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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2057/2000
of 29 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 30 September 2000.

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

Done at Brussels, 29 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 29 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	103,9
	064	69,3
	999	86,6
0707 00 05	052	91,1
	628	145,8
	999	118,5
0709 90 70	052	67,6
	999	67,6
0805 30 10	052	64,3
	388	59,7
	524	71,0
	528	62,9
0806 10 10	999	64,5
	052	90,2
	064	71,8
	400	206,0
0808 10 20, 0808 10 50, 0808 10 90	999	122,7
	388	86,1
	400	57,1
	512	87,9
	800	167,2
	804	85,5
	999	96,8
0808 20 50	052	91,2
	064	62,1
	999	76,7
0809 30 10, 0809 30 90	052	144,9
	999	144,9
0809 40 05	052	93,4
	060	80,9
	064	54,0
	066	95,2
	400	126,1
	624	170,3
	999	103,3

⁽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 2058/2000**of 29 September 2000****fixing the export refunds on syrups and certain other sugar 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 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) 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)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Article 3 of 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 ⁽³⁾, provides that the export refund on 100 kilograms of the products listed in Article 1(1)(d) of Regulation (EC) No 2038/1999 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.
- (3) Article 21(3) of Regulation (EC) No 2038/1999 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry ⁽⁴⁾, as last amended by Commission Regulation (EC) No 1888/2000 ⁽⁵⁾, to the products listed in the Annex to the last mentioned Regulation;
- (4) According to the terms of Article 21(1) of Regulation (EC) No 2038/1999, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said

Regulation exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements.

- (5) According to the terms of Article 21(4) of Regulation (EC) No 2038/1999, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.
- (6) Article 18 of Regulation (EC) No 2038/1999 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 2038/1999 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article 1(1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.
- (7) The refunds referred to above must be fixed every month; they may be altered in the intervening period.
- (8) Application of these quotas results in fixing refunds for the products in question at the levels given 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,

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 214, 8.9.1995, p. 16.

⁽⁴⁾ OJ L 94, 9.4.1986, p. 9.

⁽⁵⁾ OJ L 227, 7.9.2000, p. 15.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d)(f)(g) and (h) of Regulation (EC) No 2038/1999, exported in the natural state, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 2000.

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

Done at Brussels, 29 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 29 September 2000 fixing 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).

COMMISSION REGULATION (EC) No 2059/2000
of 29 September 2000
altering the export refunds on white sugar and raw sugar 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 organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular the third subparagraph of Article 18(5) thereof,

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 2030/2000 ⁽³⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 2030/2000 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

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, as fixed in the Annex to Regulation (EC) No 2030/2000 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 2000.

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

Done at Brussels, 29 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 243, 28.9.2000, p. 6.

ANNEX

to the Commission Regulation of 29 September 2000 altering 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 Council 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 2060/2000**of 29 September 2000****determining the world market price for unginned cotton and the rate for the aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995 ⁽²⁾ laying down general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81, as last amended by Regulation (EC) No 1419/98 ⁽³⁾, and in particular Articles 3, 4 and 5 thereof,

Whereas:

- (1) Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginned cotton to be periodically determined from the world market price determined for ginned cotton, using the historical relationship between the two prices as specified in Article 1(2) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules for implementing the system of aid for cotton ⁽⁴⁾, as last amended by Regulation (EC) No 1624/1999 ⁽⁵⁾. If it cannot be determined in this way it is to be based on the last price determined.
- (2) Article 4 of Regulation (EC) No 1554/95 requires the world market price for ginned cotton to be determined for a product of specific characteristics using the most favourable offers and quotations on the world market of those considered representative of the real market trend. To this end an average is to be calculated of offers and quotations on one or more European exchanges for a cif product to a North European port from the supplier countries considered most representative as regards international trade. These rules for determination of the world market price for ginned cotton provide for adjust-

ments to reflect differences in product quality and the nature of offers and quotations; whereas these adjustments are specified in Article 2 of Regulation (EEC) No 1201/89.

- (3) Application of the above rules gives the world market price for unginned cotton indicated hereunder.
- (4) The first subparagraph of Article 5(3a) of Regulation (EC) No 1554/95 stipulates that the advance payment rate for the aid is to be the guide price less the world market price and less a further amount calculated by the formula applicable when the guaranteed maximum quantity based on the production estimated for unginned cotton plus at least 15 %. Commission Regulation (EC) No 1842/2000 ⁽⁶⁾ fixes the production estimated for the 2000/2001 marketing year. The application of this method results in the fixing of the advance payment rate for each Member State at the levels set out below,

HAS ADOPTED THIS REGULATION:

Article 1

1. The world market price for unginned cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at 37,001 EUR/100 kg.
2. The advance payment of the aid referred to in Article 5(3a), first subparagraph, of Regulation (EC) No 1554/95 is fixed at:
 - 43,787 EUR/100 kg in Spain,
 - 24,759 EUR/100 kg in Greece,
 - 69,299 EUR/100 kg in other Member States.

Article 2

This Regulation shall enter into force on 30 September 2000.

⁽¹⁾ OJ L 148, 30.6.1995, p. 45.

⁽²⁾ OJ L 148, 30.6.1995, p. 48.

⁽³⁾ OJ L 190, 4.7.1998, p. 4.

⁽⁴⁾ OJ L 123, 4.5.1989, p. 23.

⁽⁵⁾ OJ L 192, 24.7.1999, p. 39.

⁽⁶⁾ OJ L 220, 31.8.2000, p. 14.

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

Done at Brussels, 29 September 2000.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 2061/2000
of 29 September 2000
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products
from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 2(6) thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 1845/2000 ⁽⁴⁾; as a consequence of the changes of the rates and prices for cereals products in the European part of the Community

and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 October 2000.

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

Done at Brussels, 29 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 43, 19.2.1992, p. 23.

⁽⁴⁾ OJ L 220, 31.8.2000, p. 19.

ANNEX

to the Commission Regulation of 29 September 2000 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(EUR/t)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	21,00	21,00	21,00	25,00
Barley (1003 00 90)	21,00	21,00	21,00	25,00
Maize (1005 90 00)	36,00	36,00	36,00	39,00
Durum wheat (1001 10 00)	21,00	21,00	21,00	25,00
Oats (1004 00 00)	36,00	36,00	—	—

COMMISSION REGULATION (EC) No 2062/2000
of 29 September 2000
amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals
products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 1843/2000 ⁽⁴⁾; as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the

world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 October 2000.

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

Done at Brussels, 29 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 185, 4.7.1992, p. 26.

⁽⁴⁾ OJ L 220, 31.8.2000, p. 15.

ANNEX

to the Commission Regulation of 29 September 2000 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

		(EUR/t)
Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	17,00
Barley	(1003 00 90)	17,00
Maize	(1005 90 00)	33,00
Durum wheat	(1001 10 00)	17,00
Oats	(1004 00 00)	33,00

COMMISSION REGULATION (EC) No 2063/2000
of 29 September 2000
amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals
products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EC) No 1844/2000 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and

Madeira should be set at the amounts given in the Annex.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 October 2000.

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

Done at Brussels, 29 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 185, 4.7.1992, p. 28.

⁽⁴⁾ OJ L 220, 31.8.2000, p. 17.

ANNEX

to the Commission Regulation of 29 September 2000 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

(EUR/t)

Product (CN code)		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	17,00	17,00
Barley	(1003 00 90)	17,00	17,00
Maize	(1005 90 00)	33,00	33,00
Durum wheat	(1001 10 00)	17,00	17,00

COMMISSION REGULATION (EC) No 2064/2000
of 29 September 2000
setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 3 thereof,

Whereas:

- (1) Pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilisation, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin. This aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries.
- (2) Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾, lays down common detailed rules for implementation of the

specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands.

- (3) As a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 2000.

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

Done at Brussels, 29 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 296, 17.11.1994, p. 23.

⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.

ANNEX

**to the Commission Regulation of 29 September 2000 setting the amounts of aid for the supply of rice products
from the Community to the Canary Islands**

(EUR/t)

Product (CN code)	Amount of aid
Milled rice (1006 30)	145,00
Broken rice (1006 40)	32,00

COMMISSION REGULATION (EC) No 2065/2000
of 29 September 2000
setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin. This aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries.
- (2) Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira. Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice

products to the Azores and Madeira and establishing the forecast supply balance for these products ⁽⁵⁾, as last amended by Regulation (EC) No 1683/94 ⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation.

- (3) As a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 2000.

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

Done at Brussels, 29 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 198, 17.7.1992, p. 37.

⁽⁶⁾ OJ L 178, 12.7.1994, p. 53.

ANNEX

to the Commission Regulation of 29 September 2000 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

(EUR/t)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	145,00	145,00

COMMISSION REGULATION (EC) No 2066/2000
of 29 September 2000
on the issuing of system B 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 (EC) 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 5(6) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1321/2000 ⁽³⁾ fixed the indicative quantities laid down for the issue of export licences other than those requested in the context of food aid.
- (2) In the light of information now available to the Commission, the indicative quantities have been exceeded in the case of shelled almonds, oranges, lemons, table grapes, peaches and nectarines.
- (3) Those overruns are without prejudice to compliance with the limits resulting from the agreements concluded in accordance with Article 300 of the Treaty. The rate of

refund for all products covered by licences applied for under system B from 1 July to 15 September 2000 should be the indicative rate,

HAS ADOPTED THIS REGULATION:

Article 1

The percentages for the issuing of system B export licences, as referred to in Article 5 of Regulation (EC) No 2190/96, and applied for between 1 July and 15 September 2000, by which the quantities applied for and the rates of refund applicable must be multiplied, is as fixed in the Annex hereto.

The above subparagraph does not apply to licences applied for in connection with food-aid operations as provided for in Article 10(4) of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations.

Article 2

This Regulation shall enter into force on 30 September 2000.

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

Done at Brussels, 29 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 149, 23.6.2000, p. 11.

ANNEX

Percentages for the issuing of licences and rates of refund applicable to system B licences applied for between 1 July and 15 September 2000

Product	Percentage for the issuing of licences	Rate of refund (EUR/tonne net)
Tomatoes	100 %	18,0
Shelled almonds	100 %	45,0
Hazelnuts in shell	—	—
Shelled hazelnuts	100 %	103,0
Walnuts in shell	—	—
Oranges	100 %	45,0
Lemons	100 %	40,0
Table grapes	100 %	23,0
Apples	100 %	36,0
Peaches and nectarines	100 %	27,0

COMMISSION REGULATION (EC) No 2067/2000
of 29 September 2000
fixing the production refund for white sugar used in the chemical industry

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⁾, and in particular Article 9(6) thereof,

Whereas:

- (1) Pursuant to Article 9(3) of Regulation (EC) No 2038/1999 it may be decided to grant production refunds on the products listed in Article 1(1)(a) and (f) and on the syrups listed in Article 1(1)(d) thereof which are in one of the situations referred to in Article 9(2) of the Treaty and which are used in the manufacture of certain products of the chemical industry.
- (2) Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry ⁽²⁾, as last amended by Commission Regulation (EC) No 1888/2000 ⁽³⁾, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture. Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products.
- (3) Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry ⁽⁴⁾, as last amended by Regulation (EC) No 1148/98, specifies the method to be used for establishing the production refund; whereas Article 1 of

Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April. The application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein.

- (4) The amendment of the definition of white sugar and raw sugar referred to in Article 1(2)(a) and (b) of Regulation (EC) No 2038/1999 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'. Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund. A method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products.
- (5) 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 production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at EUR 34,160 for the quarter 1 October to 31 December 2000.

Article 2

This Regulation shall enter into force on 1 October 2000.

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

Done at Brussels, 29 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 94, 9.4.1986, p. 9.

⁽³⁾ OJ L 227, 7.9.2000, p. 15.

⁽⁴⁾ OJ L 201, 25.7.1978, p. 26.

COMMISSION REGULATION (EC) No 2068/2000**of 29 September 2000****fixing the rates of 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 market in sugar ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular Article 18(5)(a) and (15),

Whereas:

- (1) Article 18(1) and (2) of Regulation (EEC) No 1785/81 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds ⁽³⁾ specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EC) No 2038/1999.
- (2) In accordance with Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (3) Article 18(3) of Regulation (EC) No 2038/1999 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not

exceed the refund applicable to that product when exported without further processing.

- (4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (5) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardized by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.
- (6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (7) 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 rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1(1) and (2) of Regulation (EC) No 2038/1999, exported in the form of goods listed in Annex I to Regulation (EC) No 2038/1999, are fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 2000.

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

Done at Brussels, 29 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 177, 15.7.2000, p. 1.

ANNEX

to the Commission Regulation of 29 September 2000 fixing 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:	38,90	38,90

COMMISSION REGULATION (EC) No 2069/2000**of 29 September 2000****fixing the rates of the refunds applicable to certain milk products 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 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 1526/2000 ⁽²⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund. Whereas Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999.

(2) In accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.

(3) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products.

(4) Article 11(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(5) 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 ⁽⁴⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁵⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

(7) 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

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1 of Regulation (EC) No 1255/1999, exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 October 2000.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 175, 14.7.2000, p. 55.

⁽³⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁴⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁵⁾ OJ L 76, 25.3.2000, p. 9.

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

Done at Brussels, 29 September 2000.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 29 September 2000 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2): (a) On exportation of goods of CN code 3501 (b) On exportation of other goods	— 25,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3): (a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported (b) On exportation of other goods	42,28 68,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6): (a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported (b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat (c) On exportation of other goods	75,00 177,25 170,00

COMMISSION REGULATION (EC) No 2070/2000
of 29 September 2000
opening a standing invitation to tender for the export of rye held by the Danish intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1666/2000⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93⁽³⁾, as last amended by Regulation (EC) No 1630/2000⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies.
- (2) Given the current market situation, a standing invitation to tender should be opened for the export of 20 368 tonnes of rye held by the Danish intervention agency.
- (3) Special procedures must be laid down to ensure that the operations and their monitoring are properly effected. To that end, provision should be made for a security lodgement scheme which ensures that aims are met while avoiding excessive costs for the operators. Derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93.
- (4) Where removal of the rye is delayed by more than five days or the release of one of the securities required is delayed for reasons imputable to the intervention agency the Member State concerned must pay compensation.
- (5) Measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Subject to the provisions of this Regulation the Danish intervention agency issues a standing invitation to tender for the export of rye held by it in accordance with Regulation (EEC) No 2131/93.

Article 2

1. The invitation to tender shall cover a maximum of 20 368 tonnes of rye for export to third countries.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

2. The regions in which the 20 368 tonnes of rye are stored are set out in Annex I.

Article 3

1. Notwithstanding the third paragraph of Article 16 of Regulation (EEC) No 2131/93, the price to be paid for the export shall be that quoted in the tender.
2. No export refund or tax or monthly increase shall be granted on exports carried out pursuant to this Regulation.
3. Article 8(2) of Regulation (EEC) No 2131/93 shall not apply.

Article 4

1. The export licences shall be valid from their date of issue within the meaning of Article 9 of Regulation (EEC) No 2131/93 until the end of the fourth month thereafter.
2. Tenders submitted in response to this invitation to tender may not be accompanied by export licence applications submitted pursuant to Article 44 of Commission Regulation (EEC) No 3719/88⁽⁵⁾.

Article 5

1. Notwithstanding Article 7(1) of Regulation (EEC) No 2131/93, the time limit for submission of tenders in respect of the first partial invitation to tender shall be 9 a.m. (Brussels time) on 12 October 2000.
2. The time limit for submission of tenders in respect of subsequent partial invitations to tender shall be 9 a.m. (Brussels time) each Thursday thereafter.
3. The last partial invitation to tender shall be 9 a.m. (Brussels time) on 17 May 2001.
4. Tenders shall be lodged with the Danish intervention agency.

Article 6

1. The intervention agency, the storer and the successful tenderer shall, at the request of the latter and by common agreement, either before or at the time of removal from storage as the successful tenderer chooses, take reference samples for counter-analysis at the rate of at least one sample for every 500 tonnes and shall analyse the samples. The intervention agency may be represented by a proxy, provided this is not the storer.

⁽⁵⁾ OJ L 331, 2.12.1988, p. 1.

The analysis results shall be forwarded to the Commission in the event of a dispute.

Reference samples for counter-analysis shall be taken and analysed within seven working days of the date of the successful tenderer's request or within three working days if the samples are taken on removal from storage. Where the final result of sample analyses indicates a quality:

- (a) higher than that specified in the notice of invitation to tender, the successful tenderer must accept the lot as established;
- (b) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, providing that the differences having regard to those criteria do not exceed the following limits:
 - one kilogram per hectolitre as regards specific weight, which must not, however, be less than 68 kg/hl,
 - one percentage point as regards moisture content,
 - half a percentage point as regards impurities as specified in points B.2 and B.4 of the Annex to Commission Regulation (EEC) No 689/92 ⁽¹⁾,
 - and
 - half a percentage point as regards impurities as specified in point B.5 of the Annex to Regulation (EEC) No 689/92, the percentages admissible for noxious grains and ergot, however, remaining unchanged,

the successful tenderer must accept the lot as established;

- (c) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, and a difference exceeding the limits set out in point (b), the successful tenderer may:
 - accept the lot as established, or
 - refuse to take over the lot in question. The successful tenderer shall be discharged of all his obligations relating to the lot in question and the securities shall be released only once he has informed the Commission and the intervention agency forthwith in accordance with Annex II; however, if he requests the intervention agency to supply him with another lot of intervention rye of the quality laid down at no additional charge, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall notify the Commission immediately thereof in accordance with Annex II;
- (d) below the minimum characteristics laid down for intervention, the successful tenderer may not remove the lot in question. He shall be discharged of all his obligations relating to the lot in question and the securities shall be released only once he has informed the Commission and the intervention agency forthwith in accordance with Annex II; however, he may request the intervention agency to supply him with another lot of intervention rye of the

quality laid down at no additional charge. In that case, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall immediately inform the Commission thereof in accordance with Annex II.

2. However, if the rye is removed before the results of the analyses are known, all risks shall be borne by the successful tenderer from the time the lot is removed, without prejudice to any means of redress of which he may avail himself against the storer.

3. If, as a result of successive replacements, the successful tenderer has not received a replacement lot of the quality laid down within one month of the date of his request for a replacement, he shall be discharged of all his obligations and the securities shall be released once he has informed the Commission and the intervention agency forthwith in accordance with Annex II.

4. Except where the final results of analyses indicate a quality below the minimum characteristics laid down for intervention, the costs of taking the samples and conducting the analyses provided for in paragraph 1 but not of inter-bin transfers shall be borne by the European Agricultural Guidance and Guarantee Fund (EAGGF) in respect of up to one analysis per 500 tonnes. The costs of inter-bin transfers and any additional analyses requested by the successful tenderer shall be borne by him.

Article 7

By derogation from Article 12 of Commission Regulation (EEC) No 3002/92 ⁽²⁾, the documents relating to the sale of rye in accordance with this Regulation, and in particular the export licence, the removal order referred to in Article 3(1)(b) of Regulation (EEC) No 3002/92, the export declaration and, where necessary, the T5 copy shall carry the entry:

- Centeno de intervención sin aplicación de restitución ni gravamen, Reglamento (CE) n° 2070/2000,
- Rug fra intervention uden restitutionsydelse eller -afgift, forordning (EF) nr. 2070/2000,
- Interventionsroggen ohne Anwendung von Ausfuhrerstattungen oder Ausfuhrabgaben, Verordnung (EG) Nr. 2070/2000,
- Σίκαλη παρέμβασης χωρίς εφαρμογή επιστροφής ή φόρου, κανονισμός (ΕΚ) αριθ. 2070/2000,
- Intervention rye without application of refund or tax, Regulation (EC) No 2070/2000,
- Seigle d'intervention ne donnant pas lieu à restitution ni taxe, règlement (CE) n° 2070/2000,
- Segala d'intervento senza applicazione di restituzione né di tassa, regolamento (CE) n. 2070/2000,
- Rogge uit interventie, zonder toepassing van restitutie of belasting, Verordening (EG) nr. 2070/2000,
- Centeio de intervenção sem aplicação de uma restituição ou imposição, Regulamento (CE) n.º 2070/2000,

⁽¹⁾ OJ L 74, 20.3.1992, p. 18.

⁽²⁾ OJ L 301, 17.10.1992, p. 17.

- Interventioruista, johon ei sovelleta vientitukea eikä vientimaksua, asetus (EY) N:o 2070/2000,
- Interventionsråg, utan tillämpning av bidrag eller avgift, förordning (EG) nr 2070/2000.

Article 8

1. The security lodgement pursuant to Article 13(4) of Regulation (EEC) No 2131/93 must be released once the export licences have been issued to the successful tenderers.

2. The obligation to export to the third countries shall be covered by a security amounting to EUR 75 per tonne of which EUR 50 per tonne shall be lodged when the export licence is issued, with the balance of EUR 25 per tonne being lodged before removal of the cereals.

Article 15(2) of Regulation (EEC) No 3002/92 notwithstanding:

- the amount of EUR 25 per tonne must be released within 15 working days of the date on which the successful tenderer supplies proof that the rye removed has left the customs territory of the Community,

- the amount of EUR 50 per tonne must be released within 15 working days of the date on which the successful tenderer supplies the proof referred to in Article 17(3) of Regulation (EEC) No 2131/93.

3. Except in duly substantiated exceptional cases, in particular the opening of an administrative enquiry, any release of the securities provided for in this Article after the time limits specified in this same Article shall confer an entitlement to compensation from the Member State amounting to EUR 0,015 per 10 tonnes for each day's delay.

This compensation shall not be charged to the EAGGF.

Article 9

Within two hours of the expiry of the time limit for the submission of tenders, the Danish intervention agency shall notify the Commission of tenders received. Such notification shall be made using the model set out in Annex III and the telex or fax numbers set out in Annex IV.

Article 10

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

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

Done at Brussels, 29 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

(tonnes)	
Place of storage	Quantity
Jylland	20 368

ANNEX II

Communication of refusal of lots under the standing invitation to tender for the export of rye held by the Danish intervention agency

(Article 6(1) of Regulation (EC) No 2070/2000)

- Name of successful tenderer:
- Date of award contract:
- Date of refusal of lot by successful tenderer:

Lot No	Quantity in tonnes	Address of silo	Reason for refusal to take over
			— Specific weight (kg/hl) — % sprouted grains — % miscellaneous impurities (Schwarzbesatz) — % of matter which is not basic cereal of unimpaired quality — Other

ANNEX III

Standing invitation to tender for the export of rye held by the Danish intervention agency

(Regulation (EC) No 2070/2000)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (EUR/tonne) (¹)	Price increases (+) or reductions (-) (EUR/tonne) p.m.	Commercial costs (EUR/tonne)	Destination
1						
2						
3						
etc.						

(¹) This price includes the increases or reductions relating to the lot to which the tender refers.

ANNEX IV

The only numbers to use to call Brussels (DG AGRI C-1) are:

- telex: 22037 AGREC B,
22070 AGREC B (Greek characters),
- fax: (32-2) 296 49 56,
(32-2) 295 25 15.

COMMISSION DECISION No 2071/2000/ECSC
of 29 September 2000

correcting Decision No 284/2000/ECSC imposing a definitive countervailing duty on imports of certain flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, not clad, plated or coated, in coils, not further worked than hot-rolled, originating in India and Taiwan and accepting undertakings offered by certain exporting producers and terminating the proceeding concerning imports originating in South Africa

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Decision No 1889/98/ECSC of 3 September 1998 on protection against subsidised imports from countries not members of the European Coal and Steel Community ⁽¹⁾, and in particular Articles 13 and 15 thereof,

After consulting the Advisory Committee,

Whereas:

- (1) Commission Decision No 284/2000/ECSC ⁽²⁾ contained a number of inaccuracies as a result of inadvertent errors.
- (2) In order to rectify those inaccuracies, it is necessary to correct that Decision with effect from the date of its entry into force,

HAS ADOPTED THIS DECISION:

Article 1

Decision No 284/2000/ECSC is corrected as follows:

1. In Article 1(2) in the table, the row for India is replaced by the following:

Country	Company	Rate of AS duty (%)	TARIC additional code
India	Essar Steel Ltd, 27th KM, Surat Hazira Road, Hazira 394270, Dist: Surat, State: Gujarat	4,9	A119
	The Steel Authority of India Limited, Central Marketing Organisation, Transport and Shipping Department, Ispat Bhawan, 40, Jawaharlal Nehru Road, Calcutta — 700 071	12,3	A120
	Tata Iron & Steel Company Limited, 43 Chowringhee Road, Calcutta — 700 071	6,4	A121
	All other companies	13,1	A999'

2. In Article 2(1), the table is replaced by the following:

Company	Country	TARIC additional code
Essar Steel Ltd, 27th KM, Surat Hazira Road, Hazira 394270, Dist: Surat, State: Gujarat	India	A083
The Steel Authority of India Limited, Central Marketing Organisation, Transport & Shipping Department, Ispat Bhawan 40, Jawaharlal Nehru Road, Calcutta — 700 071	India	A084
Tata Iron & Steel Company Limited, 43 Chowringhee Road, Calcutta — 700 071	India	A075'

⁽¹⁾ OJ L 245, 4.9.1998, p. 3.

⁽²⁾ OJ L 31, 5.2.2000, p. 44.

Article 2

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

It shall apply from 5 February 2000.

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

Done at Brussels, 29 September 2000.

For the Commission

Pascal LAMY

Member of the Commission

**COMMISSION REGULATION (EC) No 2072/2000
of 29 September 2000**

amending Regulation (EC) No 1898/97 laying down rules of application in the pigmeat sector for the arrangements covered by Council Regulation (EC) No 3066/95 and repealing Regulations (EEC) No 2698/93 and (EC) No 1590/94 and amending Regulation (EC) No 1585/2000 determining the extent to which applications lodged in July 2000 for import licences for certain pigmeat products under the regime provided for by the Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Bulgaria and Romania can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1898/97 ⁽²⁾, as amended by Regulation (EC) No 618/98 ⁽³⁾, lays down rules of application in the pigment sector for the arrangements in the Europe Agreements. It should be amended in line with the provisions on pigment products in Regulation (EC) No 1727/2000.
- (2) Repayment of import duties on products listed in Part A of Annex I to Regulation (EC) No 1898/97 as it existed before entry into force of this Regulation and imported under licences used from 1 July 2000 falls within the scope of Articles 878 to 898 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽⁴⁾, as last amended by Regulation (EC) No 1602/2000 ⁽⁵⁾.
- (3) In order to ensure proper management of the quantities, it is necessary to set a final date for the validity of licences at the end of each quota year.
- (4) In order to facilitate trade of pigmeat and to harmonise the levels of securities for import licences within the meat sectors, it is necessary to review the level of security set in Regulation (EC) No 1898/97.

- (5) Application of this Regulation from 1 July 2000 in parallel with Regulation (EC) No 1727/2000 is required.
- (6) Commission Regulation (EC) No 1585/2000 ⁽⁶⁾ determines the quantities, pursuant to Regulation (EC) No 1898/97, available for the period 1 October to 31 December 2000. It should be amended in line with the new annual quantities given in Annex I to this Regulation.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1898/97 is amended as follows:

1. The title is replaced by the following:

‘laying down rules of application in the pigmeat sector for the arrangements covered by Council Regulations (EC) No 1727/2000 and (EC) No 3066/95 and repealing Regulations (EEC) No 2698/93 and (EC) No 1590/94.’
2. The first subparagraph of Article 1 is replaced by the following:

‘All imports into the Community under the arrangements laid down in Regulations (EC) No 1727/2000 and (EC) No 3066/95 of products covered by group Nos 1, 2, 3, 4, H1, 5, 6, 7, 8, 9, 10/11, 12/13, 14, 15, 16 and 17 provided for in Annex I to this Regulation shall be subject to presentation of an import licence.’
3. Article 5 is replaced by the following:

Article 5

For the purposes of Article 21(2) of Regulation (EEC) No 3719/88 import licences shall be valid for 150 days from their actual date of issue.

⁽¹⁾ OJ L 198, 4.8.2000, p. 6.

⁽²⁾ OJ L 267, 30.9.1997, p. 58.

⁽³⁾ OJ L 82, 19.3.1998, p. 35.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁵⁾ OJ L 188, 26.7.2000, p. 1.

⁽⁶⁾ OJ L 181, 20.7.2000, p. 53.

However, licences shall not be valid beyond 30 June of the year of issue.

Licences shall not be transferable.'

4. Article 6 is replaced by the following:

'Article 6

Security of EUR 20 per 100 kg shall be lodged against applications for import licences for any product indicated in Article 1.'

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

Article 2

Annex II to Regulation (EC) No 1585/2000 is replaced by Annex II to this Regulation.

Article 3

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

It shall apply with effect from 1 July 2000.

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

Done at Brussels, 29 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

'A. PRODUCTS ORIGINATING IN HUNGARY

Order No	Group No	CN code	Description ⁽¹⁾	Applicable duty	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Annual increase as from 1.7.2001 (tonnes)	Special provisions
09.4705	1	1601 00 91 1601 00 99	Sausages, dry or other	free	8 750	875	⁽²⁾
09.4706	2	1602 41 10 1602 42 10 1602 49 11 1602 49 13 1602 49 15 1602 49 19 1602 49 30 1602 49 50	Other preparations, preserved meat of domestic swine	free	900	90	⁽²⁾
09.4704	3	0210 11 11 0210 12 11 0210 19 40 0210 19 51	Meat of domestic swine, salted or in brine	free	1 000	100	⁽²⁾
09.4708	4	ex 0203	Meat of domestic swine, fresh, chilled or frozen	free	40 000	4 000	⁽²⁾ ⁽³⁾
09.4727	H1	1501 00 19	Pig fat (including lard), other	164 EUR/t	2 400	240	

⁽¹⁾ Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

⁽²⁾ This concession is only applicable to products not benefiting from export refunds.

⁽³⁾ Excluding tenderloin presented alone.'

ANNEX II

(t)

Group No	Total quantity available for the period 1 October to 31 December 2000
1	3 289,5
2	301,9
3	490,0
4	14 668,7
H1	1 200,0
5	1 875,0
6	1 297,0
7	5 190,5
8	875,0
9	6 375,0
10/11	3 282,5
12/13	1 437,5
14	187,5
15	562,5
16	1 062,5
17	7 812,5

COMMISSION REGULATION (EC) No 2073/2000**of 29 September 2000****reducing, for the 2000/2001 marketing year, the guaranteed quantity under the production quotas scheme for the sugar sector and the presumed maximum supply needs of sugar refineries under the preferential import arrangements**

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 Articles 26(5) and 44(6) thereof,

Whereas:

- (1) The first two subparagraphs of Article 26(5) of Regulation (EC) No 2038/1999 lay down that the guaranteed quantity under production quotas should be reduced before 1 October each marketing year if the forecasts for the year in question show an exportable balance attracting a refund greater than the maximum laid down by the Agriculture Agreement concluded under Article 300(2) of the Treaty.
- (2) The forecasts for the 2000/2001 marketing year indicate an exportable balance exceeding the maximum laid down by the Agreement for that year. It is therefore necessary to fix the difference by which this guaranteed quantity is to be reduced and then to divide it up between sugar, isoglucose and inulin syrup on the one hand and the production regions concerned on the other, using the coefficients established for this purpose.
- (3) In accordance with the third subparagraph of Article 26(5) of Regulation (EC) No 2038/1999, each Member State must then allocate the difference to which it is subject among the producer undertakings established on its territory on the basis of the existing ratio between their A and B quotas for the product in question and the basic quantity A and the basic quantity B for the Member State or, as appropriate, the sum of the A quotas and the sum of the B quotas for this product assigned to the producer undertakings.
- (4) Article 44(5) of Regulation (EC) No 2038/1999 lays down that a reduction in the guaranteed quantity also necessitates a reduction in the presumed maximum raw sugar needs of Community refineries for the marketing year in question. It is therefore necessary to fix the corresponding reduction for these presumed maximum needs and to allocate it among the Member States concerned.

(5) The time limits by which the Member States must establish the reduction applying to each producer undertaking on their territory and communicate the relevant data should be fixed.

(6) 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

1. Pursuant to Article 26(5) of Regulation (EC) No 2038/1999, the guaranteed quantity under production quotas in the sugar sector shall be reduced by a difference equal to 498 800 tonnes, in white sugar equivalent, for the 2000/2001 marketing year.

2. The difference referred to in paragraph 1 shall be allocated by product and by region in accordance with Annex I.

Once reduced by this difference, the basic quantities used to allocate the production quotas to producer undertakings for the 2000/2001 marketing year shall be those set out in Annex II.

3. The Member States shall establish before 1 November 2000 the specific difference for each producer undertaking to which a production quota for the 2000/2001 marketing year has been assigned, and also each undertaking's A and B quotas adjusted in accordance with this difference.

4. The Member States shall inform the Commission of the difference and adjusted A and B quotas for each producer undertaking established on their territory no later than 15 November 2000.

Article 2

1. Pursuant to Article 44(5) of Regulation (EC) No 2038/1999, the presumed maximum supply needs of Community refineries shall be reduced by 8 365 tonnes, in white sugar equivalent.

2. The reduction referred to in paragraph 1 shall be allocated among the Member States in accordance with Annex III.

Article 3

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

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

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

Done at Brussels, 29 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

Allocation by product and region of the difference representing the reduction in the guaranteed quantity

1. Basic quantities A

Region	Difference for A sugar ⁽¹⁾	Difference for A isoglucose ⁽²⁾	Difference for A inulin syrup ⁽³⁾
Denmark	13 012,0	0,0	0,0
Germany	81 119,6	1 035,3	0,0
Germany (Article 28 region)	26 402,8	0,0	0,0
Greece	5 907,7	377,2	0,0
Spain	12 654,7	1 650,0	0,0
France (metropolitan) ⁽⁴⁾	101 983,4	606,6	624,1
French overseas departments ⁽⁴⁾	9 229,8	0,0	0,0
Ireland	3 707,6	0,0	0,0
Italy	39 453,5	593,9	0,0
Netherlands	25 536,6	266,2	2 058,7
Austria	10 844,0	0,0	0,0
Portugal (mainland)	1 111,0	290,1	0,0
Autonomous region of the Azores	185,1	0,0	0,0
Finland	2 718,0	229,9	0,0
Sweden	6 852,3	0,0	0,0
Belgium/Luxembourg Economic Union	22 096,9	2 240,0	5 891,8
United Kingdom	21 186,2	841,3	0,0

⁽¹⁾ In tonnes of white sugar.⁽²⁾ In tonnes of dry matter.⁽³⁾ In tonnes of dry matter expressed as white sugar/isoglucose equivalent, account being taken of Article 29 of Regulation (EC) No 2038/1999.⁽⁴⁾ Account has been taken of the second subparagraph of Article 30(3) of Regulation (EC) No 2038/1999.

2. Basic quantities B

Region	Difference for B sugar (¹)	Difference for B isoglucose (²)	Difference for B inulin syrup (³)
Denmark	3 833,4	0,0	0,0
Germany	24 960,3	243,8	0,0
Germany (Article 28 region)	8 124,0	0,0	0,0
Greece	590,7	88,8	0,0
Spain	527,1	176,0	0,0
France (metropolitan)	30 245,7	157,9	146,7
French overseas departments	986,7	0,0	0,0
Ireland	370,7	0,0	0,0
Italy	7 420,0	139,9	0,0
Netherlands	6 735,6	62,7	483,5
Austria	2 531,0	0,0	0,0
Portugal (mainland)	111,0	68,3	0,0
Autonomous region of the Azores	18,7	0,0	0,0
Finland	271,7	23,0	0,0
Sweden	685,4	0,0	0,0
Belgium/Luxembourg Economic Union	4 744,5	616,0	1 387,0
United Kingdom	2 118,8	224,4	0,0

(¹) In tonnes of white sugar.

(²) In tonnes of dry matter.

(³) In tonnes of dry matter expressed as white sugar/isoglucose equivalent, account being taken of Article 29 of Regulation (EC) No 2038/1999.

ANNEX II

Basic quantities used to allocate the A and B production quotas after reduction of the guaranteed quantity

1. Basic quantities A

Region	Basic quantity of A sugar ⁽¹⁾	Basic quantity of A isoglucose ⁽²⁾	Basic quantity of A inulin syrup ⁽³⁾
Denmark	314 988,0	0,0	0,0
Germany	1 908 880,4	27 846,7	0,0
Germany (Article 28 region)	621 300,2	0,0	0,0
Greece	284 092,3	10 144,8	0,0
Spain	947 345,3	73 350,0	0,0
France (metropolitan) ⁽⁴⁾	2 458 016,6	15 280,4	19 366,9
French overseas departments ⁽⁴⁾	426 770,2	0,0	0,0
Ireland	178 292,4	0,0	0,0
Italy	1 280 546,5	15 975,1	0,0
Netherlands	664 463,4	7 159,8	63 935,3
Austria	305 685,0	0,0	0,0
Portugal (mainland)	62 525,4	7 803,8	0,0
Autonomous region of the Azores	8 905,8	0,0	0,0
Finland	130 715,0	10 615,1	0,0
Sweden	329 511,7	0,0	0,0
Belgium/Luxembourg Economic Union	657 903,1	54 427,0	169 685,2
United Kingdom	1 018 813,8	20 854,7	0,0

⁽¹⁾ In tonnes of white sugar.⁽²⁾ In tonnes of dry matter.⁽³⁾ In tonnes of dry matter expressed as white sugar/isoglucose equivalent, account being taken of Article 29 of Regulation (EC) No 2038/1999.⁽⁴⁾ Account has been taken of the second subparagraph of Article 30(3) of Regulation (EC) No 2038/1999.

2. Basic quantities B

Region	Basic quantity of B sugar ⁽¹⁾	Basic quantity of B isoglucose ⁽²⁾	Basic quantity of B inulin syrup ⁽³⁾
Denmark	92 795,9	0,0	0,0
Germany	587 352,6	6 558,2	0,0
Germany (Article 28 region)	191 173,0	0,0	0,0
Greece	28 409,3	2 389,2	0,0
Spain	39 472,9	7 824,0	0,0
France (metropolitan)	728 987,1	3 977,1	4 561,3
French overseas departments	45 613,3	0,0	0,0
Ireland	17 829,3	0,0	0,0
Italy	240 830,0	3 762,1	0,0
Netherlands	175 264,4	1 686,3	15 058,5
Austria	71 350,0	0,0	0,0
Portugal (mainland)	6 252,6	1 837,8	0,0
Autonomous region of the Azores	890,4	0,0	0,0
Finland	13 071,3	1 062,0	0,0
Sweden	32 950,6	0,0	0,0
Belgium/Luxembourg Economic Union	141 255,5	14 967,0	39 961,0
United Kingdom	101 881,2	5 562,6	0,0

⁽¹⁾ In tonnes of white sugar.

⁽²⁾ In tonnes of dry matter.

⁽³⁾ In tonnes of dry matter expressed as white sugar/isoglucose equivalent, account being taken of Article 29 of Regulation (EC) No 2038/1999.

ANNEX III

Breakdown by Member State of the reduction in maximum presumed refinery supply needs, in white sugar equivalent

	Reduction	Maximum presumed needs after application of the reduction
a) Finland	282 tonnes	59 718 tonnes
b) Metropolitan France	1 397 tonnes	295 603 tonnes
c) Mainland Portugal	1 373 tonnes	290 627 tonnes
d) United Kingdom	5 313 tonnes	1 124 687 tonnes

COMMISSION REGULATION (EC) No 2074/2000
of 29 September 2000
on the authorisation of transfers between the quantitative limits of textiles and clothing products
originating in Macao

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3030/93 ⁽¹⁾ of 12 October 1993 on common rules for imports of certain textile products from third countries, as last amended by Commission Regulation (EC) No 1987/1999 ⁽²⁾, and in particular Article 7 thereof,

Whereas:

- (1) Article 7 of the agreement between the European Community and Macao on trade in textile products ⁽³⁾, initialled on 19 July 1986 and as last amended by an Agreement in the form of an Exchange of Letters, initialled on 22 December 1994 ⁽⁴⁾, provides that transfers may be agreed between categories and quota years.
- (2) Macao made requests on 27 June and 24 August 2000.
- (3) The transfers requested by Macao fall within the limits of the flexibility provisions referred to in Article 7 and set out in Annex VIII to Regulation (EEC) No 3030/93.

(4) It is appropriate to grant the request.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee provided for in Article 17 of Regulation (EEC) No 3030/93,

HAS ADOPTED THIS REGULATION:

Article 1

Transfers between the quantitative limits for textile goods originating in Macao are authorised for the quota year 2000 as detailed in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 29 September 2000.

For the Commission

Pascal LAMY

Member of the Commission

⁽¹⁾ OJ L 275, 8.11.1993, p. 1.

⁽²⁾ OJ L 237, 21.9.2000, p. 24.

⁽³⁾ Approved by Council Decision 87/497/EEC, (OJ L 287, 9.10.87, p. 47).

⁽⁴⁾ Approved by Council Decision 95/131/EC, (OJ L 94, 26.4.1995, p. 1).

ANNEX

- Category 4: advance use of 560 120 pieces from year 2001 quantitative limits.
 - Category 5: advance use of 523 200 pieces from year 2001 quantitative limits.
 - Category 6: advance use of 564 240 pieces from year 2001 quantitative limits.
 - Category 7: advance use of 219 840 pieces from year 2001 quantitative limits.
 - Category 8: carry over of 384 900 pieces to year 2000 quantitative limits.
 - Category 13: carry over of 410 950 pieces to year 2000 quantitative limits.
 - Category 15: carry over of 26 450 pieces to year 2000 quantitative limits.
 - Category 18: carry over of 222 800 kilograms to year 2000 quantitative limits.
 - Category 21: advance use of 30 960 pieces from year 2001 quantitative limits.
 - Category 24: carry over of 106 150 pieces to year 2000 quantitative limits.
 - Category 26: advance use of 47 480 pieces from year 2001 quantitative limits.
 - Category 27: carry over of 131 950 pieces to year 2000 quantitative limits.
 - Category 31: carry over of 439 350 pieces to year 2000 quantitative limits.
 - Category 73: carry over of 66 400 pieces to year 2000 quantitative limits.
 - Category 78: carry over of 92 100 kilograms to year 2000 quantitative limits.
 - Category 83: advance use of 16 840 kilograms from year 2001 quantitative limits.
-

**COMMISSION REGULATION (EC) No 2075/2000
of 29 September 2000**

amending Regulation (EC) No 1750/1999 laying down detailed rules for the application of Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations ⁽¹⁾, and in particular Article 50 thereof,

Whereas:

(1) During the period when the programming documents for rural development measures covered by Article 40 of Regulation (EC) No 1257/1999 were being adopted, it was found that some of the provisions of Commission Regulation (EC) No 1750/1999, of 23 July 1999, laying down detailed rules for the application of Regulation (EC) No 1257/1999 ⁽²⁾ did not cater for all eventualities.

(2) This Regulation therefore clarifies or supplements those provisions to allow for a more harmonised application of Regulation (EC) No 1750/1999 to all rural development measures, whether they are included in regional programmes under Objectives 1 or 2 or in rural development programmes. Under these circumstances, most of the amendments must apply from the same date as Regulation (EC) No 1750/1999, i.e. 1 January 2000.

(3) Scrutiny of the programming documents has revealed that it is very difficult for farms in rural areas facing very serious structural difficulties to meet the requirements for qualifying for investment support under Article 5 of Regulation (EC) No 1257/1999. In the case of small investments, the Member States should be allowed to grant a period of grace to enable farms to meet these requirements.

(4) As regards the setting-up of young farmers, Article 5 of Regulation (EC) No 1750/1999 lays down that the conditions set out in Article 8(1) of Regulation (EC) No

1257/1999 must be fulfilled at the time when the individual decision to grant support is taken. For 2000, the time between lodging of the application and the decision to grant support may be longer than expected given that the majority of programming documents are being adopted in the second half of the year. It is possible that the young farmer might no longer fulfil the age criterion, i.e. be less than forty years old, by the time the support is paid. Article 5 of Regulation (EC) No 1750/1999 should therefore be made more flexible for applications lodged in 2000.

(5) The exceptions referred to in Article 37(3) of Regulation (EC) No 1257/1999 must be presented in the rural development plans. That procedure should be extended to other programming documents including such measures presented under Objectives 1 and 2.

(6) Commission Regulation (EC) No 1685/2000 ⁽³⁾ lays down detailed rules for the implementation of Commission Regulation (EC) 1260/2000 ⁽⁴⁾ as regards eligibility of expenditure under operations part-financed by the Structural Funds, including the EAGGF Guidance Section. In the interests of consistency, that Regulation should also apply to measures part-financed by the EAGGF Guarantee Section, except where otherwise provided in Regulations (EC) No 1257/1999, (EC) No 1258/1999 ⁽⁵⁾ and (EC) No 1750/1999.

(7) Commission Decision 1999/659/EC of 8 September 1999 fixing an indicative allocation by Member State of the allocations under the European Agricultural Guidance and Guarantee Fund Guarantee Section for rural development measures for the period 2000 to 2006 ⁽⁶⁾ has been amended to specify that expenditure incurred under the earlier accompanying measures covered by Council Regulation (EEC) No 2078/92 ⁽⁷⁾, as last amended by Commission Regulation (EC) No 2772/95 ⁽⁸⁾, (EEC) No 2079/92 ⁽⁹⁾, as last amended by Commission Regulation (EC) No 2773/95 ⁽¹⁰⁾ and (EEC) No 2080/92 ⁽¹¹⁾, including measures under the Regulations repealed by those Regulations adopted in 1992, is an integral part of the allocations granted to the Member States. Moreover, under Commission Regulation (EC) No 2603/1999 of 9 December 1999 laying down rules for

⁽³⁾ OJ L 193, 29.7.2000, p. 39.

⁽⁴⁾ OJ L 142, 16.6.2000, p. 43.

⁽⁵⁾ OJ L 160, 26.6.1999, p. 103.

⁽⁶⁾ OJ L 259, 6.10.1999, p. 27.

⁽⁷⁾ OJ L 215, 30.7.1992, p. 85.

⁽⁸⁾ OJ L 288, 1.12.1995, p. 35.

⁽⁹⁾ OJ L 215, 30.7.1992, p. 91.

⁽¹⁰⁾ OJ L 288, 1.12.1995, p. 37.

⁽¹¹⁾ OJ L 215, 30.7.1992, p. 96.

⁽¹⁾ OJ L 160, 26.6.1999, p. 80.

⁽²⁾ OJ L 214, 13.8.1999, p. 31.

the transition to the rural development support provided for by Council Regulation (EC) No 1257/1999 ⁽¹⁾, as amended by Regulation (EC) No 1920/2000 ⁽²⁾, payments arising from certain commitments made before 1 January 2000 may be included in the rural development programming for 2000 to 2006, subject to certain conditions. This being the case, it is necessary to define more precisely what is included in the total amount of Community support fixed for each rural development plan in the programming document approved by the Commission, and to adjust the indicative overall financial table in point 8 of the Annex to Regulation (EC) No 1750/1999 accordingly.

- (8) Furthermore, under Article 5 of Council Regulation (EC) No 1259/1999 of 17 May 1999 establishing common rules for direct support schemes under the common agricultural policy ⁽³⁾, the amounts accruing from penalties for failure to comply with environmental protection requirements and from modulation remain available to the Member States as additional Community support for certain rural development measures. Exactly what the Commission's approval covers in the case of such measures should be specified.

- (9) When the Member States make changes to key parts of their rural development programming documents, such changes must be approved by the Commission. In the interests of consistency, the same rules should apply to changes to rural development measures financed by the EAGGF Guarantee Section included in single programming documents for Objective 2. In addition, it appears that the existing rules on changes to the financial allocation for each measure would systematically result in amending the programming documents each year, which would significantly impede programme management. Those rules should therefore be made more flexible.

- (10) To ensure proper management of all the rural development measures financed by the EAGGF Guarantee Section, the rules on financing and control in Regulation (EC) No 1750/1999 should also apply to rural develop-

ment measures in the single programming documents for Objective 2 financed by the EAGGF Guarantee Section.

- (11) Furthermore, Commission Regulation (EEC) No 3887/92 of 23 December 1992 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes ⁽⁴⁾, as last amended by Regulation (EC) No 2801/1999 ⁽⁵⁾, was significantly amended after the adoption of Regulation (EC) No 1750/1999. In the interests of clarity, therefore, the references made to that Regulation in Regulation (EC) No 1750/1999 should be amended.
- (12) Expenditure incurred under the earlier accompanying measures covered by Council Regulations (EEC) No 2078/92, (EEC) No 2079/92 and (EEC) No 2080/92 and included in the financial programming for 2000 to 2006 must be included in the information to be provided by the Member States by 30 September each year under Article 37 of Regulation (EC) No 1750/1999. This being the case, the obligations arising from the financial monitoring rules in Article 17 of Commission Regulation (EC) No 746/96 ⁽⁶⁾, as last amended by Regulation (EC) No 435/97 ⁽⁷⁾, Articles 1 and 2 of Commission Regulation (EC) No 1404/94 ⁽⁸⁾ and Articles 1 and 2 of Commission Regulation (EC) No 1054/94 ⁽⁹⁾ must be repealed.
- (13) The Committee on Agricultural Structures and Rural Development has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1750/1999 is amended as follows:

1. the following paragraph is added at the end of Article 2:

'In the case of farms located in rural areas where the structural difficulties caused by the very small size of farms are such that it is particularly difficult for them to meet the requirements of Article 5 of Regulation (EC) No 1257/1999, until 31 December 2002 and without prejudice to Article 37(1) of that Regulation and the second paragraph of this Article, Member States may grant such farms support for investments totalling less than EUR 25 000 to enable them to comply with the said requirements within a period of not more than three years from the date of the decision to grant the support.'

⁽¹⁾ OJ L 316, 10.12.1999, p. 26.

⁽²⁾ OJ L 231, 13.9.2000, p. 5.

⁽³⁾ OJ L 160, 26.6.1999, p. 113.

⁽⁴⁾ OJ L 391, 31.12.1992, p. 36.

⁽⁵⁾ OJ L 340, 31.12.1999, p. 29.

⁽⁶⁾ OJ L 102, 25.4.1996, p. 19.

⁽⁷⁾ OJ L 67, 7.3.1997, p. 2.

⁽⁸⁾ OJ L 154, 21.6.1994, p. 8.

⁽⁹⁾ OJ L 115, 6.5.1994, p. 6.

2. the following sentence is added to the first paragraph of Article 5:

'However, in the case of applications submitted for the first time in 2000, the condition laid down in the first indent of Article 8(1) of Regulation (EC) No 1257/1999 must be fulfilled at the time the application is lodged.'

3. Article 31(3) is replaced by the following:

'3. Member States shall propose any exceptions under the first indent of the second subparagraph of Article 37(3) of Regulation (EC) No 1257/1999 in their rural development plans or programming documents presented for Objectives 1 and 2 as provided for in Article 18(1) and (2) and Article 19(1), (2) and (3) of Regulation (EC) No 1260/1999.'

4. the following Article is inserted at the end of Section 1 of Chapter III:

'Article 32a

Commission Regulation (EC) No 1685/2000 (*) of 28 July 2000 laying down detailed rules for the implementation of Council Regulation (EC) No 1260/1999 as regards eligibility of expenditure of operations co-financed by the Structural Funds shall apply to measures included in the programming referred to in Article 40(2) and (3) of Regulation (EC) No 1257/1999, except where otherwise provided in Regulations (EC) No 1257/1999 and (EC) No 1258/1999 and in this Regulation.

(*) OJ L 193, 29.7.2000, p. 39.'

5. the following subparagraphs are added at the end of Article 33(2):

'That amount shall include:

- (a) expenditure on measures presented under the new rural development programming, including expenditure on evaluation under Article 49(2) of Regulation (EC) No 1257/1999;
- (b) expenditure incurred under earlier accompanying measures covered by Council Regulations (EEC) No 2078/92, (EEC) No 2079/92 and (EEC) No 2080/92;
- (c) expenditure incurred on measures under Article 4 of Commission Regulation (EC) No 2603/1999 (*) laying down rules for the transition to the rural development support provided for by Council Regulation (EC) No 1257/1999.

(*) OJ L 316, 10.12.1999, p. 26.'

6. the following paragraph is inserted after Article 33(2):

'2 a The approval shall also cover the allocation and use of amounts remaining available to the Member States as additional Community support under Article 5 of Regulation (EC) No 1259/1999.

However, those amounts shall not be included in the overall amount of Community support referred to in paragraph 2.'

7. the first sentence of Article 35(1) is replaced by the following:

'Amendments to rural development programming documents and to single programming documents under Objective 2 in the case of rural development measures financed by the EAGGF Guarantee Section shall be duly substantiated, in particular on the basis of the following information:'

8. the first sentence of Article 35(2) is replaced by the following:

'The Commission shall approve, in accordance with the procedures laid down in Articles 48 and 50(2) of Regulation (EC) No 1260/1999, respectively, amendments to rural development programming documents and to single programming documents under Objective 2 in the case of rural development measures financed by the EAGGF Guarantee Section.'

9. Article 35(2)(d) and (e) are replaced by the following:

'(d) changing the financial allocation for any measure by more than 10 % of the amount provided for the entire programming period, calculated on the basis of the programming document approved by the Commission.

(e) changing additional financing in the form of State aid granted for one of the measures by more than 10 % of the amount provided for the entire programming period, calculated on the basis of the programming document approved by the Commission.'

10. the following subparagraph is inserted after the first subparagraph of Article 35(2):

'Points (d) and (e) of the first subparagraph shall not apply to measures with a financial allocation accounting for less than 5 % of the total amount allocated to the programme for the entire programming period.'

11. the second subparagraph of Article 35(2) is replaced by the following:

'Amendments shall be submitted to the Commission in a single proposal per programme no more than once a year.'

12. Article 37(1) is replaced by the following:

'1. No later than 30 September each year, the Member States shall forward to the Commission, for each rural development programming document and each single programming document under Objective 2 in the case of rural development measures financed by the EAGGF Guarantee Section:

- (a) a statement of expenditure incurred in the current financial year and of expenditure remaining to be disbursed by the end of that year and covered by Community support as defined in Article 33(2) of this Regulation, and
- (b) revised forecasts of such expenditure for subsequent financial years until the end of the programming period concerned, keeping within the allocation for each Member State.

This information shall be transmitted in table format using a computerised model supplied by the Commission.;

13. Article 38 is replaced by the following:

Article 38

For the month during which the decision approving a rural development programming document or a single programming document under Objective 2 in the case of rural development measures financed by the EAGGF Guarantee Section is adopted, the paying agencies may enter into the accounts as expenditure an advance not exceeding 12,5 % of the average annual EAGGF contribution provided for in the programming document, covering the expenditure referred to in Article 33(2) of this Regulation.

The advance provided for in the first paragraph shall be entered into the accounts, for those countries whose currency is not the euro on the date of entry, using the rate of exchange valid on the penultimate Commission working day of the month preceding that in which the paying agencies enter the advance in the accounts.

This advance shall represent working capital which, in principle, may be recovered only at the end of the programming period for each programming document or once the sum of the expenditure paid out by the EAGGF plus the amount of the advance equal the total amount of the EAGGF contribution provided for in the programming document.;

14. Article 39(4) is replaced by the following:

'4. Paragraph 3 shall not apply to the first statement of expenditure under the rural development programming document or the single programming document under Objective 2 in the case of rural development measures financed by the EAGGF Guarantee Section.;

15. the following Article is inserted after Article 39 in Section IV of Chapter III:

Article 39a

Articles 37, 38 and 39 of this Regulation shall not apply to expenditure incurred under Article 5 of Regulation (EC) No 1259/1999.;

16. the second sentence of Article 46(2) is replaced by the following:

'During the period covered by an undertaking, parcels receiving support may not be exchanged except in cases specifically provided for in the programming document.;

17. the first sentence of Article 47(4) is replaced by the following:

'On-the-spot checks shall be carried out in accordance with Articles 6, 7, 7a and 7b of Regulation (EEC) No 3887/92.;

18. Article 48(1) is replaced by the following:

'1. Article 9(1), (2) and (3) of Regulation (EEC) No 3887/92 shall apply to support granted on the basis of areas and Article 10(2), (3), (4), (5), Article 10(b) and Article 10(f) of that Regulation shall apply to support granted on the basis of animals.

Moreover, Articles 11(1)(a) and 14 of Regulation (EEC) No 3887/92 shall apply to such support.;

19. Article 49(2) is replaced by the following:

'2. The Regulations and Decisions repealed in paragraph 1, with the exception of Article 17 of Regulation (EC) No 746/96, Articles 1 and 2 of Regulation (EC) No 1404/94 and Articles 1 and 2 of Regulation (EC) No 1054/94, shall continue to apply to measures approved by the Commission before 1 January 2000 under the Regulations referred to in Article 55(1) of Regulation (EC) No 1257/1999.;

20. the table in point 8 of the Annex is replaced by the table in the Annex to this Regulation.

21. the second indent in point 9.2.B of the Annex is replaced by the following:

'— criteria to demonstrate economic viability (Chapters I, II, IV and VII).;

22. the following indent is added to point 9.3.I.B of the Annex:

'— where applicable, a description of the rural areas facing structural difficulties as referred to in Article 2 of this Regulation.;

23. The second paragraph of point 12 of the Annex is replaced by the following:

'2. *Detailed information on the implementation of Articles 46, 47 and 48 of this Regulation*

This should include the specific inspection measures set up to verify the substance of applications and ensure compliance with the requirements for support, and the specific rules on penalties.;

24. the following paragraph is added to point 12 of the Annex:

'3. *Detailed information on compliance with the general eligibility criteria laid down in Regulation (EC) No 1685/2000.*

Article 32a of this Regulation.'

Article 2

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

With the exception of Article 1(13) and (19), it shall apply from 1 January 2000.

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

Done at Brussels, 29 September 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

8. Indicative overall financial table (EAGGF year)

Fourth indent of Article 43(1) of Regulation (EC) No 1257/1999.

— Financial programming table: rural development programmes (EUR million)

	Year 1		Year 2 ...		... Year 7		TOTAL	
	Total or public cost ⁽¹⁾	EU contribution ⁽²⁾	Total or public cost ⁽¹⁾	EU contribution ⁽²⁾	Total or public cost ⁽¹⁾	EU contribution ⁽²⁾	Total or public cost ⁽¹⁾	EU contribution ⁽²⁾
Priority A ...								
Measure A1								
Measure A2 ...								
... Measure An								
Total A								
Priority B ...								
Measure B1								
Measure B2 ...								
... Measure Bn								
Total B								
... Priority N								
Measure N1								
Measure N2 ...								
... Measure Nn								
Total N								
Other measures								
Evaluation								
Earlier accompanying measures ⁽³⁾								
Transitional measures ⁽⁴⁾								
Total other measures								
Total plan N								

APPLICATION OF THE APPROPRIATIONS RESULTING FROM MODULATION

	Year 1		Year 2 ...		... Year 7		TOTAL	
	Total or public cost ⁽¹⁾	EU contribution ⁽²⁾	Total or public cost ⁽¹⁾	EU contribution ⁽²⁾	Total or public cost ⁽¹⁾	EU contribution ⁽²⁾	Total or public cost ⁽¹⁾	EU contribution ⁽²⁾
Early retirement								
Agri-environment								
Agri-environment								
Afforestation								
Total modulation								

⁽¹⁾ Column for planned expenditure (total or public cost), provided for guidance.

⁽²⁾ Column for the Community contribution planned for each measure. The Community contribution relating to expenditure to be paid is calculated using the rates and arrangements laid down in the programme for each measure.

⁽³⁾ The heading for former accompanying measures includes all payments for these measures carried out between 16 October 1999 and the date when the Commission approved the plan.

⁽⁴⁾ Article 4(2) of Regulation (EC) No 2603/1999. The Member States must define the criteria, identifying clearly the expenditure to be included in programming.

Note: Where a measure is entered simultaneously under more than one priority, the Member State shall provide, for the purposes of financial management, an additional table consolidating all expenditure relating to the measure. This additional table will follow the structure of the table above and the order of the list below.

— The different measures are defined as follows:

- (a) investment in farms;
- (b) start-up assistance for young farmers;
- (c) training;
- (d) early retirement;
- (e) less-favoured areas and areas with environmental constraints;
- (f) agri-environment;
- (g) improving the processing and marketing of agricultural products;
- (h) afforestation of agricultural land;
- (i) other forestry measures;
- (j) land improvement;
- (k) reparation;
- (l) setting up farm relief and farm management services;
- (m) marketing of quality agricultural products;
- (n) basic services for the rural economy and population;
- (o) renovating and developing villages, protecting and conserving rural heritage;
- (p) diversifying agricultural activities and activities close to agriculture to provide multiple activities or alternative sources of income;
- (q) managing agricultural water resources;
- (r) developing and improving infrastructure connected with the development of agriculture;
- (s) encouraging tourist and craft activities;
- (t) protecting the environment in connection with agriculture, forestry and landscape management and improving animal welfare;
- (u) restoring agricultural production potential damaged by natural disasters and introducing appropriate prevention instruments;
- (v) financial engineering.

— EAGGF Guarantee Section resources for measures to promote the adaptation and development of rural areas (Article 33 of Regulation (EC) No 1257/1999) in Objective 2 (rural) areas: EUR ... million (% of total for Article 33).'

COMMISSION REGULATION (EC) No 2076/2000**of 29 September 2000****fixing the maximum aid for concentrated butter for the 233rd 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 233rd 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 30 September 2000.

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

Done at Brussels, 29 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 2077/2000
of 29 September 2000**

fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 61st 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 traced 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 61st 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.

No award shall be made as regards the sale of traced butter from intervention stocks.

Article 2

This Regulation shall enter into force on 30 September 2000.

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

Done at Brussels, 29 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 29 September 2000 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 61th 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	—	222	—	—
		Concentrated	211	—	—	—
Processing security		Unaltered	—	144	—	—
		Concentrated	144	—	—	—
Maximum aid	Butter ≥ 82 %		95	91	95	91
	Butter < 82 %		92	88	—	—
	Concentrated butter		117	113	117	113
	Cream		—	—	40	38
Processing security	Butter		105	—	105	—
	Concentrated butter		129	—	129	—
	Cream		—	—	44	—

COMMISSION REGULATION (EC) No 2078/2000**of 29 September 2000****fixing the export refunds on rice and broken rice and suspending the issue of export licences**

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⁾, and in particular the second subparagraph of Article 13(3) and (15) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (3) Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.
- (4) Export possibilities exist for a quantity of 21 300 tonnes of rice to certain destinations. The procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 1432/1999 ⁽⁵⁾ should be used. Account should be taken of this when the refunds are fixed.
- (5) Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated.
- (6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (7) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.
- (8) The refund must be fixed at least once a month; whereas it may be altered in the intervening period.
- (9) It follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto.
- (10) For the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 21 300 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 1 October 2000.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 166, 1.7.1999, p. 56.

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

Done at Brussels, 29 September 2000.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 29 September 2000 fixing the export refunds on rice and broken rice and suspending the issue of export licences

Product code	Destination	Unit of measurement	Amount of refunds (¹)	Product code	Destination	Unit of measurement	Amount of refunds (¹)
1006 20 11 9000	R01	EUR/t	105,00	1006 30 65 9100	R01	EUR/t	131,00
1006 20 13 9000	R01	EUR/t	105,00		R02	EUR/t	137,00
1006 20 15 9000	R01	EUR/t	105,00		R03	EUR/t	142,00
1006 20 17 9000	—	EUR/t	—		A97	EUR/t	137,00
1006 20 92 9000	R01	EUR/t	105,00		021 and 023	EUR/t	137,00
1006 20 94 9000	R01	EUR/t	105,00	1006 30 65 9900	R01	EUR/t	131,00
1006 20 96 9000	R01	EUR/t	105,00		A97	EUR/t	137,00
1006 20 98 9000	—	EUR/t	—	1006 30 67 9100	021 and 023	EUR/t	137,00
1006 30 21 9000	R01	EUR/t	105,00	1006 30 67 9900	—	EUR/t	—
1006 30 23 9000	R01	EUR/t	105,00	1006 30 92 9100	R01	EUR/t	131,00
1006 30 25 9000	R01	EUR/t	105,00		R02	EUR/t	137,00
1006 30 27 9000	—	EUR/t	—		R03	EUR/t	142,00
1006 30 42 9000	R01	EUR/t	105,00		064	EUR/t	94,00
1006 30 44 9000	R01	EUR/t	105,00		A97	EUR/t	137,00
1006 30 46 9000	R01	EUR/t	105,00		021 and 023	EUR/t	137,00
1006 30 48 9000	—	EUR/t	—	1006 30 92 9900	R01	EUR/t	131,00
1006 30 61 9100	R01	EUR/t	131,00		A97	EUR/t	137,00
	R02	EUR/t	137,00		064	EUR/t	94,00
	R03	EUR/t	142,00		A97	EUR/t	137,00
	A97	EUR/t	137,00		021 and 023	EUR/t	137,00
	021 and 023	EUR/t	137,00	1006 30 94 9900	R01	EUR/t	131,00
1006 30 61 9900	R01	EUR/t	131,00		A97	EUR/t	137,00
	A97	EUR/t	137,00		064	EUR/t	94,00
1006 30 63 9100	R01	EUR/t	131,00	1006 30 96 9100	R01	EUR/t	131,00
	R02	EUR/t	137,00		R02	EUR/t	137,00
	R03	EUR/t	142,00		R03	EUR/t	142,00
	A97	EUR/t	137,00		064	EUR/t	94,00
	021 and 023	EUR/t	137,00		A97	EUR/t	137,00
1006 30 63 9900	R01	EUR/t	131,00	1006 30 96 9900	021 and 023	EUR/t	137,00
	A97	EUR/t	137,00		R01	EUR/t	131,00
					A97	EUR/t	137,00
					064	EUR/t	94,00
					021 and 023	EUR/t	137,00
					R01	EUR/t	131,00
					A97	EUR/t	137,00
					064	EUR/t	94,00
					021 and 023	EUR/t	137,00
					—	EUR/t	—

(¹) The procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 applies to licences applied for under that Regulation for the following quantities, depending on destination:

Destination R01: 5 000 t
Destinations R02, R03: 5 000 t
Destinations 021 and 023: 1 000 t
Destination 064: 10 000 t
Destination A97: 300 t.

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).

The other destinations are defined as follows:

R01 Switzerland, Liechtenstein, communes of Livigno and Campione d'Italia.

R02 Morocco, Algeria, Tunisia, Malta, Egypt, Israel, Lebanon, Libya, Syria, Ex-Spanish Sahara, Cyprus, Jordan, Iraq, Iran, Yemen, Kuwait, United Arab Emirates, Oman, Bahrain, Qatar, Saudi Arabia, West Bank/Gaza Strip, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovenia, Slovakia, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Yugoslavia, Former Yugoslav Republic of Macedonia, Albania, Romania, Bulgaria, Georgia, Armenia, Azerbaijan, Moldova, Ukraine, Kazakstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan.

R03 Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Uruguay, Paraguay, Brazil, Venezuela, Canada, Mexico, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Cuba, Bermuda, South Africa, Australia, New Zealand, Hong Kong SAR, A40, A11 except Suriname, Guyana, Madagascar.

COMMISSION REGULATION (EC) No 2079/2000
of 29 September 2000
fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as amended by Regulation (EC) No 1667/2000 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section.
- (2) In order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid

actions, the level of the refunds granted for these actions should be determined.

- (3) The general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.
- (4) The specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 October 2000.

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

Done at Brussels, 29 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 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 288, 25.10.1974, p. 1.

ANNEX

to the Commission Regulation of 29 September 2000 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(EUR/t)

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	10,00
1002 00 00 9000	29,00
1003 00 90 9000	0,00
1004 00 00 9400	30,00
1005 90 00 9000	30,00
1006 30 92 9100	147,00
1006 30 92 9900	147,00
1006 30 94 9100	147,00
1006 30 94 9900	147,00
1006 30 96 9100	147,00
1006 30 96 9900	147,00
1006 30 98 9100	147,00
1006 30 98 9900	147,00
1006 30 65 9900	147,00
1006 40 00 9000	—
1007 00 90 9000	30,00
1101 00 15 9100	13,70
1101 00 15 9130	13,70
1102 20 10 9200	46,14
1102 20 10 9400	39,55
1102 30 00 9000	—
1102 90 10 9100	0,00
1103 11 10 9200	0,00
1103 11 90 9200	0,00
1103 13 10 9100	59,33
1103 14 00 9000	—
1104 12 90 9100	61,88
1104 21 50 9100	0,00

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

COMMISSION REGULATION (EC) No 2080/2000
of 29 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 1 October 2000.

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

Done at Brussels, 29 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	0,00	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	0,00	0,00
	medium quality	20,60	10,60
	low quality	48,44	38,44
1002 00 00	Rye	39,49	29,49
1003 00 10	Barley, seed	39,49	29,49
1003 00 90	Barley, other ⁽³⁾	39,49	29,49
1005 10 90	Maize seed other than hybrid	66,66	56,66
1005 90 00	Maize other than seed ⁽³⁾	66,66	56,66
1007 00 90	Grain sorghum other than hybrids for sowing	39,49	29,49

⁽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 15 September 2000 to 28 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)	131,06	127,33	107,19	86,88	186,93 (**)	176,93 (**)	110,57 (**)
Gulf premium (EUR/t)	—	12,50	4,81	6,89	—	—	—
Great Lakes premium (EUR/t)	20,53	—	—	—	—	—	—

(*) 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: 20,46 EUR/t; Great Lakes — Rotterdam: 30,83 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).

COMMISSION REGULATION (EC) No 2081/2000**of 29 September 2000****providing for the continued application of safeguard measures for imports from the overseas countries and territories of sugar sector products with EC/OCT cumulation of origin**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾, as last amended by Decision 2000/169/EC ⁽²⁾, hereafter referred to as the 'OCT Decision', and in particular Article 109 thereof,

Following consultation with the Committee set up under Article 1(2) of Annex IV to that Decision,

Whereas:

- (1) The Commission has noted that imports of sugar (CN code 1701) and of mixtures of sugar and cocoa falling within CN codes 1806 10 30 and 1806 10 90 originating in the overseas countries and territories (the OCT) increased greatly between 1997 and 1999, particularly those imports with EC-OCT cumulation of origin, which increased from zero tonnes in 1996 to more than 53 000 tonnes in 1999. Such products are imported into the Community free of import duties and are admitted without quantity limits in accordance with Article 101(1) of the OCT Decision.
- (2) By Decision of 25 February 2000 extending Decision 91/482/EEC on the association of the overseas countries and territories with the European Economic Community, the Council extended the period of application of the OCT Decision until 28 February 2001.
- (3) Commission Regulation (EC) No 465/2000 of 29 February 2000 introducing safeguard measures for imports from the overseas countries and territories of sugar sector products with EC/OCT ⁽³⁾ cumulation of origin for the products referred to in recital 1 to a maximum of 3 340 tonnes of sugar for the period 1 March to 30 September 2000.
- (4) In the past few years difficulties have arisen on the Community sugar market, a market in surplus. Sugar consumption is constant at some 12,8 million tonnes per year, while production under quota is around 14,3 million tonnes per year. Any imports of sugar into the Community therefore involve a corresponding quantity of Community sugar which cannot be sold on that

market having to be exported. Refunds for that sugar, within the limit of certain quotas are charged to the Community budget (currently at around EUR 520/tonne). However, exports with refund are limited in volume by the Agreement on Agriculture concluded as part of the Uruguay round ⁽⁴⁾ and have been reduced from 1 555 600 tonnes for the 1995/96 marketing year to 1 273 500 tonnes for the 2000/01 marketing year.

- (5) The operation of the COM in sugar may be greatly destabilised by these difficulties. For the 2000/01 marketing year, the Commission decided to reduce Community producers quotas by some 500 000 tonnes ⁽⁵⁾. Any further import of sugar or products with a high sugar content from the OCT will mean a greater reduction in the quota for Community producers and a greater guaranteed income loss for them.
- (6) As a result of these continuing difficulties, there is a risk that a sector of Community activity will deteriorate. The Commission therefore decided on 19 September 2000 to continue to apply the safeguard clause provided for in Article 109 of the OCT Decision in respect of imports of sugar sector products from the OCT with EC-OCT cumulation of origin.
- (7) Article 100 of the OCT Decision states that its object is to promote trade between the overseas countries and territories and the Community, taking account of their respective levels of development. In accordance with Article 109(2) of the OCT Decision, priority must be given to such measures as would least disturb the functioning of the association and the Community. Moreover, those measures must not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen.
- (8) To that end, EC/OCT cumulation of origin for products falling within CN codes 1701, 1806 10 30 and 1806 10 90 should be restricted to a maximum of 4 848 tonnes of sugar for the period 1 October 2000 to 28 February 2001, that figure representing the sum of the highest annual volumes of imports of the products in question recorded in the three years preceding 1999, the year in which imports recorded a sharp rise. In determining the quantities of sugar to be taken into

⁽¹⁾ OJ L 263, 19.9.1991, p. 1.

⁽²⁾ OJ L 55, 29.2.2000, p. 67.

⁽³⁾ OJ L 56, 1.3.2000, p. 39.

⁽⁴⁾ OJ L 336, 23.12.1994, p. 22.

⁽⁵⁾ Article 26(5) of Council Regulation (EC) No 2038/1999 of 13 September 1999 or the common organisation of the markets in the sugar sector (OJ L 252, 25.9.1999, p. 1).

consideration, the Commission takes note of the position adopted by the President of the Court of First Instance in his rulings of 12 July and 8 August 2000 in cases T-94/00R, T-110/00R and T-159/00R ⁽¹⁾, without, however, recognising it as justified. Consequently, in order to avoid unnecessary procedures and solely for the purposes of adopting these safeguard measures, the Commission, for sugar falling within CN code 1701 and for 1997, bases itself on the figure of 10 372,2 tonnes for the total imports of sugar from the OCT with EC-OCT and ACP-OCT cumulation of origin, as recorded by Eurostat.

- (9) Safeguard measures should also be introduced for products falling within CN codes 1806 10 30 and 1806 10 90 in view of their high sugar content and the similar prejudicial effects on the COM in sugar as with unprocessed sugar. Those measures should ensure that the quantities of sugar-based products imported from the OCT do not exceed a volume that could disturb the COM in sugar, while at the same time guaranteeing them a commercial outlet.
- (10) The Commission reserves the right to propose to the Council, as part of a review of the OCT Decision, that the rules allowing cumulation be deleted or that a quantity restriction at the lowest possible level be applied, taking account of the actual financial benefits to the OCT, the objectives of the common agricultural policy and budgetary restraints.
- (11) The specific checks on imported goods covered by the measures laid down by this Regulation and the checks applicable in trade with third countries established under the Community rules on release for free circulation and customs value laid down by Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽²⁾, as last amended by Regulation (EC) No 955/1999 of the European Parliament and of the Council ⁽³⁾, should ensure compliance with the provisions laid down by this Regulation.
- (12) In order to guarantee proper management, avoid speculation and permit effective controls, the rules for the lodging of licence applications should be specified. They must include proof that the applicant normally carries on business in the sugar sector, a declaration that no other applications have been lodged by that person and proof that a special security has been lodged to ensure performance of the undertakings arising from the licences.
- (13) In view of the impact of the imports, the safeguard measures should be made to apply with immediate effect,

HAS ADOPTED THIS REGULATION:

Article 1

For products falling within tariff headings CN 1701, 1806 10 30 and 1806 10 90, EC/OCT cumulation of origin as referred to in Article 6 of Annex II to Decision 91/482/EEC shall be permitted for a quantity of 4 848 tonnes of sugar during the period of validity of this Regulation.

For products other than unprocessed sugar, the sugar content of the imported product shall be taken into account for the purposes of complying with that limit.

Article 2

1. Import of the products referred to in Article 1 shall be subject to the issue of an import licence.

2. Articles 2 to 6 of Commission Regulation (EC) No 2553/97 ⁽⁴⁾ on rules for issuing import licences for certain products covered by CN codes 1701, 1702, 1703 and 1704 and qualifying as ACP/OCT originating products shall apply *mutatis mutandis*.

However:

- licences shall bear the serial number 53.0001,
- licence applications may be for a maximum of 4 848 tonnes,
- Article 4(3) of Regulation (EC) No 2553/97 shall not apply;
- applications shall be lodged with the competent authorities during the first five working day of each month, with the exception of October 2000, when applications may be lodged by 15 October 2000 at the latest,
- the single reducing coefficient shall be applied and the lodging of new applications suspended where the quantity covered by applications for import licences exceeds 4 848 tonnes during the period of application of this Regulation,
- import licences shall expire on the final day of the third month following issue.

3. Applications for import licences shall be accompanied by a copy of the export licence, issued in accordance with Article 13 of Council Regulation (EC) No 2038/1999 ⁽⁵⁾ on the common organisation of the markets in the sugar sector, for the sugar in the products referred to in Article 1.

Article 3

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

It shall apply from 1 October 2000 to 28 February 2001.

⁽¹⁾ Not yet published.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

⁽³⁾ OJ L 119, 7.5.1999, p. 1.

⁽⁴⁾ OJ L 349, 19.12.1997, p. 26.

⁽⁵⁾ OJ L 252, 25.9.1999, p. 1.

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

Done at Brussels, 29 September 2000.

For the Commission
Franz FISCHLER
Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 September 2000

amending Decision 94/360/EC on the reduced frequency of physical checks of consignments of certain products to be imported from third countries, under Council Directive 90/675/EEC

(notified under document number C(2000) 2735)

(Text with EEA relevance)

(2000/583/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

(1) Directive 97/78/EC repealed and replaced Council Directive 90/675/EEC ⁽²⁾, under which Commission Decision 94/360/EC on the reduced frequency of physical checks on consignments of certain products to be imported from third countries ⁽³⁾, was drawn up.

(2) Following the discovery earlier of traces of growth-promoting xenobiotic hormones in meat imported from the United States of America, Commission Decision 1999/302/EC ⁽⁴⁾ put in place an enhanced system of controls on all imports of fresh bovine meat and offal, excluding bison meat and offal, imported from that country.

(3) After the discovery of this residue finding, the authorities in the United States of America reinforced their hormone-free cattle programme in June 1999, but in the face of further problems in this programme identified in the course of a mission to the United States by the Food

and Veterinary Office of the Commission, the hormone-free programme was suspended in July 1999 and relaunched later in September 1999, in an enhanced form as the non-hormone-treated cattle programme.

(4) The additional controls put in place by Decision 1999/302/EC have not resulted in a single positive sample being identified during the intervening period and in addition none of the testing carried out under the European Community additional testing programme for hormones, has shown any positive results.

(5) It is considered but it is now appropriate to remove the additional safeguard measures enacted in 1999 and to reduce the frequency of checks on fresh meat imported from the United States of America, from checks on all consignments to checks on 20 % only of consignments, which is equivalent to the normal level of physical checks for all fresh meat imported from third countries, laid down in Decision 94/360/EC.

(6) It is important to make clear that all of the consignments of fresh meat imported from the United States of America that are subject to physical checks must still undergo laboratory examination for the appropriate hormone residues.

(7) This Decision is a first step towards phasing out completely the obligation to test for hormones each consignment selected for physical checks, and the Decision will be reviewed on the basis of future test results.

⁽¹⁾ OJ L 24, 30.1.1998, p. 9.

⁽²⁾ OJ L 373, 31.12.1990, p. 1.

⁽³⁾ OJ L 158, 25.6.1994, p. 41.

⁽⁴⁾ OJ L 117, 5.5.1999, p. 58.

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

trenbolone, zeranol, and stilbenes including diethylstilboestrol, and for abnormally high levels of residues of the natural hormones 17-beta-oestradiol, progesterone and testosterone,'

HAS ADOPTED THIS DECISION:

3. Article 1a(2) is deleted.

Article 1

Decision 94/360/EC is amended as follows:

1. In Article 1a(1), the first indent is deleted and replaced by the following:
'— the frequency of physical checks is 20 %,'
2. In Article 1a(1), the second indent is deleted and replaced by the following:
'— two official samples shall be taken from each consignment tested, and subsequently examined for residues of each of the xenobiotic hormones melengestrol acetate,

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 September 2000.

For the Commission

David BYRNE

Member of the Commission

(Acts adopted pursuant to Title V of the Treaty on European Union)

COUNCIL COMMON POSITION
of 29 September 2000
extending and amending Common Position 1999/206/CFSP concerning Ethiopia and Eritrea as
regards the embargo on arms for Ethiopia and Eritrea

(2000/584/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) Council Common Position 1999/206/CFSP of 15 March 1999 concerning Ethiopia and Eritrea ⁽¹⁾ expires on 30 September 2000.
- (2) Resolution 1298 (2000) of 17 May 2000 adopted by the United Nations Security Council stipulates that all Member States shall prevent the sale or supply to Ethiopia and Eritrea of arms, related *matériel* and any related technical assistance.
- (3) Exceptions to this prohibition were introduced by Resolutions 1298(2000), 1312(2000) and 1320(2000).
- (4) In a Declaration published on 20 June 2000, the European Council welcomed the signing of an agreement on the cessation of hostilities.
- (5) It is appropriate to continue encouraging the two countries to bring to a successful conclusion the negotiations undertaken with a view to resolving the dispute opposing them.
- (6) By virtue of the considerations of Article 3 of Common Position 1999/206/CFSP, that Common Position should be extended and amended in the light of Resolutions 1298(2000), 1312(2000) and 1320(2000),

HAS ADOPTED THIS COMMON POSITION:

Article 1

Common Position 1999/206/CFSP shall be extended until 31 March 2001.

It shall be kept under constant review.

Article 2

The following Article shall be inserted in Common Position 1999/206/CFSP:

'Article 1a

The embargo referred to in Article 1 shall not apply to:

- (a) supplies of non-lethal military equipment intended solely for humanitarian use, as approved by the Committee established by paragraph 8 of United Nations Security Council Resolution 1298(2000);
- (b) the sale and supply of arms and related *matériel* for the sole use in Ethiopia or Eritrea of the United Nations, and
- (c) the sale and supply of equipment and related *matériel*, including technical assistance and training, for use solely for demining within Ethiopia or Eritrea under the auspices of the United Nations Mine Action Service.'

Article 3

This Common Position shall take effect on the date of its adoption.

Article 4

This Common Position shall be published in the Official Journal.

Done at Brussels, 29 September 2000.

For the Council

The President

L. FABIUS

⁽¹⁾ OJ L 72, 18.3.1999, p. 1. Common Position as last extended by Common Position 2000/230/CFSP (OJ L 73, 22.3.2000, p. 1).