86	16 002,42 103,95	7 848,43 9 456,74
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	a) b) c)	44,28 263,27 373,18	609,28 290,45 1 786,18	86,60 34,87 26,85	330,40 85 734,55	15 021,38 97,58	7 367,27 8 876,98
2.60.3	— Others 0805 10 50	a) b) c)	42,07 250,14 354,57	578,90 275,96 1 697,10	82,28 33,13 25,51	313,92 81 458,88	14 272,25 92,71	6 999,86 8 434,28
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:							
2.70.1	— Clementines ex 0805 20 10	a) b) c)	138,53 823,64 1 167,50	1 906,17 908,68 5 588,16	270,93 109,10 83,99	1 033,66 268 225,29	46 995,22 305,27	23 048,92 27 772,13
2.70.2	— Monreales and satsumas ex 0805 20 30	a) b) c)	120,91 718,92 1 019,07	1 663,82 793,15 4 877,67	236,49 95,23 73,31	902,24 234 122,73	41 020,18 266,46	20 118,45 24 241,14
2.70.3	— Mandarines and wilkings ex 0805 20 50	a) b) c)	134,14 797,56 1 130,53	1 845,81 879,90 5 411,19	262,35 105,64 81,33	1 000,93 259 731,06	45 506,96 295,61	22 319,00 26 892,64
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	a) b) c)	104,23 619,74 878,47	1 434,27 683,72 4 204,74	203,86 82,09 63,20	777,76 201 822,84	35 360,98 229,70	17 342,88 20 896,80
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh ex 0805 30 90 ex 0805 90 00	a) b) c)	161,67 961,23 1 362,54	2 224,60 1 060,47 6 521,66	316,19 127,32 98,02	1 206,33 313 032,51	54 845,80 356,27	26 899,26 32 411,48
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 00	a) b) c)	26,01 154,67 219,24	357,95 170,63 1 049,36	50,88 20,49 15,77	194,10 50 368,00	8 824,88 57,32	4 328,18 5 215,12
2.90.2	— pink ex 0805 40 00	a) b) c)	39,38 234,14 331,89	541,87 258,31 1 588,57	77,02 31,01 23,88	293,84 76 249,34	13 359,50 86,78	6 552,20 7 894,88
2.100	Table grapes 0806 10 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.110	Water melons 0807 11 00	a) b) c)	25,46 151,37 214,56	350,31 166,99 1 026,97	49,79 20,05 15,44	189,96 49 293,56	8 636,63 56,10	4 235,85 5 103,87
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	72,66 432,03 612,40	999,85 476,63 2 931,18	142,11 57,23 44,06	542,19 140 693,44	24 650,62 160,13	12 089,96 14 567,44
2.120.2	— other ex 0807 19 00	a) b) c)	128,34 763,05 1 081,61	1 765,93 841,83 5 177,04	251,00 101,07 77,81	957,61 248 492,18	43 537,82 282,81	21 353,23 25 728,96
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	Other ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 00	a) b) c)	172,85 1 027,72 1 456,78	2 378,47 1 133,82 6 972,75	338,07 136,13 104,80	1 289,77 334 684,27	58 639,36 380,91	28 759,82 34 653,31
2.160	Cherries 0809 20 95 0809 20 05	a) b) c)	300,97 1 789,47 2 536,55	4 141,40 1 974,22 12 141,00	588,64 237,03 182,48	2 245,76 582 754,34	102 103,22 663,25	50 076,78 60 338,57
2.170	Peaches 0809 30 90	a) b) c)	167,70 997,10 1 413,38	2 307,60 1 100,04 6 765,00	327,99 132,07 101,68	1 251,34 324 712,48	56 892,22 369,56	27 902,93 33 620,83
2.180	Nectarines ex 0809 30 10	a) b) c)	167,70 997,10 1 413,38	2 307,60 1 100,04 6 765,00	327,99 132,07 101,68	1 251,34 324 712,48	56 892,22 369,56	27 902,93 33 620,83
2.190	Plums 0809 40 05	a) b) c)	112,30 667,71 946,46	1 545,28 736,64 4 530,17	219,64 88,44 68,09	837,96 217 443,12	38 097,78 247,48	18 685,15 22 514,13
2.200	Strawberries 0810 10 00	a) b) c)	394,59 2 346,13 3 325,60	5 429,68 2 588,34 15 917,72	771,75 310,76 239,24	2 944,35 764 032,78	133 864,66 869,56	65 654,25 79 108,19
2.205	Raspberries 0810 20 10	a) b) c)	462,37 2 749,13 3 896,85	6 362,35 3 032,95 18 651,96	904,32 364,15 280,33	3 450,11 895 273,16	156 859,02 1 018,93	76 931,89 92 696,86
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	1 822,37 10 835,32 15 358,93	25 076,36 11 953,96 73 514,22	3 564,25 1 435,23 1 104,90	13 598,16 3 528 600,36	618 239,02 4 015,97	303 216,85 365 352,38
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	a) b) c)	146,15 868,95 1 231,72	2 011,02 958,66 5 895,53	285,84 115,10 88,61	1 090,51 282 978,70	49 580,13 322,06	24 316,70 29 299,70

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.230	Pomegranates ex 0810 90 85	a) b) c)	164,11 975,75 1 383,12	2 258,20 1 076,49 6 620,16	320,97 129,25 99,50	1 224,55 317 760,50	55 674,18 361,65	27 305,54 32 901,02
2.240	Khakis (including sharon fruit) ex 0810 90 85	a) b) c)	240,65 1 430,87 2 028,24	3 311,48 1 578,59 9 707,98	470,68 189,53 145,91	1 795,72 465 972,28	81 642,07 530,33	40 041,56 48 246,92
2.250	Lychees ex 0810 90 30	a) b) c)	362,04 2 152,61 3 051,30	4 981,82 2 374,85 14 604,78	708,09 285,13 219,51	2 701,49 701 013,00	122 823,09 797,84	60 238,89 72 583,10

COMMISSION REGULATION (EC) No 2032/2000
of 27 September 2000
on the nomenclature of countries and territories for the external trade statistics of the Community
and statistics of trade between Member States
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1172/95 of 22 May 1995 relating to the trading of goods by the Community and its Member States with non-member countries ⁽¹⁾, as last amended by Regulation (EC) No 374/95 ⁽²⁾,

Whereas:

- (1) In accordance with Article 9 of the said Regulation the introduction of the nomenclature of countries and territories is the responsibility of the Commission.
- (2) The version thereof valid on 1 January 2000 was set out in the annex to Commission Regulation (EC) No 2543/1999 ⁽³⁾.
- (3) The alphabetical coding of countries and territories is based on the ISO alpha 2 standard into force as far as it is compatible with the requirements of Community legislation. Moreover, it is preferable to be a transition period allowing Member States to adapt to the amendments made. It is essential for purposes of simplification for this transition period to end when the provisions

revising the rules on the Single Administrative Document come into force.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Statistics relating to the Trading of Goods with Non-Member Countries,

HAS ADOPTED THIS REGULATION:

Article 1

The version valid on 1 January 2001 of the nomenclature of countries and territories for the external trade statistics of the Community and statistics of trade between Member States is set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 2001.

However, the Member States may use the three-digit numeric codes also shown in the Annex to this Regulation until the provisions revising Annexes 37 and 38 of Commission Regulation (EEC) No 2454/93 ⁽⁴⁾ come into force.

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

Done at Brussels, 27 September 2000.

For the Commission

Pedro SOLBES MIRA

Member of the Commission

⁽¹⁾ OJ L 118, 25.5.1995, p. 10.

⁽²⁾ OJ L 48, 19.2.1998, p. 6.

⁽³⁾ OJ L 307, 2.12.1999, p. 46.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

ANNEX

**NOMENCLATURE OF COUNTRIES AND TERRITORIES FOR THE EXTERNAL TRADE STATISTICS OF THE
COMMUNITY AND STATISTICS OF TRADE BETWEEN MEMBER STATES**

(Version valid with effect from 1 January 2001)

AD	(043)	Andorra	
AE	(647)	United Arab Emirates	Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qaiwair Ras, al Kahimah and Fujairah
AF	(660)	Afghanistan	
AG	(459)	Antigua and Barbuda	
AI	(446)	Anguilla	
AL	(070)	Albania	
AM	(077)	Armenia	
AN	(478)	Netherlands Antilles	Curaçao, Bonaire, St Eustatius, Saba and southern part of St Martin
AO	(330)	Angola	Including Cabinda
AQ	(891)	Antarctica	Territory south of 60° south latitude; not including the French Southern Territories (TF), Bouvet Island (BV), South Georgia and South Sandwich Island (GS)
AR	(528)	Argentina	
AS	(830)	American Samoa	
AT	(038)	Austria	
AU	(800)	Australia	
AW	(474)	Aruba	
AZ	(078)	Azerbaijan	
BA	(093)	Bosnia-Herzegovina	
BB	(469)	Barbados	
BD	(666)	Bangladesh	
BE	(017)	Belgium	
BF	(236)	Burkina Faso	
BG	(068)	Bulgaria	
BH	(640)	Bahrain	
BI	(328)	Burundi	
BJ	(284)	Benin	
BM	(413)	Bermuda	
BN	(703)	Brunei Darussalam	Often referred to as Brunei
BO	(516)	Bolivia	
BR	(508)	Brazil	
BS	(453)	Bahamas	

BT	(675)	Bhutan	
BV	(892)	Bouvet Island	
BW	(391)	Botswana	
BY	(073)	Belarus	Often referred to as Belorussia
BZ	(421)	Belize	
CA	(404)	Canada	
CC	(833)	Cocos Islands (or Keeling Islands)	
CD	(322)	Congo (Democratic Republic of)	Formerly Zaire
CF	(306)	Central African Republic	
CG	(318)	Congo	
CH	(039)	Switzerland	Including the German territory of Büsingen and the Italian municipality of Campione d'Italia
CI	(272)	Côte d'Ivoire	Often referred to as Ivory Coast
CK	(837)	Cook Islands	
CL	(512)	Chile	
CM	(302)	Cameroon	
CN	(720)	People's Republic of China	Often referred to as China
CO	(480)	Colombia	
CR	(436)	Costa Rica	
CU	(448)	Cuba	
CV	(247)	Cape-Verde	
CX	(834)	Christmas Islands	
CY	(600)	Cyprus	
CZ	(061)	Czech Republic	
DE	(004)	Germany	Including the island of Heligoland; excluding the territory of Büsingen
DJ	(338)	Djibouti	
DK	(008)	Denmark	
DM	(460)	Dominica	
DO	(456)	Dominican Republic	
DZ	(208)	Algeria	
EC	(500)	Ecuador	Including Galápagos Islands
EE	(053)	Estonia	
EG	(220)	Egypt	
ER	(336)	Eritrea	
ES	(011)	Spain	Including Balearic Islands and Canary Islands; excluding Ceuta and Melilla
ET	(334)	Ethiopia	

FI	(032)	Finland	Including Åland Islands
FJ	(815)	Fiji	
FK	(529)	Falkland Islands	
FM	(823)	Micronesia (Federated States of)	Yap, Chuuk, Pohnpei and Kosrae
FO	(041)	Faroe Islands	
FR	(001)	France	Including Monaco and the French overseas departments (Reunión, Guadeloupe, Martinique and French Guiana)
GA	(314)	Gabon	
GB	(006)	United Kingdom	Great Britain, Northern Ireland, Channel Islands and Isle of Man
GD	(473)	Grenada	Including Southern Grenadines
GE	(076)	Georgia	
GH	(276)	Ghana	
GI	(044)	Gibraltar	
GL	(406)	Greenland	
GM	(252)	Gambia	
GN	(260)	Guinea	
GQ	(310)	Equatorial Guinea	
GR	(009)	Greece	
GS	(893)	South Georgia and South Sandwich Islands	
GT	(416)	Guatemala	
GU	(831)	Guam	
GW	(257)	Guinea-Bissau	
GY	(488)	Guyana	
HK	(740)	Hong Kong	Hong Kong Special Administrative Region of the People's Republic of China
HM	(835)	Heard Island and McDonald Islands	
HN	(424)	Honduras	Including Swan Islands
HR	(092)	Croatia	
HT	(452)	Haiti	
HU	(064)	Hungary	
ID	(700)	Indonesia	
IE	(007)	Ireland	
IL	(624)	Israel	
IN	(664)	India	
IO	(357)	British Indian Ocean Territory	Chagos Archipelago
IQ	(612)	Iraq	

IR	(616)	Iran (Islamic Republic of)	
IS	(024)	Iceland	
IT	(005)	Italy	Including Livigno; excluding the municipality of Campione d'Italia
JM	(464)	Jamaica	
JO	(628)	Jordan	
JP	(732)	Japan	
KE	(346)	Kenya	
KG	(083)	Kyrgyzstan	
KH	(696)	Cambodia	
KI	(812)	Kiribati	
KM	(375)	Comoros	Grande Comore, Anjouan and Mohéli
KN	(449)	St Kitts and Nevis	
KP	(724)	Korea (Democratic People's Republic of)	Often referred to as North Korea
KR	(728)	Korea (Republic of)	Often referred to as South Korea
KW	(636)	Kuwait	
KY	(463)	Cayman Islands	
KZ	(079)	Kazakhstan	
LA	(684)	Lao People's Democratic Republic	Often referred as Laos
LB	(604)	Lebanon	
LC	(465)	St Lucia	
LI	(037)	Liechtenstein	
LK	(669)	Sri Lanka	
LR	(268)	Liberia	
LS	(395)	Lesotho	
LT	(055)	Lithuania	
LU	(018)	Luxembourg	
LV	(054)	Latvia	
LY	(216)	Libyan Arab Jamahiriya	Often referred to as Libya
MA	(204)	Morocco	
MD	(074)	Moldova (Republic of)	
MG	(370)	Madagascar	
MH	(824)	Marshall Islands	
MK ⁽¹⁾	(096)	Former Yugoslav Republic of Macedonia	
ML	(232)	Mali	

MM	(676)	Myanmar	Often referred to as Burma
MN	(716)	Mongolia	
MO	(743)	Macao	Macao Special Administrative Region of the People's Republic of China
MP	(820)	Northern Mariana Islands	
MR	(228)	Mauritania	
MS	(470)	Montserrat	
MT	(046)	Malta	Including Gozo and Comino
MU	(373)	Mauritius	Mauritius, Rodrigues Island, Agalega Island and Cargados Carajos Shoals (St Brandon Islands)
MV	(667)	Maldives	
MW	(386)	Malawi	
MX	(412)	Mexico	
MY	(701)	Malaysia	Peninsular Malaysia and Eastern Malaysia (Sarawak, Sabah and Labuan)
MZ	(366)	Mozambique	
NA	(389)	Namibia	
NC	(809)	New Caledonia	Including Loyalty Islands (Maré, Lifou and Ouvéa)
NE	(240)	Niger	
NF	(836)	Norfolk Island	
NG	(288)	Nigeria	
NI	(432)	Nicaragua	Including Corn Islands
NL	(003)	Netherlands	
NO	(028)	Norway	Including Svålbard Archipelago and Jan Mayen Island
NP	(672)	Nepal	
NR	(803)	Nauru	
NU	(838)	Niue Island	
NZ	(804)	New Zealand	Excluding Ross Dependency (Antarctica)
OM	(649)	Oman	
PA	(442)	Panama	Including former Canal Zone
PE	(504)	Peru	
PF	(822)	French Polynesia	Marquesas Islands, Society Islands (including Tahiti), Tuamotu Islands, Gambier Islands and Austral Islands. Also Clipperton Island
PG	(801)	Papua New Guinea	Eastern part of New Guinea; Bismarck Archipelago (including New Britain, New Ireland, Lavongai (New Hanover) and Admiralty Islands); Northern Solomon Islands (Bougainville and Buka); Trobriand Islands, Woodlark Island; d'Entrecasteaux Islands and Louisiade Archipelago.
PH	(708)	Philippines	
PK	(662)	Pakistan	

PL	(060)	Poland	
PM	(408)	St Pierre and Miquelon	
PN	(813)	Pitcairn	Including the Henderson, Ducie and Oeno Islands
PS	(625)	Occupied Palestinian Territory	West Bank (including East Jerusalem) and Gaza Strip
PT	(010)	Portugal	Including Azores and Madeira
PW	(825)	Palau	
PY	(520)	Paraguay	
QA	(644)	Qatar	
RO	(066)	Romania	
RU	(075)	Russian Federation	Often referred to as Russia
RW	(324)	Rwanda	
SA	(632)	Saudi Arabia	
SB	(806)	Solomon Islands	
SC	(355)	Seychelles	Mahé Island, Praslin Island, La Digue, Frégate and Silhouette; Amirante Islands (including Desroches, Alphonse, Platte and Coëtivy); Farquhar Islands (including Providence); Aldabra Islands and Cosmoledo Islands.
SD	(224)	Sudan	
SE	(030)	Sweden	
SG	(706)	Singapore	
SH	(329)	Santa Helena	Including Ascension Island and Tristan da Cunha Islands
SI	(091)	Slovenia	
SK	(063)	Slovakia	
SL	(264)	Sierra Leone	
SM	(047)	San Marino	
SN	(248)	Senegal	
SO	(342)	Somalia	
SR	(492)	Suriname	
ST	(311)	Sao Tome and Principe	
SV	(428)	El Salvador	
SY	(608)	Syrian Arab Republic	Often referred to as Syria
SZ	(393)	Swaziland	
TC	(454)	Turks and Caicos Islands	
TD	(244)	Chad	
TF	(894)	French Southern Territories	Including Kerguelen Islands, Amsterdam Island, Saint-Paul Island, Crozet Archipelago.
TG	(280)	Togo	
TH	(680)	Thailand	
TJ	(082)	Tajikistan	

TK	(839)	Tokelau Islands	
TM	(080)	Turkmenistan	
TN	(212)	Tunisia	
TO	(817)	Tonga	
TP	(626)	East Timor ⁽²⁾	
TR	(052)	Turkey	
TT	(472)	Trinidad and Tobago	
TV	(807)	Tuvalu	
TW	(736)	Taiwan	Separate customs territory of Taiwan, Penghu, Kinmen and Matsu
TZ	(352)	Tanzania (United Republic of)	Tanganyika, Zanzibar Island and Pemba
UA	(072)	Ukraine	
UG	(350)	Uganda	
UM	(832)	United States Minor outlying islands	Including Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway Islands, Navassa Island, Palmyra Atoll and Wake Island
US	(400)	United States	Including Puerto Rico
UY	(524)	Uruguay	
UZ	(081)	Uzbekistan	
VA	(045)	Holy See	Often referred to as Vatican City State
VC	(467)	St Vincent and Northern Grenadines	
VE	(484)	Venezuela	
VG	(468)	Virgin Islands (British)	
VI	(457)	Virgin Islands (USA)	
VN	(690)	Viet Nam	
VU	(816)	Vanuatu	
WF	(811)	Wallis and Fortuna	
WS	(819)	Samoa	Formerly known as Western Samoa
XC	(021)	Ceuta	
XL	(023)	Melilla	Including Peñón de Vélez de la Gomera, Peñón de Alhucemas and Chafarinas Islands.
YE	(653)	Yemen	Formerly North Yemen and South Yemen
YT	(377)	Mayotte	Grande-Terre and Pamandzi
YU	(094)	Yugoslavia	Serbia and Montenegro
ZA	(388)	South Africa	
ZM	(378)	Zambia	
ZW	(382)	Zimbabwe	

MISCELLANEOUS

QQ or QR	(950) (951)	Stores and provisions Stores and provisions within the framework of intra- Community trade	Optional heading Optional heading
QS	(952)	Stores and provisions within the framework of trade with third countries	Optional heading
QU or QV	(958) (959)	Countries and territories not specified Countries and territories not specified in the framework of intra-Community trade	Optional heading Optional heading
QW	(960)	Countries and territories not specified within the frame- work of trade with third countries	Optional heading
QX or QY	(977) (978)	Countries and territories not specified for commercial or military reasons Countries and territories not specified for commercial or military reasons in the frame- work of intra-Community trade	Optional heading Optional heading
QZ	(979)	Countries and territories not specified for commercial or military reasons in the frame- work of trade with third countries	Optional heading

(¹) Provisional Code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations.

(²) Territory under United Nations transitional administration.

COMMISSION REGULATION (EC) No 2033/2000
of 27 September 2000
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.

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

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 28 September 2000.

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

Done at Brussels, 27 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	138,38	44,09	64,85		103,79
1006 20 13	138,38	44,09	64,85		103,79
1006 20 15	138,38	44,09	64,85		103,79
1006 20 17	211,75	69,77	101,53	0,00	158,81
1006 20 92	138,38	44,09	64,85		103,79
1006 20 94	138,38	44,09	64,85		103,79
1006 20 96	138,38	44,09	64,85		103,79
1006 20 98	211,75	69,77	101,53	0,00	158,81
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

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

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

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

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

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

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

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

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

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	211,75	416,00	138,38	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	325,28	264,62	422,52	336,36	—
(b) fob price (EUR/tonne)	—	—	—	396,25	310,09	—
(c) Sea freight (EUR/tonne)	—	—	—	26,27	26,27	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 2034/2000
of 27 September 2000
amending the rates of the refunds applicable to certain products from the sugar sector exported in
the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular Article 18(5)(a) and (15) thereof,

Whereas:

- (1) The rates of the refunds applicable from 1 September 2000 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 1864/2000 ⁽³⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 1864/2000 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 1864/2000 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 September 2000.

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

Done at Brussels, 27 September 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 221, 1.9.2000, p. 21.

ANNEX

to the Commission Regulation of 27 September 2000 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex I to the Treaty

Product	Rate of refund in EUR/100 kg	
	In case of advance fixing of refunds	Other
White sugar:		
— where the first paragraph of Article 2 applies	—	—
— in all other cases	38,90	38,90

COMMISSION REGULATION (EC) No 2035/2000
of 27 September 2000
on the issue of import licences for rice against applications submitted during the first 10 working
days of September 2000 pursuant to Regulation (EC) No 327/98

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ⁽¹⁾, as amended by Regulation (EC) No 648/98 ⁽²⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) Pursuant to Article 5(2) of Regulation (EC) No 327/98, within 10 days of the closing date for notification by the Member States of licence applications, the Commission must decide to what extent the applications may be accepted and fix the quantities available under the following tranche.
- (2) Examination of the quantities for which applications have been submitted for under the September 2000 tranche shows that licences should be issued for the

quantities applied for reduced, where appropriate, by the percentages set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licences for rice against applications submitted during the first 10 working days of September 2000 pursuant to Regulation (EC) No 327/98 and notified to the Commission shall be issued for the quantities applied for reduced, where appropriate, by the percentages set out in the Annex hereto.

2. The quantities available under the additional tranche for October 2000 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 September 2000.

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

Done at Brussels, 27 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 37, 11.2.1998, p. 5.

⁽²⁾ OJ L 88, 24.3.1998, p. 3.

ANNEX

Reduction percentages to be applied to quantities applied for under the tranche for September 2000 and quantities available for the additional tranche for October 2000:

(a) quantity referred to in Article 2: semi-milled and wholly-milled rice falling within CN code 1006 30

Origin	Reduction (%)	Quantity available for the additional tranche for October 2000 (in t)
United States of America	0,4240	—
Thailand	0 ⁽¹⁾	352,22
Australia	0 ⁽¹⁾	18

⁽¹⁾ Issue for the quantity applied for.

(b) quantity referred to in Article 2: husked rice falling within CN code 1006 20

Origin	Reduction (%)	Quantity available for the additional tranche for October 2000 (in t)
Australia	0 ⁽¹⁾	343,24
United States of America	0 ⁽¹⁾	30
Thailand	0 ⁽¹⁾	71,03
Other origins	0 ⁽¹⁾	52,50

⁽¹⁾ Issue for the quantity applied for.

COMMISSION REGULATION (EC) No 2036/2000
of 27 September 2000
amending the export refunds on syrups and certain other sugar sector products exported in the
natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The refunds on syrups and certain other sugar products were fixed by Commission Regulation (EC) No 1856/2000 ⁽³⁾;
- (2) It follows from applying the rules, criteria and other provisions contained in Regulation (EC) No 1856/2000 to the information at present available to the Commis-

sion that the export refunds at present in force should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EC) No 2038/1999, exported in the natural state, as fixed in the Annex to Regulation (EC) No 1856/2000 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 September 2000.

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

Done at Brussels, 27 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 221, 1.9.2000, p. 3.

ANNEX

to the Commission Regulation of 27 September 2000 amending the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	A00	EUR/100 kg dry matter	38,90 ⁽²⁾
1702 60 10 9000	A00	EUR/100 kg dry matter	38,90 ⁽²⁾
1702 60 80 9100	A00	EUR/100 kg dry matter	73,91 ⁽⁴⁾
1702 60 95 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3890 ⁽¹⁾
1702 90 30 9000	A00	EUR/100 kg dry matter	38,90 ⁽²⁾
1702 90 60 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3890 ⁽¹⁾
1702 90 71 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3890 ⁽¹⁾
1702 90 99 9900	A00	EUR/1 % sucrose × net 100 kg of product	0,3890 ⁽¹⁾ ⁽³⁾
2106 90 30 9000	A00	EUR/100 kg dry matter	38,90 ⁽²⁾
2106 90 59 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3890 ⁽¹⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.

⁽²⁾ Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.

⁽³⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

⁽⁴⁾ Applicable only to products defined under Article 6 of Regulation (EC) No 2135/95.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46).

II

(Acts whose publication is not obligatory)

COUNCIL

**COUNCIL DECISION
of 18 September 2000
appointing a Netherlands member of the Economic and Social Committee**

(2000/576/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 258 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 166 thereof,

Having regard to the Council Decision of 15 September 1998 appointing the members of the Economic and Social Committee for the period from 21 September 1998 to 20 September 2002 ⁽¹⁾,

Whereas a member's seat on that Committee has fallen vacant following the resignation of Mr Philip H. Noordwal, of which the Council was informed on 12 October 1999,

Having regard to the nominations submitted by the Netherlands Government,

Having obtained the opinion of the Commission of the European Communities,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr. A. M. Huntjens is hereby appointed a member of the Economic and Social Committee in place of Mr Philip H. Noordwal for the remainder of his term of office, which runs until 20 September 2002.

Done at Brussels, 18 September 2000.

For the Council

The President

H. VÉDRINE

⁽¹⁾ OJ L 257, 19.9.1998, p. 37.

COUNCIL DECISION
of 18 September 2000
appointing four Italian members and seven Italian alternate members of the Committee of the Regions

(2000/577/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the Council Decision of 26 January 1998 ⁽¹⁾ appointing the members and alternate members of the Committee of the Regions,

Whereas four seats for members of the Committee of the Regions and seven seats for alternate members have become vacant following the resignations of Mr Vannino Chiti, Mr Salvatore Distaso, Mr Giuseppe Nistico and Mr Antonio Rastrelli, members, and of Mr Piero Badaloni, Mr Bruno Bracalente, Mr Angelo Raffaele Dinardo, Mr Giancarlo Mori, Mr Federico Palomba, Mr Emilio Sabattini and Mr Marcello Veneziale, alternate members, notified to the Council on 7 June, 26 June, 6 July and 28 August 2000 respectively,

Having regard to the proposal from the Italian Government,

HAS DECIDED AS FOLLOWS:

Sole Article

The following are hereby appointed:

(a) members of the Committee of the Regions:

Mr Claudio Martini in place of Mr Vannino Chiti,

Mr Raffaele Fitto in place of Mr Salvatore Distaso,

Mr Giuseppe Chiaravalloti in place of Mr Giuseppe Nistico,

Mr Antonio Bassolino in place of Mr Antonio Rastrelli,

(b) alternate members of the Committee of the Regions:

Mr Francesco Storace in place of Mr Piero Badaloni,

Ms Maria Rita Lorenzetti in place of Mr Bruno Bracalente,

Mr Filippo Bubbico in place of Mr Angelo Raffaele Dinardo,

Mr Sandro Biasotti in place of Mr Giancarlo Mori,

Mr Mario Floris in place of Mr Federico Palomba,

Mr Flavio Delbono in place of Mr Emilio Sabattini,

Mr Giovanni Di Stasi in place of Mr Marcello Veneziale,
for the remainder of their terms of office, which run until 25 January 2002.

Done at Brussels, 18 September 2000.

For the Council

The President

H. VÉDRINE

⁽¹⁾ OJ L 28, 4.2.1998, p. 19.

COUNCIL DECISION
of 18 September 2000
appointing a Belgian member and alternate member of the Committee of the Regions

(2000/578/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,
Having regard to the Council Decision of 26 January 1998 ⁽¹⁾ appointing the members and alternate members of the Committee of the Regions,

Whereas one seat for a member of the Committee of the Regions has become vacant following the resignation of Ms Laurette Onkelinx, and one seat for an alternate member has become vacant following the resignation of Ms Maggy Yerna, notified to the Council on 7 February and 7 June 2000 respectively,
Having regard to the proposal from the Belgian Government,

HAS DECIDED AS FOLLOWS:

Sole Article

1. Mr Hervé Hasquin is hereby appointed a member of the Committee of the Regions in place of Ms Laurette Onkelinx for the remainder of the latter's term of office, which runs until 25 January 2002.
2. Mr Rudi Demotte is hereby appointed an alternate member of the Committee of the Regions in place of Ms Maggy Yerna for the remainder of the latter's term of office, which runs until 25 January 2002.

Done at Brussels, 18 September 2000.

For the Council
The President
H. VÉDRINE

⁽¹⁾ OJ L 28, 4.2.1998, p. 19.

COUNCIL DECISION
of 18 September 2000
appointing a German member of the Committee of the Regions

(2000/579/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the Council Decision of 26 January 1998 ⁽¹⁾ appointing the members and alternate members of the Committee of the Regions,

Whereas a seat as a member of the Committee of the Regions has become vacant following the resignation of Mr Gerd Walter, member, notified to the Council on 29 June 2000,

Having regard to the proposal from the German Government,

HAS DECIDED AS FOLLOWS:

Sole Article

Ms Heide Simonis is hereby appointed a member of the Committee of the Regions in place of Mr Gerd Walter for the remainder of his term of office, which runs until 25 January 2002.

Done at Brussels, 18 September 2000.

For the Council

The President

H. VÉDRINE

⁽¹⁾ OJ L 28, 4.2.1998, p. 19.

COMMISSION

COMMISSION DECISION

of 30 March 1999

on the State aid which the Region of Sardinia (Italy) granted to the milk sector

(notified under document number C(1999) 902)

(Only the Italian text is authentic)

(2000/580/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the first paragraph of Article 93(2) thereof,

Having called on interested parties to submit their comments pursuant to the provision(s) cited above ⁽¹⁾ and having regard to their comments,

Whereas:

I

PROCEDURE

- (1) Following a complaint, by letter dated 24 January 1996, the Commission requested the Italian Government to notify the aid measures covered by Decision No 47/17 of the Regional Executive of the Sardinia Region of 24 October 1995 (hereinafter referred to as 'Decision No 47/17').
- (2) By letter dated 1 March 1996, the Italian Permanent Representation to the European Union notified the measures in question.
- (3) By letter dated 16 October 1996 the Commission informed Italy of its decision to initiate the procedure laid down in Article 93(2) of the EC Treaty in respect of this measure.
- (4) The Commission decision to initiate the procedure was published in the *Official Journal of the European Communities* ⁽²⁾. The Commission invited interested parties to submit their comments on the measure.
- (5) The Commission received comments from interested parties. It forwarded them to Italy, which was given the

opportunity to react; its comments were received by letter dated 17 June 1997.

II

DESCRIPTION

- (6) Article 16 of Sardinian Regional Law No 9 of 13 July 1962 (hereinafter referred to as 'Law 9/62') provides for the grant of aid in the form of reduced interest rates on short-term loans for the operation of cooperatives and producer groups processing sheep's and goat's milk into cheese. Article 16 provides for a maximum rate of interest of 2 % to be paid by recipients and a regional guarantee on loans of up to 80 % of the amount due. That Law has never been notified under Article 93(3) of the Treaty. The compatibility of the aid provided for therein with the common market has never therefore been examined.
- (7) Decision No 47/17 lays down the rules for granting the aid provided for in the abovementioned Article 16 of Law 9/62 for the 1995/1996 agricultural year. No information has been supplied on the rules of application adopted for previous years.
- (8) The types of loan concerned are:
 - (a) operating loans (for cooperatives only) amounting to ITL 250 per litre of milk with a ceiling fixed on the basis of production in the previous year;
 - (b) loans to cover advance payments to members (of cooperatives and producer groups).

These loans amount to ITL 1 150 per litre of sheep's milk and ITL 850 per litre of goat's milk.
- (9) The duration of loans can be set by the financial institute at 18 or 36 months (based, among other things on the type of cheese produced).

⁽¹⁾ OJ C 87, 18.3.1997, p. 6.

⁽²⁾ See footnote 1.

- (10) The interest rate on the loans is 55 % of the reference rate fixed by the Government.
- (11) The above aid may be received in combination, in the case of cooperatives, with aid in the form of a refund of 10 % of the rate of interest payable by them where cooperatives implement a joint marketing strategy (for example, by forming a marketing consortium or by means of worker participation agreements) for more than 30 000 quintals of product per year.
- (12) In its decision to open the procedure, the Commission noted that Articles 92 and 93 of the Treaty apply to milk and milk products in accordance with Article 23 of Council Regulation (EEC) No 804/68 on the common organisation of the market in milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 1587/96 ⁽⁴⁾.
- (13) The Commission noted that the legal basis for the aid is Article 16 of Law No 9/62. Since that Law had never been notified to or examined by the Commission under Articles 92 and 93 of the Treaty, the aid cannot be considered existing aid within the meaning of Article 93(1).
- (14) Accordingly, the Commission considered that the aid measures concerned must be examined in the light of the criteria laid down in the Commission communication on State aids: subsidised short-term loans in agriculture (*crédits de gestion*) ⁽⁵⁾. In principle, those criteria were to apply to all aid measures applicable on or after 1 January 1996 (Commission letter to the Member States dated 20 October 1995). After reviewing those criteria, the Commission doubted that the measure in fact met them.
- (15) Furthermore, the Commission noted that the aid appeared to be granted on the quantity of milk sent for processing and therefore appeared to be in breach of Article 24 of Regulation (EEC) No 804/68 on the common organisation of the market in milk and milk products, which forbids any aid the amount of which is calculated on the basis of the price or quantity of products covered by that market organisation.

III

COMMENTS FROM INTERESTED PARTIES

- (16) On 5 April 1997 the Commission received comments submitted jointly by the Federazione degli Industriali della Sardegna (the Sardinian Federation of Industry) and the Consorzio delle Industrie Casearie della Sardegna (the Sardinian Federation of Cheese Industries). These comments strongly support the arguments advanced by the Commission in its decision to open the procedure. They emphasise that the aid granted by the Italian authorities constitutes operating aid which has no long-

term benefit for the sector concerned and should therefore be considered incompatible with the common market. They also emphasise that the aid distorts competition within the sector, since the aid is only granted to certain categories of producers, in particular cooperatives and producer groups. The two federations therefore ask the Commission to declare the aid to be incompatible with the common market and to order the recovery of any aid paid.

IV

COMMENTS FROM ITALY

- (17) In their letter of 17 June 1997, the Italian authorities did not comment in detail on the issues raised by the Commission in its decision to open the procedure. They simply pointed out that the national rules concerned were adopted before the adoption of the communication on operating loans, that the aid was not granted as it was only payable after the event, that payment had been suspended until the Commission had reached a final decision, and that the entire matter could be resolved only when the Commission had adopted a definitive position on subsidised short-term operating loans.
- (18) By telex of 9 December 1998, addressed to the Italian Permanent Representation, the Commission reminded the Italian authorities that its decision to open the procedure concerned any aid granted under Article 16 of Law No 9/62, and not only the aid envisaged for the 1995/1996 marketing year under Decision No 47/17. The Italian authorities were invited to clarify their response accordingly. However, no reply to this telex has been received.

V

ASSESSMENT OF THE MEASURE

- (19) Article 92(1) of the EC Treaty provides that any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, in so far as it affects trade between Member States, be incompatible with the common market. Articles 92 and 93 of the Treaty apply to milk and milk products, by virtue of Article 23 of Regulation (EEC) No 804/68.
- (20) The present measure provides for aid in the form of subsidised loans to be granted to cooperatives and producer groups which are involved in the processing of sheep's milk and goat's milk. The national reference rate used for the calculation of the interest rate reduction is the arithmetical mean of the Rendibot rate (calculated by the Bank of Italy) and the Ribor rate, increased by bank

⁽³⁾ OJ L 148, 28.6.1968, p. 13.

⁽⁴⁾ OJ L 206, 16.8.1996, p. 21.

⁽⁵⁾ OJ C 44, 16.2.1996, p. 2.

commission costs. In November 1998 the national reference rate was 6,25 %, compared with the reference rates used by the Commission at that time of 6,18 % for loans of five years' duration and 5,9 % for loans of one year's duration. A 45 % reduction in the national reference rate of 6,25 % clearly results in a rate of interest on the subsidised loans which is below the reference rates used by the Commission to determine whether a subsidised loan contains an aid component as cited in the Commission notice on the method for setting the reference and discount rates ⁽⁶⁾. Such a measure clearly favours the beneficiaries as opposed to other undertakings which must either obtain finance from their own resources or pay for such finance through interest on loans at normal commercial rates. In so far as producers who do not have access to subsidised loans have to pass on their additional costs to their customers, the measure places the beneficiaries of the subsidised loans at a commercial advantage. The measure therefore distorts the conditions of competition. Furthermore, the measure affects trade between Member States. In this context, the Commission notes that the majority of sheep's and goat's milk produced in Sardinia is used for the production of *Pecorino Romano*, *Pecorino Sardo* and other cheeses. Furthermore, the modalities for the payment of the aid depend on the type of cheese produced. There is substantial intra-Community trade in cheese, amounting to 1 903 300 tonnes in 1996 on the basis of outgoing volumes. Italian cheese exports in the same year amounted to ITL 1 305 billion. In addition, while it is not possible to give precise figures, the Commission is aware that there is a substantial volume of intra-Community trade in *Pecorino Romano* and *Pecorino Sardo*, cheeses, which have received a protected designation of origin in accordance with Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽⁷⁾, as last amended by Commission Regulation (EC) No 1068/97 ⁽⁸⁾. Indeed in the context of another State aid file, the Sardinian authorities have indicated that *Pecorino Romano* is one of the few products where the island is a net exporter of foodstuffs.

- (21) The Commission therefore concludes that the measure falls within the scope of the prohibition contained in Article 92(1) of the Treaty.

- (22) The prohibition in Article 92(1) of the EC Treaty is followed by exemptions in Article 92(2) and (3).

- (23) The exemptions listed in Article 92(2) of the EC Treaty are manifestly inapplicable given the nature of the aid measure in question and its objectives. Italy has in fact not invoked Article 92(2).
- (24) Article 92(3) specifies the circumstances under which State aids may be considered to be compatible with the common market. Their compatibility with the common market must be assessed from the point of view of the Community and not that of an individual Member State. In the interest of the functioning of the common market and having regard to Article 3(g) of the Treaty, the exemptions from Article 92(1) must be interpreted restrictively.
- (25) With regard to Article 92(3)(b), it is considered that the aid in question is not intended to promote the execution of an important project of common European interest or to remedy a serious disturbance in Italy's economy.
- (26) The aid is, moreover, neither intended to achieve nor suitable for achieving the objectives contained in Article 92(3)(d).
- (27) With regard to Article 92(3)(a) and (c) it has first to be noted that the aid is not granted in connection with investments. In fact, the aid is granted in the form of an interest rate subsidy on short-term operating loans which may be granted to cooperatives and producer groups operating in the sheep's and goat's milk processing sector. As such, the aid measure must be considered an operating aid.
- (28) It is long-standing Commission policy to prohibit the payment of operating aids in the agricultural sector. Aids which simply relieve economic operators of their normal operating costs confer only a short-term economic advantage for the beneficiary which ceases as soon as the payment of aid stops and are particularly liable to distort competition. Such aids therefore cannot be considered either to promote the economic development of areas where the standard of living is abnormally low (Article 92(3)(a)) or to facilitate the development of certain economic activities or of certain economic areas (Article 92(3)(c)). Furthermore, the payment of such aids is likely to interfere with the operation of the mechanisms established by the common organisations of the market, in the framework of the common agricultural policy, and to disadvantage producers who are not in receipt of such aids, contrary to the principle of equality of treatment laid down by the Treaty. In accordance

⁽⁶⁾ OJ C 273, 9.9.1997, p. 3.

⁽⁷⁾ OJ L 208, 24.7.1992, p. 1.

⁽⁸⁾ OJ L 156, 13.6.1997, p. 10.

with the jurisprudence of the Court of Justice, and in particular the judgment of 26 June 1979, 'one the Community has, pursuant to Article 40 of the Treaty, legislated for the establishment of the common organisation of the market in a given sector, Member States are under an obligation to refrain from taking any measure which might undermine or create exceptions to it. ⁽⁹⁾'

(29) Nevertheless, in recognition of the structural difficulties which, in a number of Member States, inhibit the access of the agricultural sector to capital, or which increase the cost of capital for the agricultural sector, the Commission has developed a policy of allowing short-term subsidised loans to agricultural producers to cover operating costs provided that certain conditions are fulfilled. This policy was consolidated in a Commission communication concerning State aids in the form of short-term subsidised loans in agriculture ⁽¹⁰⁾. Originally transmitted to the Member States by letter of 20 October 1995, it was intended that the new rules should enter into force on 1 January 1996. By decision of 27 June 1997, the Commission extended the deadline for Member States to amend existing aids to comply with the new rules to 31 December 1996. Subsequently, by letter of 4 July 1997, the Commission informed the Member States that it had decided to suspend the application of the guidelines. By letter of 19 December 1997, the Commission informed the Member States that the guidelines would enter into force on 30 June 1998.

(30) Under the new rules, the aid measures in question must fulfil, *inter alia*, the following conditions:

(i) they must not be used selectively to assist sectors or individual agricultural operators for reasons which are not exclusively connected with the agricultural sector as a whole and related activities (in particular, the seasonal nature of agricultural production and holding structures); the Commission does not authorise aid which is not granted to all operators in the sector in the administrative unit concerned on a non-discriminatory basis irrespective of the agricultural activity (or activities) for which the operator needs short-term loans;

(ii) the aid must not exceed the difference between the interest rate paid by a typical operator in the agricultural sector and the interest paid in the rest of the economy of the Member State for short-term loans of a similar amount per operator, not linked with investments;

(iii) the amounts of subsidised loans must not exceed cash-flow requirements arising from the fact that production costs are incurred before income from output sales is received; in no case may aid be

linked to particular marketing or production operations;

(iv) subsidised short-term loans may be granted for a maximum of one year.

In its letter of 19 December 1997, the Commission emphasised the need for strict and literal compliance with point (ii) above, namely that the aid must be limited to the interest rate differential between short-term loans in the agricultural sector and short-term loans in other economic sectors.

(31) Before the adoption of the abovementioned communication, the Commission, on the basis of its policy in force, would consider the aid measure compatible with the common market if it fulfilled two negative criteria (the subsidised loans should not be for more than one year and should not be granted for a single product or a single operation).

(32) It is therefore necessary to examine the aid measures in the light of the criteria set out above for short-term operating loans for the agricultural sector. In their written observations, the Italian authorities have also suggested that this is the appropriate basis for the assessment of the aid. In this context, it is appropriate to distinguish between aid for the 1995/1996 marketing year, and other aid which may have been granted on the basis of Article 16 of Law No 9/62.

(33) The detailed conditions for the payment of aid for the marketing year 1995/1996, were fixed by Decision No 47/17 (see points 8, 9 and 10 of this Decision).

(34) It is clear from the detailed conditions laid down for the payment of the aid that the loans do not meet the conditions set out at points 30(i) and (iv) above. In particular, aid is granted on a selective basis, in respect of a particular type of product only (products produced from sheep's and goat's milk) and only to certain types of producers, namely cooperatives and producer groups. Thus not only producers of other types of product, but certain categories of producers of the same product are excluded from the benefit of the aid. They therefore receive no State support to offset seasonal and other disadvantages. Furthermore, the duration of the loans exceeds one year. The aid measure must be considered incompatible with the communication. In so far as the duration of the loans exceeds one year, the aid is also incompatible with the policy previously applied by the Commission in this field.

(35) Furthermore, having regard to the detailed conditions laid down for payment of the aid, which appears to be granted on the quantity of milk sent for processing, and in the absence of any comments from the Italian authorities on this question, the Commission maintains the view that the aid is in breach of Article 24 of Regulation (EEC) No 804/68.

⁽⁹⁾ Case C-177/78, *Pigs and Bacon Commission v Mc Carren*, [1979] ECR 2161, point 14 of the decision.

⁽¹⁰⁾ See footnote 3.

- (36) As regards aids which may have been paid under Article 16 of Law No 9/62 for marketing years prior to the 1995/1996 marketing year, it must be noted that the Italian authorities have not responded to the Commission's decision to open the procedure under Article 93(2), neither have they responded to a reminder sent by the Commission. As a consequence the Commission lacks the information necessary to take a final decision.
- (37) Accordingly, acting in accordance with the judgment of the Court of Justice of 14 February 1990 ⁽¹¹⁾, the Commission has decided to order Italy to provide full details of all aids which may have been granted under Article 16 of Law No 9/62 covering a period prior to the 1995/1996 marketing year. The information to be provided shall include copies of all Regional implementing decisions defining the rules for payment of such aid, together with details of the budgetary provisions allowed in each year.

VI

CONCLUSIONS

- (38) In so far as Law No 9/62 and Decision No 47/17 were adopted and brought into effect without prior notification to the Commission, the Commission finds that Italy has unlawfully implemented the aid in question contrary to Article 93(3) of the Treaty.
- (39) Furthermore the Commission finds that the aids in favour of cooperatives and producer groups in the sheep's and goat's milk sector granted by the Sardinia Region for the 1995/1996 marketing year on the basis of Article 16 of Law No 9/62, as implemented by Decision No 47/17, fall within the scope of the prohibition under Article 92(1) of the Treaty and do not qualify for exemption under Article 92(2) or (3). The aid in question is therefore incompatible with the common market.
- (40) However, because the Italian authorities indicate in their reply to the opening of the procedure that the aid for the 1995/1996 marketing year was not granted since it was to have been paid retrospectively but payment was

suspended after the opening of the procedure, there is no need to order the repayment of the aid in question,

HAS ADOPTED THIS DECISION:

Article 1

The State aids in favour of cooperatives and producer groups in the sheep's and goat's milk sector granted by the Sardinia Region for the 1995/1996 marketing year on the basis of Article 16 of Law No 9/62, as implemented by Decision No 47/17 of 24 October 1997 are incompatible with the common market.

Article 2

Italy shall withdraw the aid referred to in Article 1.

Article 3

Italy shall provide the Commission, within two months following notification of this Decision, with full details of all other aids which have been granted on the basis of Article 16 of Law No 9/62 for periods before the 1995/1996 marketing year.

Article 4

Italy shall inform the Commission, within two months following notification of this Decision, of the measures taken to comply with it.

Article 5

This Decision is addressed to the Italian Republic.

Done at Brussels, 30 March 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹¹⁾ Case C-301/87, French Republic v Commission, [1990] ECR I-307.

COMMISSION RECOMMENDATION**of 15 September 2000****on the ratification of International Labour Organisation (ILO) Convention No 182 of 17 June 1999 concerning the prohibition and immediate action for the elimination of the worst forms of child labour***(notified under document number C(2000) 2674)**(2000/581/EC)*

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the second indent of Article 211 thereof,

Whereas:

- (1) ILO Convention No 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour of 17 June 1999 requires ratifying States to take immediate and effective measures to secure the prohibition and elimination of the worst of child labour as a matter of urgency.
- (2) ILO Convention No 182 was adopted unanimously at the 1999 International Labour Conference.
- (3) ILO Convention No 138 concerning the minimum age for admission to employment of 26 June 1973 provides that the minimum age for admission to any type of employment or work which by its nature or the circumstances in which it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.
- (4) The United Nations Convention on the Rights of the Child of 20 November 1989 recognises the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
- (5) The aim of ILO Convention No 182, the effective elimination of the worst forms of child labour, is also a long-standing objective of the Community.
- (6) Council Directive 94/33/EC of 22 June 1994 on the protection of young people at work provides that Member States shall ensure that young people are protected against economic exploitation and against any work likely to harm their safety, health or physical, mental, moral or social development or to jeopardise their education.

- (7) The 1999 EU Annual Report on Human Rights welcomes the adoption of ILO Convention No 182 and calls for rapid ratification and implementation of the new Convention.
- (8) The European Union, in its statement on the rights of the child delivered to the 56th session of the United Nations Commission on Human Rights on 11 April 2000, strongly encouraged States that have not yet done so to ratify ILO Conventions No 138 and No 182.
- (9) The Community is committed to promoting respect for fundamental labour standards, reflecting the Community's commitment to democracy and the rule of law, and to respect for human rights and fundamental freedoms.
- (10) The Community strongly supports international efforts to implement effectively the ILO's Declaration on fundamental principles and rights at work.
- (11) The widest possible ratification of ILO Convention No 182 will reinforce its effectiveness as a standard of universal validity,

HEREBY RECOMMENDS:

- that Member States, which have not yet done so, ratify the ILO Worst Forms of Child Labour Convention, adopted on 17 June 1999,
- that Member States inform the Commission, within a period of one year from publication of this recommendation, of the steps taken pursuant to it.

Done at Brussels, 15 September 2000.

For the Commission

Anna DIAMANTOPOULOU
Member of the Commission

**ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES ON SOCIAL SECURITY
FOR MIGRANT WORKERS**

DECISION No 176

of 24 June 1999

concerning the reimbursement by the competent institution in a Member State of the costs incurred during a stay in another Member State by means of the procedure referred to in Article 34(4) of Regulation (EEC) No 574/72 (96/249/EC)

(2000/582/EC)

THE ADMINISTRATIVE COMMISSION OF THE EUROPEAN COMMUNITIES ON SOCIAL SECURITY FOR MIGRANT WORKERS,

Having regard to Article 81(a) of Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community ⁽¹⁾, under which it is made responsible for dealing with all administrative questions arising from Regulation (EEC) No 1408/71 and Regulation (EEC) No 574/72,

Having regard to Article 34(4) of Regulation (EEC) No 574/72,

Whereas:

- (1) The task of initiating the procedure referred to in Article 34(4) of Regulation (EEC) No 574/72 falls to the competent institution.
- (2) This procedure represents an administrative simplification and promotes rapid reimbursement to the benefit of the insured person.
- (3) It is therefore expedient to increase the possibility of having recourse to this procedure and to increase the maximum limit as provided for in Decision No 161 of 15 February 1996 and consequently to replace this Decision.
- (4) Acting in accordance with Article 80(3) of Regulation (EEC) No 1408/71,

HAS DECIDED AS FOLLOWS:

1. The provisions of Article 34(4) of Regulation (EEC) No 574/72 shall apply only where the total amount of the costs incurred during the temporary stay is less than or equal to the amount fixed by each Member State up to a maximum of EUR 1 000.
2. For the purpose of applying the provisions referred to in point 1, the amount of the costs incurred shall be converted, where necessary, at the rate applicable during the month in which the reimbursement is made.
3. This Decision, which replaces Decision No 161, shall enter into force on the first day of the month following its publication in the *Official Journal of the European Communities*.

*The Chairman of the Administrative
Commission*

Arno BOKELOH

⁽¹⁾ OJ L 149, 5.7.1971, p. 2.