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COUNCIL JOINT ACTION
of 14 December 2000
supplementing Joint Action 1999/189/CFSP concerning a contribution by the European Union to
the reestablishment of a viable police force in Albania

(2000/798/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14 thereof,

Whereas:

- (1) The Council decided in Joint Action 1999/189/CFSP ⁽¹⁾ that the European Union should contribute to the reestablishment of a viable police force in Albania.
- (2) By Decision 1999/190/CFSP ⁽²⁾, the Council requested the Western European Union (WEU) to implement this action.
- (3) The Council gave its agreement in principle to eventual direct management by the European Union of the Multinational Advisory Police Element in Albania, which it had entrusted to the WEU and instructed the competent bodies to prepare draft decisions to ensure the continuation of the assignment in the interim and to establish the conditions for its management within the European Union at the appropriate time.
- (4) It is appropriate to provide additional financing to continue the implementation of Joint Action 1999/189/CFSP until 31 May 2001,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. The financial reference amount to cover the operational expenditure to which the implementation of Joint Action

1999/189/CFSP gives rise shall be EUR 720 000 for the year 2001.

2. This amount is additional to that provided for in Joint Action 1999/189/CFSP as supplemented by Joint Action 2000/388/CFSP.

Article 2

This Joint Action shall be notified to the WEU in accordance with the conclusions adopted by the Council on 14 May 1996 on the transmission to the WEU of documents of the European Union.

Article 3

This Joint Action shall enter into force on the date of its adoption.

It shall apply until 31 May 2001.

Article 4

This Joint Action shall be published in the Official Journal.

Done at Brussels, 14 December 2000.

For the Council

The President

D. GILLOT

⁽¹⁾ OJ L 63, 12.3.1999, p. 1. Common Action supplemented by Joint Action 2000/388/CFSP (OJ L 145, 20.6.2000, p. 1).

⁽²⁾ OJ L 63, 12.3.1999, p. 3.

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

COUNCIL DECISION
of 14 December 2000
setting up a Provisional Judicial Cooperation Unit
(2000/799/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 31 and 34(2)(c) thereof,

Having regard to the initiative of the Federal Republic of Germany and also to that of the Portuguese Republic, the French Republic, the Kingdom of Belgium and the Kingdom of Sweden ⁽¹⁾,

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

Whereas:

- (1) Articles 29 and 31 of the Treaty call in particular for closer cooperation within the European Union between the competent authorities in the fight against organised crime. In order to improve judicial cooperation between Member States, structural measures to facilitate the coordination of investigations and prosecutions relating to serious crime, particularly when it is organised, covering the territory of several Member States, need to be adopted at Union level without delay, and in particular a Provisional Judicial Cooperation Unit needs to be established.
- (2) The Council has adopted Joint Action 98/428/JHA of 29 June 1998 concerning the creation of a European Judicial Network ⁽³⁾.
- (3) The conclusions of the European Council meeting in Tampere on 15 and 16 October 1999, in particular paragraph 46 thereof, concern the setting up, before the end of 2001, of a unit (Eurojust) composed of prosecutors, judges or police officers of equivalent competence, to reinforce the fight against serious organised crime.
- (4) The meetings of such a Provisional Unit should be supported by the infrastructure of the Council, as its experience would be of value in drawing up the instrument establishing Eurojust.

- (5) Experience gained with the Provisional Unit will serve as a basis for drawing up the instrument establishing Eurojust,

HAS DECIDED AS FOLLOWS:

Article 1

A formation shall be established known as the Provisional Judicial Cooperation Unit, located in Brussels and supported by the infrastructure of the Council.

Article 2

1. The objectives of the Provisional Unit are as follows:
 - (a) to improve cooperation between the competent national authorities with regard to investigations and prosecutions in relation to serious crime, particularly when it is organised, involving two or more Member States;
 - (b) in the same framework, to stimulate and improve the coordination of investigations and prosecutions in the Member States, taking into account any request emanating from a competent national authority and any information provided by any body competent by virtue of provisions adopted within the framework of the Treaties.
2. The Provisional Unit shall provide its expertise to the Member States and to the Council, where necessary, with a view to the negotiation and the adoption by the Council of the instrument establishing Eurojust.

Article 3

1. Each Member State shall assign to the formation referred to in Article 1 a prosecutor, judge or police officer of equivalent competence, to perform the liaison duties necessary to accomplish the objectives referred to in Article 2 and tasks referred to in paragraph 3 of this Article.

⁽¹⁾ OJ C 243, 24.8.2000, p. 21.

⁽²⁾ Opinion of the European Parliament of 14 November 2000 (not yet published in the Official Journal).

⁽³⁾ OJ L 191, 7.7.1998, p. 4.

These members may, for the purposes of fulfilling their tasks, organise missions in a Member State whose authorities are involved in a specific investigation or prosecution and may meet as necessary in any other place.

2. Within the scope of each Member State's national legislation, in cooperation with any body competent by virtue of provisions adopted within the framework of the Treaties and within the limit of their respective powers, the members of the Provisional Unit shall contribute to the proper coordination and facilitation of judicial cooperation between competent national authorities, in actions relating to the investigation and prosecution of serious crime, particularly when it is organised, insofar as two or more Member States are concerned.

The coordination may, in particular, contribute to the consideration of arrangements for the opening and development of investigations and prosecutions.

In particular, the members of the Provisional Unit should, where possible, provide support for the coordination and operation of joint investigative teams.

Article 4

The Commission shall be fully associated with the work of the Provisional Unit, in accordance with Article 36(2) of the Treaty.

Article 5

This Decision shall take effect on the day of its adoption.

It shall cease to apply on the date on which the instrument establishing Eurojust takes effect. That instrument is to be adopted before the end of 2001.

Done at Brussels, 14 December 2000.

For the Council

The President

D. GILLOT

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2788/2000
of 18 December 2000**

**amending Regulation (EC) No 2402/98 imposing a definitive anti-dumping duty on imports of
unwrought unalloyed magnesium originating in the People's Republic of China**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, and in particular Article 11(3) thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURES

1. Measures in force

- (1) By Regulation (EC) No 2402/98 ⁽²⁾ ('the Regulation'), the Council imposed a definitive anti-dumping duty on imports of unwrought unalloyed magnesium originating in the People's Republic of China.

According to the Regulation, unwrought unalloyed magnesium comprises *inter alia*:

- unwrought magnesium unintentionally containing small amounts of other elements as impurities, and
- unwrought magnesium, intentionally containing added elements such as aluminium and zinc, which does not correspond to one of the alloys described in the Annex to the Regulation.

2. Anti-absorption investigation

- (2) Following a request lodged by the Community industry, the Commission initiated on 4 September 1999 ⁽³⁾ an anti-absorption investigation. The findings of this investigation were published in the *Official Journal of the European Communities* ⁽⁴⁾.

B. INVESTIGATION CONCERNING THE PRODUCT SCOPE

1. Procedure

- (3) On 8 February 2000, by a notice published in the *Official Journal of the European Communities* ⁽⁵⁾, the Commission initiated an interim review, pursuant to Article 11(3) of Council Regulation (EC) No 384/96, ('the basic Regulation'). The interim review was limited in scope to the clarification of the product covered by the Regulation.
- (4) This was done following a request by two Community importers: Pro.cat Scarl, Bolzano, Italy, and De Stefani Luigi, Trento, Italy ('the applicants'). They argued that certain types of magnesium alloys not listed in the Annex to the Regulation, in particular magnesium alloy ingots for anode casting, met international standards for being considered as 'alloys' and should consequently not be covered by the anti-dumping measures.
- (5) The evidence submitted in the request was considered sufficient for the initiation of an interim review. The Commission officially advised the authorities of the exporting country and parties known to be concerned of the initiation of this review.
- (6) The Commission sent questionnaires to exporting producers, importers, the Community industry, steel and magnesium associations and users who cooperated in the investigation that led to the existing measures. Five replies were received.

2. Findings

- (7) It is recalled that the Regulation considered the risk of circumvention of the measures by wrongly declaring imports of unwrought unalloyed magnesium as alloys, in defining the product concerned as described in recital (1). The Regulation contained an Annex setting out those alloys which correspond to previously established industrial standards.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2238/2000 (OJ L 257, 11.10.2000, p. 2).

⁽²⁾ OJ L 298, 7.11.1998, p. 1. Regulation as amended by Regulation (EC) No 2315/2000 (OJ L 267, 20.10.2000, p. 17).

⁽³⁾ OJ C 253, 4.9.1999, p. 15.

⁽⁴⁾ OJ L 267, 20.10.2000, p. 17.

⁽⁵⁾ OJ C 35, 8.2.2000, p. 12.

- (8) It was found that there are two European standards for magnesium alloys EN 12438:1998 ('Chemical composition of magnesium alloy ingots for anode castings') and EN 1753:1997 ('Chemical composition of magnesium alloy ingots'), defined by the European Committee for Standardisation (CEN). These European standards correspond to international industry standards.
- (9) The alloys defined in the standard EN 1753:1997 ('Chemical composition of magnesium alloy ingots'), which coincide with the Annex to the Regulation, were excluded from the scope of the product concerned in the Regulation. The standard EN 12438:1998 ('Chemical composition of magnesium alloys ingots for anode castings') was finalised in April 1998 and not brought to the attention of the Commission during the investigation that led to the existing measures. It could thus not be taken into account.
- (10) The present investigation established that alloys covered by the standard EN 12438:1998 ('Chemical composition of magnesium alloys ingots for anode castings') should also be excluded from the measures as they correspond to the definition of alloys which were originally excluded. Indeed, these alloys are designed for applications for which alloyed magnesium is typically required and were used by downstream industries prior to the imposition of provisional measures in May 1998. No party questioned these facts.
- (11) In addition it was found that in the publication of the Annex of the Regulation there were some incorrect transcriptions of European standard EN 1753:1997 ('Chemical composition of magnesium alloy ingots'). The latter should be rectified.
- (12) One user of magnesium, producing alloys, opposed the exclusion of the abovementioned alloys from the anti-dumping measures. This cooperating user argued that imports of these alloys would injure its business. This argument is entirely irrelevant. Indeed, the Regulation imposed anti-dumping measures on unwrought unalloyed magnesium, and alloys should not, therefore, have been subject to anti-dumping measures. One importer of magnesium argued that alloys covered by standard EN 12438:1998 ('Chemical composition of magnesium alloys ingots for anode castings') should not be excluded from the measures without substantiating its position.
- (13) During the investigation, the question was raised whether not only ingots, but also certain elementary castings made of the magnesium alloys defined in the CEN standards are excluded from the measures in place. In this respect it is considered that, like any metals, magnesium is in a liquid form when it emerges from furnaces and takes a given shape when becoming solid. When processed, magnesium comes out of furnaces as a continuous bar that is cut into parts (generally called ingots) so that it can be transported and further processed. It could however be the case that the given form is not that of an ingot but of a 'notch bar', a 'slab', a 'stick', a 'cake', a 'cube', etc. Therefore, it was concluded that all the possible forms for unwrought magnesium should be considered as equivalent to the form 'ingot'. More processed articles of magnesium and magnesium alloys do not fall under the category 'unwrought' and therefore are not concerned by the measures.
- (14) Given the fact that the present review investigation is limited to the clarification of the product that was intended to be covered by the original measures and to prevent any subsequent prejudice to importers of the product, it is appropriate that the findings be applied from the date of the entry into force of the Regulation.
- (15) Given the above, it is considered appropriate to amend the Regulation to clarify the product definition and to exclude not only alloys conforming to the European standard EN 1753:1997 ('Chemical composition of magnesium alloy ingots') but also those conforming to the European standard EN 12438:1998 ('Chemical composition of magnesium alloys ingots for anode castings') from the measures by amending the Annex to the Regulation,
- HAS ADOPTED THIS REGULATION:
- Article 1*
- Regulation (EC) No 2402/98 is hereby amended as follows:
- The Annex shall be replaced by the following:

Unwrought magnesium:

— Material designation in accordance with CEN standard EN 1753:1997:

Alloy group	Material designation		Composition % (mass fraction)														
	Symbol	Number	Element	Mg	Al	Zn	Mn	RE (1)	Zr	Ag	Y	Li	Si	Fe	Cu	Ni	Others
MgAlZn	EN-MBMgAl8Zn1	EN-MB211110	min.	Remainder	7,2	0,45	0,17	—	—	—	—	—	—	—	—	—	—
			max.	—	8,5	0,9	—	—	—	—	—	—	0,05	0,004	0,025	0,001	0,01
	EN-MBMgAl9Zn1(A)	EN-MB211120	min.	Remainder	8,5	0,45	0,17	—	—	—	—	—	—	—	—	—	—
			max.	—	9,5	0,9	—	—	—	—	—	—	0,05	0,004	0,025	0,001	0,01
	EN-MBMgAl9Zn1(B)	EN-MB211121	min.	Remainder	8,0	0,3	—	—	—	—	—	—	—	—	—	—	—
			max.	—	10,0	1,0	—	—	—	—	—	—	0,3	0,03	0,20	0,01	0,05
MgAlMn	EN-MBMgAl2Mn	EN-MB21210	min.	Remainder	1,7	—	0,35	—	—	—	—	—	—	—	—	—	—
			max.	—	2,5	0,20	—	—	—	—	—	—	0,05	0,004	0,008	0,001	0,01
	EN-MBMgAl5Mn	EN-MB21220	min.	Remainder	4,5	—	0,27	—	—	—	—	—	—	—	—	—	—
			max.	—	5,3	0,20	—	—	—	—	—	—	0,05	0,004	0,008	0,001	0,01
	EN-MBMgAl6Mn	EN-MB21230	min.	Remainder	5,6	—	0,23	—	—	—	—	—	—	—	—	—	—
			max.	—	6,4	0,20	—	—	—	—	—	—	0,05	0,004	0,008	0,001	0,01
MgAlSi	EN-MBMgAl2Si	EN-MB21310	min.	Remainder	1,9	—	0,20	—	—	—	—	—	0,7	—	—	—	—
			max.	—	2,5	0,20	—	—	—	—	—	—	1,2	0,004	0,008	0,001	0,01
	EN-MBMgAl4Si	EN-MB21320	min.	Remainder	3,7	—	0,20	—	—	—	—	—	0,7	—	—	—	—
			max.	—	4,8	0,20	—	—	—	—	—	—	1,2	0,004	0,008	0,001	0,01
MgZnCu	EN-MBMgZn6Cu3Mn	EN-MB32110	min.	Remainder	—	5,5	0,25	—	—	—	—	—	—	—	2,4	—	—
			max.	—	—	6,5	0,75	—	—	—	—	—	0,20	0,05	3,0	0,01	0,01

Alloy group	Material designation		Composition % (mass fraction)														
	Symbol	Number	Element	Mg	Al	Zn	Mn	RE ⁽¹⁾	Zr	Ag	Y	Li	Si	Fe	Cu	Ni	Others
MgZnREZr ⁽²⁾	EN-MBMgZn4RE1Zr	EN-MB35110	min.	Remainder	—	3,5	—	1,0	0,1	—	—	—	—	—	—	—	—
			max.	—	—	5,0	0,15	1,75	1,0	—	—	—	0,01	0,01	0,03	0,005	0,01
	EN-MBMgRE3Zn2Zr	EN-MB65120	min.	Remainder	—	2,0	—	2,4	0,1	—	—	—	—	—	—	—	—
			max.	—	—	3,0	0,15	4,0	1,0	—	—	—	0,01	0,01	0,03	0,005	0,01
MgREAgZr ⁽³⁾	EN-MBMgRE2Ag2Zr	EN-MB65210	min.	Remainder	—	—	—	2,0	0,1	2,0	—	—	—	—	—	—	—
			max.	—	—	0,2	0,15	3,0	1,0	3,0	—	—	0,01	0,01	0,03	0,005	0,01
	EN-MBMgRE2Ag1Zr	EN-MB65220	min.	Remainder	—	—	—	1,5	0,1	1,3	—	—	—	—	0,05	—	—
			max.	—	—	0,2	0,15	3,0	1,0	1,7	—	—	0,01	0,01	0,1	0,005	0,01
MgYREZr ⁽⁴⁾	EN-MBMgY5RE4Zr	EN-MB95310	min.	Remainder	—	—	—	1,5	0,1	—	4,75	—	—	—	—	—	—
			max.	—	—	0,20	0,15	4,0	1,0	—	5,5	0,20	0,01	0,01	0,03	0,005	0,01
	EN-MBMgY4RE3Zr	EN-MB95320	min.	Remainder	—	—	—	2,4	0,1	—	3,7	—	—	—	—	—	—
			max.	—	—	0,20	0,15	4,4	1,0	—	4,3	0,20	0,01	0,01	0,03	0,005	0,01

⁽¹⁾ RE = Rare earth metals

⁽²⁾ Cerium rich

⁽³⁾ Neodymium rich

⁽⁴⁾ Neodymium and heavy RE rich

— Material designation in accordance with CEN standard EN 12438:1998:

Alloy group	Material designation		Composition % (mass fraction)									
	Symbol	Number	Element	Mg	Al	Zn	Mn	Si	Fe	Cu	Ni	Others
MgAlZn	EN-MBMgAl3Zn1	EN-MB21130	min.	Remainder	2,6	0,7	0,20	—	—	—	—	—
			max.	—	3,5	1,4	1,0	0,30	0,01	0,05	0,001	0,05
	EN-MBMgAl6Zn1	EN-MB21140	min.	Remainder	5,6	0,7	0,20	—	—	—	—	—
			max.	—	6,5	1,4	1,0	0,30	0,01	0,05	0,001	0,05
	EN-MBMgAl6Zn3	EN-MB21150	min.	Remainder	5,1	2,1	0,20	—	—	—	—	—
			max.	—	7,0	4,0	1,0	0,30	0,01	0,05	0,001	0,05
MgMn	EN-MBMgMn1	EN-MB40010	min.	Remainder	—	—	0,50	—	—	—	—	—
			max.	—	0,01	0,05	1,3	0,05	0,02	0,02	0,001	0,05
	EN-MBMgMn2	EN-MB40020	min.	Remainder	—	—	1,20	—	—	—	—	—
			max.	—	0,01	0,05	2,5	0,05	0,02	0,02	0,001	0,05

Note: The material designation is in accordance with EN 1754.’

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Communities* and shall apply to all imports of unwrought unalloyed magnesium originating in the People's Republic of China which entered into free circulation in the Community as from 8 November 1998.

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

Done at Brussels, 18 December 2000.

For the Council

The President

D. VOYNET

**COUNCIL REGULATION (EC) No 2789/2000
of 14 December 2000**

extending Regulation (EEC) No 1657/93 temporarily suspending the autonomous Common Customs Tariff duties on certain industrial products intended to equip the free zones of the Azores and Madeira as regards the Madeira free zone

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 26,

Having regard to the proposal of the Commission,

Whereas:

- (1) Regulation (EEC) No 1657/93 ⁽¹⁾ establishes, until 31 December 2000, a temporary suspension of autonomous Common Customs Tariffs for certain industrial products intended to equip the free zones of the Azores and Madeira.
- (2) As provided for in Article 3 of Regulation (EEC) No 1657/93, the Commission, after consulting the competent Portuguese authorities, examined the effects of the measures adopted on the development of the free zone of Caniçal (Madeira), which is at present the only free zone in the outermost regions of Portugal.
- (3) Initially, these measures had a positive effect on the creation and establishment of new businesses and on the development of a number of industrial activities, especially in the textiles, plastics and glass sectors. More recently, economic conditions and infrastructure problems have led to a slow-down in the emergence of new industries and paralysed part of the processing sector. This situation should come to an end once the free-zone infrastructure and enlargement work presently being carried out is completed, and new innovative processing industries are established, alongside those which perform simpler recycling, packaging and storage tasks.
- (4) For their part, the Portuguese authorities have expressed an interest in extending these measures for a period of time in no case shorter than that which was previously granted, so as to encourage industrial investment in the

Madeira free zone, and thus promote the region's socio-economic development.

- (5) Upon detailed examination of the situation and the impact of the measures adopted, such an extension of the time-limit on these measures does indeed appear likely to give a further boost to the development of industrial activities in the free zone; the suspension of the autonomous Common Customs Tariffs for capital equipment should therefore be extended, as requested by the Portuguese authorities.
- (6) Nonetheless, in order to avoid directly affecting the functioning of the common market, a time limit must be set for this measure,

HAS ADOPTED THIS REGULATION:

Article 1

The suspension referred to in Article 1(1) of Regulation (EEC) No 1657/93 shall be extended until 31 December 2008 with regard to the Madeira free zone.

Article 2

In the course of the year 2008, after consulting the competent Portuguese authorities, the Commission will again examine the effects of the measures adopted on the development of the Madeira free zone and will, if required, make appropriate proposals.

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 January 2001.

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

Done at Brussels, 14 December 2000.

For the Council

The President

J. GLAVANY

⁽¹⁾ OJ L 158, 30.6.1993, p. 1. Regulation as amended by Regulation (EC) No 3256/94 (OJ L 339, 29.12.1994, p. 1).

COMMISSION REGULATION (EC) No 2790/2000
of 20 December 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 21 December 2000.

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

Done at Brussels, 20 December 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 20 December 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	100,9
	204	76,0
	624	99,6
	999	92,2
0707 00 05	052	116,8
	628	146,6
	999	131,7
0709 90 70	052	77,8
	204	54,1
	628	109,0
	999	80,3
0805 10 10, 0805 10 30, 0805 10 50	052	41,7
	204	48,3
	388	32,2
	999	40,7
0805 20 10	052	71,9
	204	78,8
	999	75,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	71,2
	999	71,2
0805 30 10	052	74,0
	600	68,3
	999	71,2
0808 10 20, 0808 10 50, 0808 10 90	060	36,9
	400	76,0
	404	84,5
	720	106,8
	728	84,3
	999	77,7
0808 20 50	064	59,6
	400	88,8
	720	134,9
	999	94,4

⁽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 2791/2000
of 20 December 2000**

**fixing the maximum export refund for white sugar for the 21st partial invitation to tender issued
within the framework of the standing invitation to tender provided for in Regulation (EC) No
1531/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

- (3) Following an examination of the tenders submitted in response to the 21st partial invitation to tender, the provisions set out in Article 1 should be adopted.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the 21st partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1531/2000 the maximum amount of the export refund is fixed at 43,596 EUR/100 kg.

Article 2

This Regulation shall enter into force on 21 December 2000.

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

Done at Brussels, 20 December 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 175, 14.7.2000, p. 69.

**COMMISSION REGULATION (EC) No 2792/2000
of 20 December 2000**

fixing the representative prices and the additional import duties for molasses in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 21 December 2000.

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 20 December 2000.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

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

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,85	—	0
1703 90 00 ⁽¹⁾	10,11	—	0

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

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

COMMISSION REGULATION (EC) No 2793/2000**of 20 December 2000****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 21 December 2000.

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

Done at Brussels, 20 December 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 89, 10.4.1968, p. 3.

⁽⁴⁾ OJ L 349, 31.12.1994, p. 105.

⁽⁵⁾ OJ L 214, 8.9.1995, p. 16.

ANNEX

to the Commission Regulation of 20 December 2000 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	37,34 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	33,36 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	37,34 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	33,36 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4059
1701 99 10 9100	A00	EUR/100 kg	40,59
1701 99 10 9910	A00	EUR/100 kg	40,59
1701 99 10 9950	A00	EUR/100 kg	40,59
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4059

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

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

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

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

COMMISSION REGULATION (EC) No 2794/2000
of 19 December 2000
establishing unit values for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council ⁽²⁾,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 December 2000.

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

Done at Brussels, 19 December 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 311, 12.12.2000, p. 17.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 188, 26.7.2000, p. 1.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 50	a) b) c)	100,66 598,48 863,84	1 385,07 660,27 4 060,49	196,87 79,27 61,28	750,47 194 899,13	34 298,87 221,82	16 747,92 20 179,92
1.30	Onions (other than seed) 0703 10 19	a) b) c)	10,23 60,83 87,80	140,77 67,11 412,69	20,01 8,06 6,23	76,27 19 808,82	3 486,01 22,54	1 702,20 2 051,01
1.40	Garlic 0703 20 00	a) b) c)	97,88 581,97 840,02	1 346,87 642,06 3 948,51	191,44 77,09 59,59	729,77 189 524,24	33 352,98 215,70	16 286,04 19 623,40
1.50	Leeks ex 0703 90 00	a) b) c)	53,11 315,80 455,83	730,87 348,41 2 142,62	103,88 41,83 32,34	396,00 102 843,43	18 098,66 117,05	8 837,46 10 648,44
1.60	Cauliflowers 0704 10 00	a) b) c)	55,28 328,68 474,41	760,67 362,61 2 229,99	108,12 43,54 33,65	412,15 107 037,01	18 836,66 121,82	9 197,82 11 082,64
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	11,97 71,20 102,77	164,77 78,55 483,05	23,42 9,43 7,29	89,28 23 185,87	4 080,31 26,39	1 992,39 2 400,67
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> <i>L. convar. botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	74,29 441,71 637,56	1 022,25 487,31 2 996,85	145,30 58,51 45,23	553,88 143 845,50	25 314,32 163,71	12 360,82 14 893,81
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	67,99 404,23 583,46	935,51 445,96 2 742,56	132,97 53,54 41,39	506,88 131 639,64	23 166,30 149,82	11 311,95 13 630,01
1.110	Cabbage lettuce (head lettuce) 0705 11 00	a) b) c)	90,36 537,26 775,47	1 243,38 592,72 3 645,11	176,73 71,16 55,01	673,70 174 961,36	30 790,17 199,13	15 034,64 18 115,55
1.130	Carrots ex 0706 10 00	a) b) c)	20,46 121,65 175,59	281,54 134,21 825,35	40,02 16,11 12,46	152,54 39 616,08	6 971,74 45,09	3 404,26 4 101,86
1.140	Radishes ex 0706 90 90	a) b) c)	147,07 874,41 1 262,12	2 023,67 964,69 5 932,61	287,64 115,82 89,53	1 096,48 284 758,71	50 112,60 324,09	24 469,66 29 484,01
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	a) b) c)	350,74 2 085,42 3 010,07	4 826,31 2 300,72 14 148,89	685,99 276,23 213,53	2 615,03 679 130,83	119 515,27 772,93	58 358,53 70 317,42

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	a) b) c)	143,39 852,55 1 230,56	1 973,07 940,57 5 784,27	280,44 112,93 87,29	1 069,06 277 638,46	48 859,56 315,99	23 857,81 28 746,77
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	a) b) c)	169,60 1 008,40 1 455,51	2 333,76 1 112,51 6 841,67	331,71 133,57 103,25	1 264,49 328 392,55	57 791,40 373,75	28 219,17 34 001,87
1.180	Broad beans ex 0708 90 00	a) b) c)	157,74 937,88 1 353,72	2 170,55 1 034,71 6 363,22	308,51 124,23 96,03	1 176,06 305 427,23	53 749,91 347,61	26 245,73 31 624,03
1.190	Globe artichokes 0709 10 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	395,74 2 352,99 3 396,28	5 445,57 2 595,92 15 964,31	774,01 311,67 240,93	2 950,56 766 268,98	134 850,07 872,11	65 846,41 79 339,73
1.200.2	— other ex 0709 20 00	a) b) c)	381,21 2 266,55 3 271,51	5 245,50 2 500,55 15 377,80	745,57 300,22 232,08	2 842,16 738 117,16	129 895,84 840,07	63 427,29 76 424,88
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	99,36 590,78 852,73	1 367,26 651,78 4 008,29	194,34 78,25 60,49	740,82 192 393,21	33 857,87 218,97	16 532,58 19 920,45
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	74,07 440,40 635,67	1 019,23 485,87 2 987,98	144,87 58,33 45,09	552,24 143 419,52	25 239,35 163,23	12 324,21 14 849,70
1.230	Chantarelles 0709 51 30	a) b) c)	2 154,59 12 810,64 18 490,73	29 647,86 14 133,21 86 916,11	4 214,02 1 696,88 1 311,72	16 064,01 4 171 876,11	734 177,97 4 748,10	358 494,31 431 957,35
1.240	Sweet peppers 0709 60 10	a) b) c)	226,75 1 348,21 1 945,98	3 120,17 1 487,39 9 147,15	443,49 178,58 138,05	1 690,59 439 052,90	77 265,71 499,70	37 728,34 45 459,67
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	56,72 337,25 486,79	780,51 372,07 2 288,16	110,94 44,67 34,53	422,90 109 828,91	19 327,99 125,00	9 437,73 11 371,72
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	176,48 1 049,30 1 514,55	2 428,42 1 157,63 7 119,19	345,16 138,99 107,44	1 315,78 341 712,93	60 135,56 388,91	29 363,80 35 381,06
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	73,13 434,80 627,58	1 006,26 479,69 2 949,96	143,03 57,59 44,52	545,22 141 594,78	24 918,23 161,15	12 167,41 14 660,77

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 00	a) b) c)	168,73 1 003,25 1 448,08	2 321,84 1 106,83 6 806,74	330,02 132,89 102,73	1 258,04 326 715,94	57 496,35 371,84	28 075,09 33 828,27
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	111,63 663,70 957,98	1 536,02 732,22 4 503,01	218,32 87,91 67,96	832,26 216 139,43	38 036,80 245,99	18 573,12 22 379,14
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:							
2.70.1	— Clementines ex 0805 20 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.2	— Monreales and satsumas ex 0805 20 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.3	— Mandarines and wilkings ex 0805 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh ex 0805 30 90 ex 0805 90 00	a) b) c)	165,95 986,70 1 424,20	2 283,54 1 088,57 6 694,47	324,57 130,70 101,03	1 237,29 321 327,10	56 548,01 365,71	27 612,02 33 270,31
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 00	a) b) c)	55,18 328,07 473,53	759,26 361,94 2 225,85	107,92 43,46 33,59	411,39 106 838,34	18 801,70 121,59	9 180,75 11 062,08
2.90.2	— pink ex 0805 40 00	a) b) c)	62,60 372,18 537,20	861,34 410,60 2 525,12	122,43 49,30 38,11	466,70 121 203,14	21 329,66 137,94	10 415,13 12 549,41
2.100	Table grapes 0806 10 10	a) b) c)	232,30 1 381,19 1 993,59	3 196,50 1 523,78 9 370,92	454,34 182,95 141,42	1 731,95 449 793,58	79 155,88 511,92	38 651,30 46 571,77

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.110	Water melons 0807 11 00	a) b) c)	75,93 451,44 651,60	1 044,77 498,05 3 062,87	148,50 59,80 46,22	566,09 147 014,20	25 871,95 167,32	12 633,11 15 221,90
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	75,99 451,84 652,18	1 045,70 498,49 3 065,60	148,63 59,85 46,27	566,59 147 145,29	25 895,02 167,47	12 644,37 15 235,47
2.120.2	— other ex 0807 19 00	a) b) c)	160,43 953,87 1 376,81	2 207,56 1 052,35 6 471,72	313,77 126,35 97,67	1 196,12 310 635,41	54 666,45 353,54	26 693,27 32 163,29
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	Other ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 00	a) b) c)	248,26 1 476,11 2 130,61	3 416,19 1 628,51 10 014,96	485,56 195,52 151,14	1 850,98 480 706,91	84 596,09 547,10	41 307,72 49 772,54
2.160	Cherries 0809 20 95 0809 20 05	a) b) c)	757,31 4 502,79 6 499,27	10 420,87 4 967,66 30 549,98	1 481,18 596,43 461,05	5 646,31 1 466 364,77	258 054,81 1 668,90	126 006,48 151 827,87
2.170	Peaches 0809 30 90	a) b) c)	334,25 1 987,37 2 868,55	4 599,40 2 192,55 13 483,68	653,74 263,24 203,49	2 492,08 647 201,35	113 896,23 736,59	55 614,79 67 011,43
2.180	Nectarines ex 0809 30 10	a) b) c)	368,04 2 188,25 3 158,49	5 064,30 2 414,16 14 846,57	719,82 289,85 224,06	2 743,97 712 618,61	125 408,54 811,05	61 236,17 73 784,75
2.190	Plums 0809 40 05	a) b) c)	243,55 1 448,09 2 090,15	3 351,33 1 597,59 9 824,81	476,34 191,81 148,27	1 815,84 471 579,91	82 989,90 536,72	40 523,43 48 827,53
2.200	Strawberries 0810 10 00	a) b) c)	419,02 2 491,37 3 596,01	5 765,81 2 748,58 16 903,14	819,53 330,00 255,10	3 124,07 811 331,98	142 780,38 923,39	69 718,73 84 005,57
2.205	Raspberries 0810 20 10	a) b) c)	1 659,03 9 864,14 14 237,79	22 828,75 10 882,52 66 925,09	3 244,78 1 306,59 1 010,02	12 369,23 3 212 329,44	565 314,37 3 656,02	276 039,32 332 605,59
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	1 899,33 11 292,91 16 300,06	26 135,37 12 458,80 76 618,85	3 714,77 1 495,85 1 156,31	14 160,85 3 677 618,99	647 197,28 4 185,58	316 022,20 380 781,82
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	a) b) c)	105,39 626,63 904,47	1 450,22 691,32 4 251,48	206,13 83,00 64,16	785,77 204 066,40	35 912,15 232,25	17 535,67 21 129,10

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.230	Pomegranates ex 0810 90 85	a) b) c)	150,32 893,77 1 290,06	2 068,47 986,05 6 063,97	294,00 118,39 91,52	1 120,75 291 063,79	51 222,19 331,27	25 011,46 30 136,84
2.240	Khakis (including sharon fruit) ex 0810 90 85	a) b) c)	124,67 741,25 1 069,92	1 715,49 817,78 5 029,17	243,83 98,19 75,90	929,50 241 394,39	42 481,23 274,74	20 743,31 24 994,05
2.250	Lychees ex 0810 90 30	a) b) c)	313,27 1 862,63 2 688,50	4 310,72 2 054,93 12 637,38	612,71 246,72 190,72	2 335,67 606 579,95	106 747,57 690,36	52 124,14 62 805,48

**COMMISSION REGULATION (EC) No 2795/2000
of 20 December 2000**

**setting rules of application in the poultrymeat and egg sectors for the arrangements covered by
Council Regulation (EC) No 2475/2000 under the Europe Agreement with Slovenia and repealing
Regulation (EC) No 509/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2475/2000 of 7 November 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 Slovenia ⁽¹⁾, and in particular Article 1(3) thereof,

Whereas:

- (1) As an autonomous and transitional measure with effect from 1 July 2000, Regulation (EC) No 2475/2000 adjusts the agricultural concessions provided for in the Europe Agreement with Slovenia.
- (2) To allow the application of the arrangements provided for in the above Regulation once this Regulation has been published, the tariff quotas with the serial Nos 09.4083, 09.4084, 09.4090, 09.4111, 09.4112, 09.4115, 09.4116, 09.4117, 09.4118 and 09.4119 should be administered in accordance with Articles 308a, 308b and 308c 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 ⁽²⁾, as last amended by Regulation (EC) No 1602/2000 ⁽³⁾, which codify the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations.
- (3) Previous tariff quotas for poultry products originating in Slovenia were administered under Commission Regulation (EC) No 509/97 of 20 March 1997 laying down procedures for applying in the poultry sector the Interim Agreement on trade and accompanying measures between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Slovenia, of the other part ⁽⁴⁾, as amended by Regulation (EC) No 1514/97 ⁽⁵⁾, which should be repealed.
- (4) Pursuant to Regulation (EC) No 509/97, in July and October 2000 import licences valid for 150 days were

issued for certain products now covered by the quotas introduced by Regulation (EC) No 2475/2000.

To limit the potential trade problems that might temporarily arise from the parallel existence of two different management procedures for some tariff quotas in the poultrymeat sector, i.e. management via the quarterly issue of import licences and management according to the 'first come, first served' principle in line with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93, import licence holders should be given the possibility of cancellation with release of the security.

- (5) A deadline should be laid down for the submission of requests for cancellation, giving traders a reasonable time for submission.
- (6) Repayment of import duties on products of groups 80, 90 and 100 listed in Annex I to Regulation (EC) No 509/97 and imported under licences used from 1 July 2000 falls within the scope of Articles 878 to 898 of Regulation (EEC) No 2454/93.
- (7) This Regulation should be applied from 1 July 2000 in parallel with Regulation (EC) No 2475/2000.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Tariff quotas with the serial Nos 09.4083, 09.4084, 09.4090, 09.4111, 09.4112, 09.4115, 09.4116, 09.4117, 09.4118 and 09.4119 shall be administered in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 2

Holders of import licences issued under Regulation (EC) No 509/97, for groups 80, 90 and 100 listed in Annex I to Regulation (EC) No 509/97 and applied for between 1 and 10 July 2000 or between 1 and 10 October 2000 may, before 31 March 2001, request their cancellation and release of the security.

Member States shall notify to the Commission before the end of the following month the monthly volume and cancelled licences for each of the above groups, indicating the application period concerned.

⁽¹⁾ OJ L 286, 11.11.2000, p. 15.

⁽²⁾ OJ L 253, 11.10.1993, p. 1.

⁽³⁾ OJ L 188, 26.7.2000, p. 1.

⁽⁴⁾ OJ L 80, 21.3.1997, p. 3.

⁽⁵⁾ OJ L 204, 31.7.1997, p. 16.

Article 3

Regulation (EC) No 509/97 is repealed.

Article 4

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

It shall apply from 1 July 2000.

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

Done at Brussels, 20 December 2000.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 2796/2000
of 20 December 2000**

amending Annex II to Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, as amended by Commission Regulation (EC) No 1509/2000 ⁽²⁾, and in particular the third subparagraph of Article 1(1) thereof,

Whereas:

- (1) In order to meet the expectations of certain agricultural producers, for whom ornamental plants and flowers are one of the main sources of income, such products should be included in Annex II to Regulation (EEC) No 2081/92. Since they are agricultural products it is possible that such producers may lodge applications for their registration under Regulation (EEC) No 2081/92

given the link that they may have with certain geographical regions.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Regulatory Committee on Geographical Indications and Designations of Origin,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex II to Regulation (EEC) No 2081/92, the following product is added:

‘— Ornamental plants and flowers.’

Article 2

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, 20 December 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 208, 24.7.1992, p. 1.

⁽²⁾ OJ L 174, 13.7.2000, p. 7.

COMMISSION REGULATION (EC) No 2797/2000
of 20 December 2000
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 21 December 2000.

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

Done at Brussels, 20 December 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	264,00	88,06	127,66		198,00
1006 20 13	264,00	88,06	127,66		198,00
1006 20 15	264,00	88,06	127,66		198,00
1006 20 17	204,28	67,16	97,80	0,00	153,21
1006 20 92	264,00	88,06	127,66		198,00
1006 20 94	264,00	88,06	127,66		198,00
1006 20 96	264,00	88,06	127,66		198,00
1006 20 98	204,28	67,16	97,80	0,00	153,21
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

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

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

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

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

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

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

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

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

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	204,28	416,00	264,00	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	332,57	271,03	263,96	312,28	—
(b) fob price (EUR/tonne)	—	—	—	230,26	278,58	—
(c) Sea freight (EUR/tonne)	—	—	—	33,70	33,70	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 2798/2000**of 20 December 2000****amending the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The rates of the refunds applicable from 1 December 2000 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 2633/2000 ⁽³⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 2633/2000 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 2633/2000 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 December 2000.

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

Done at Brussels, 20 December 2000.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

to the Commission Regulation of 20 December 2000 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex I to the Treaty

Product	Rate of refund in EUR/100 kg	
	In case of advance fixing of refunds	Other
White sugar:	40,59	40,59

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 302, 1.12.2000, p. 41.

COMMISSION REGULATION (EC) No 2799/2000**of 20 December 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. 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 second 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 is based on the revised production estimate for unginned cotton plus at least 7,5 %. Commission Regulation (EC) No 2714/2000 ⁽⁶⁾ fixes the revised production estimate for the 2000/2001 marketing year, and the relevant percentage increase. 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 39,848 EUR/100 kg.
2. The advance payment of the aid referred to in Article 5(3a), second subparagraph, of Regulation (EC) No 1554/95 is fixed at:
 - 51,889 EUR/100 kg in Spain,
 - 27,440 EUR/100 kg in Greece,
 - 66,452 EUR/100 kg in other Member States.

Article 2

This Regulation shall enter into force on 21 December 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 313, 13.12.2000, p. 7.

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

Done at Brussels, 20 December 2000.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 2800/2000
of 20 December 2000
amending the export refunds on syrups and certain other sugar sector products exported in the
natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The refunds on syrups and certain other sugar products were fixed by Commission Regulation (EC) No 2624/2000 ⁽³⁾.
- (2) It follows from applying the rules, criteria and other provisions contained in Regulation (EC) No 2624/2000 to the information at present available to the Commis-

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

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EC) No 2038/1999, exported in the natural state, as fixed in the Annex to Regulation (EC) No 2624/2000 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 December 2000.

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

Done at Brussels, 20 December 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 302, 1.12.2000, p. 21.

ANNEX

to the Commission Regulation of 20 December 2000 altering 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	40,59 ⁽²⁾
1702 60 10 9000	A00	EUR/100 kg dry matter	40,59 ⁽²⁾
1702 60 80 9100	A00	EUR/100 kg dry matter	77,12 ⁽⁴⁾
1702 60 95 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4059 ⁽¹⁾
1702 90 30 9000	A00	EUR/100 kg dry matter	40,59 ⁽²⁾
1702 90 60 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4059 ⁽¹⁾
1702 90 71 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4059 ⁽¹⁾
1702 90 99 9900	A00	EUR/1 % sucrose × net 100 kg of product	0,4059 ⁽¹⁾ ⁽³⁾
2106 90 30 9000	A00	EUR/100 kg dry matter	40,59 ⁽²⁾
2106 90 59 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4059 ⁽¹⁾

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

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

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

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

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

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

II

(Acts whose publication is not obligatory)

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

DECISION OF THE EFTA SURVEILLANCE AUTHORITY

No 142/00/COL

of 26 July 2000

on the closure of a case initiated on the basis of a complaint concerning alleged State aid to certain enterprises through the contract conditions for electricity ('Kraftkontrakter på myndighetsbestemte vilkår')

(Aid No 020.500.032)

(Norway)

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area ⁽¹⁾, in particular to Articles 61 to 63 and of Protocol 26 thereto,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice ⁽²⁾, in particular to Article 24 and Article 1 of Protocol 3 thereto,

Having regard to the Authority's Guidelines ⁽³⁾ on the application and interpretation of Articles 61 and 62 of the EEA Agreement,

Whereas:

I. FACTS

1. Introduction

By letter of 25 May 1999 from the Norwegian environmental organisation Bellona ('Miljøstiftelsen Bellona'), received and registered on 27 May 1999 (Doc. No 99-3837 A), the Authority received a complaint. The complainant assumed that prices on electric power in future contracts between Statkraft and 16 Norwegian enterprises would be below market prices and that this would be contrary to Article 61 of the EEA Agreement, Statkraft is a 100 % State owned company that is producing electricity generated from hydropower. Statkraft would be obliged to enter into the mentioned contracts on the basis of conditions established by the Norwegian Parliament ('Stortinget'). The complainant referred to the proposal from the Government to Stortinget ('St. prp. No 52 (1998-99) Om Statkrafts industrikontrakter og leieavtaler') which was presented on 26 March 1999.

⁽¹⁾ Hereinafter referred to as the EEA Agreement.

⁽²⁾ Hereinafter referred to as the Surveillance and Court Agreement.

⁽³⁾ Procedural and Substantive Rules in the Field of State Aid (State Aid Guidelines), adopted and issued by the EFTA Surveillance Authority on 19 January 1994. Published in OJ L 231, 3.9.1994, p. 1, and in the EEA Supplement to OJ L 32, 3.9.1994. The Guidelines were last amended 12 April 2000, not yet published.

2. Statkrafts' industrial contracts and leases ('St. prp. No 52 (1998-99) Om Statkrafts industrikontrakter og leieavtaler')

The Government proposed in St. prp. No 52 (1998-99) that Statkraft offer 16 specific enterprises new electric power contracts, commencing 1 January 2001 and running for 20 years (hereinafter '52-contracts'). The enterprises are within power-intensive industries and paper and pulp industries. Price conditions in these contracts were supposed to reflect expected market prices.

The proposed price was fixed at 15,5 øre/kWh (1999 prices) for contracts commencing 1 January 2001. Contracts that commence thereafter would have higher prices, reflecting the fact that market expectations imply that electricity prices will rise in real terms. The prices were to be adjusted according to the consumer price index ('Konsumprisindeksen'). Furthermore, prices in the 52-contracts were to be adjusted in 2011 if the electricity market were to develop differently from expected in St. prp. No 52. If the average spot price in the period 2006 to 2010 were to deviate by more than 1 øre/kWh (1999 prices) from 17,8 øre/kWh (1999 prices), the contract price would be adjusted accordingly.

Enterprises entering the new contracts would have to accept three sets of conditions, related to capacity constraints in the power grid, dry year buffer and energy efficiency. The standard terms in the 52-contracts imply that the enterprises have to offer power reserves up to 100 hours per 12 months. Statnett (the State-owned grid operator) may instruct the enterprises to reduce their electricity consumption on a 15 minutes notice. The 52-contracts furthermore require the industry to pay the spot price if the average spot price exceeds 30 øre/kWh for 168 hours in a row. This is a way to share the risk of high spot prices and scarcity of supply in the future between Statkraft and the industry. Price conditions as fixed in St. prp. No 52 (1998-99), and as already mentioned, are based on market conditions for long term power contracts adjusted for the value of the service obligations.

The enterprises would be offered contracts that cover a maximum of 50 % (nine enterprises) or 70 % (seven enterprises) of their current power requirements. From 2011 on the power volume would be reduced gradually (6 % per year).

According to St. prp. No 52, enterprises accepting the 52-contracts would have to terminate their existing contracts with Statkraft. This concerns 11 out of the 16 enterprises. For enterprises having contracts with a lower price than the starting price of the 52-contracts, the starting price of the new contracts would be reduced. Reductions would be calculated for each enterprises by 1. discounting to present value the difference between estimated market price and current contract price for the remainder of the contract period, and 2. converting this present value to price reductions for the duration of the new contracts.

Three additional enterprises were to be offered new leasing contracts connected to three power plants ⁽¹⁾. The new leasing contracts would commence 1 January 2001 and run for 30 years. The price was to be fixed at 15,75 øre/kWh (1999 prices) for the period between 2001 and 2020. The price between 2021 and 2030 would (in real terms) be equal to the average spot price for electricity in the period from 2016 to 2020. Termination clauses similar to the other (sales) contracts would be introduced as well.

Stortinget adopted St. prp. No 52 (1998-99) on 16 June 1999 with three amendments ⁽²⁾. First, the reduction of the contract volumes from 2011 was reduced from 6 % per year to 5 % per year. Secondly, the indexation was also to be based on the wholesale price index. (The Ministry of Oil and Energy decided later that annual price adjustments should be based on an average of the consumer price index and the wholesale price index). Thirdly, two additional enterprises ('Becromal' and 'Hunsfoss') were to be offered 52-contracts in addition to the 16 enterprises proposed by the Government.

3. The complaint

The complainant concludes that the contracts contained in St. prp. No 52 would not be in accordance with the State aid rules of the EEA Agreement (Article 61(1)). It would be possible, according to Bellona, to obtain 20-year contracts in the open market at a price of 21 øre/kWh (fixed nominal price), while the starting price in St. prp. No 52 is 15,5 øre/kWh (1999 prices indexed). For enterprises having existing

⁽¹⁾ Saudavassdraget, Tyssovassdraget, and Bremanger.

⁽²⁾ Innst. S. No 233 (1998-99) 'Innstilling fra energi- og miljøkomiteen om Statkrafts industrikontrakter og leieavtaler og om Kraftkontrakter med industrien'.

52-contracts with Statkraft the starting price could, due to the termination clauses, be as low as 11 øre/kWh (1999 prices indexed). If one compares a starting price of 15,5 øre/kWh (1999-prices indexed) with a price of 21 øre/kWh (fixed nominal price) over a period of 20 years, the indexation would have to be 3,1 % p.a. for the contracts to be economically equal. The complainant refers to the fact that the Government has assumed a growth in consumer prices of 2,5 % up to 2010. The 16 enterprises would therefore, according to Bellona, probably receive State aid by entering into the 52-contracts. The 52-contracts would fall within the scope of Article 61(1) EEA and none of the exemptions of Article 61(2) or (3) would be applicable, according to the complainant.

4. Correspondence between the Norwegian authorities and the Authority

By letter of 6 July 1999 (Doc. No 9-5022 D), the Authority forwarded a copy of the complaint from Bellona to the Norwegian authorities. The Norwegian authorities were, *inter alia*, invited to submit full documentation on the system of allocating energy contracts by Statkraft to individual companies. The Authority in particular asked the Norwegian authorities to substantiate why, in their view, prices of electric power offered to certain enterprises would not favour those enterprises, within the meaning of Article 61(1) EEA.

By letter of 13 October 1999, received and registered by the Authority on 14 October 1999 (Doc. No 99-7668 A), the Mission of Norway to the European Union responded to the letter of 6 July 1999 from the Authority. The letter contained comprehensive documentation on the former and present Norwegian system of electricity production, including the main features of St. prp. No 52 (1998-99). The Norwegian authorities stated in the letter that the 52-contracts are 'based on a price level obtainable on the basis of long-term contracts in today's power market, adjusted for the value of certain service obligations'.

In a meeting between officials from the Norwegian authorities and the Authority which took place in Brussels on 15 February 2000, the Norwegian authorities explained in detail the contents of St. prp. No 52 (1998-99).

By letter of 28 February 2000 (Doc. No 00-1613 D), the Authority requested further information from the Norwegian authorities. The authority, *inter alia*, invited the Norwegian authorities once more to comment upon the complaint by Bellona, to submit additional information on the prices of the 52-contracts and to explain how the value of the service obligations had been calculated.

A second meeting took place on these issues between officials from the Norwegian authorities and the Authority in Oslo on 3 March 2000. On the same date the Authority had meetings with operators in the electricity market in Norway.

By letter of 8 May 2000, received and registered by the Authority on 10 May 2000 (Doc. No 00-3577 A), the Ministry of Petroleum and Energy submitted further information. The Ministry argued that 'the 52-contracts are based on prices attainable in the present power market of long-term contracts, adjusted for the value of the service obligations. In addition, the downward adjustment of the contract volume, which commences in 2011, is also reflected in the contract price. The price referred to by Bellona, is applied in contracts without service obligations, and with a constant volume per year throughout the contract period. It is therefore not correct to compare these two prices'. The Ministry referred to the earlier correspondence and stated that 'It has been demonstrated that the Ministry's price is at the same level or higher than Bellona's price of 21 øre/kWh, depending on the discount rate'.

In the letter of 8 May 2000, the Ministry furthermore referred to the fact that Stortinget adjusted some of the elements in St. prp. No 52 (1998-99). This concerned the indexation of the contract price and the reduction of the contract volumes from 2011. In order to incorporate these changes, the starting price of the 52-contracts had been increased from 15,50 øre/kWh to 15,88 øre/kWh (1999 prices). The Ministry referred to the fact that the prices of the 52-contracts could be adjusted as of 1 January 2011, if the power market prices developed differently from what has been expected. The Ministry also noted that the industry would have to pay spot market prices whenever these prices exceed 30 øre/kWh (1999 prices) seven days consecutively. The Ministry furthermore elaborated, *inter alia*, on the calculation of the service obligations (power-control, dry-year buffer and efficient use of energy), and the termination clause in the 52-contracts and the leasing contracts.

In a letter of 12 May 2000 (Doc. No 00-3564 D) to the Norwegian authorities, the Authority stated that 'based on the information we have received so far, the Authority is of the view that contracts foreseen in St prp nr. 52 may contain aid. Termination clauses in the proposed contracts imply that enterprises with existing contracts ("statkraftskontrakter") and leases ("leieavtaler") will be conferred benefits for an extended period of time. On the other hand, for enterprises not having existing contracts, i.e. not affected by the termination clause, the price conditions outlined in St. prp. No 52 seem to be comparable to market conditions. If Statkraft and the enterprises mentioned in St. prp. No 52 conclude contracts under the conditions currently laid down, i.e. containing termination clauses, the Authority would be obliged to open proceedings according to Article 1 of Protocol 3 to the Surveillance and Court Agreement.'

5. Changes in Statkraft's industrial contracts and leases ('St. prp. No 78 (1999-2000) Endringer i vilkårene for Statkrafts industrikontrakter og leieavtaler')

By letter of 13 June 2000 from the Mission of Norway to the European Union, received and registered on 14 June 2000 (Doc. No 00-4346 A), the Norwegian authorities informed the Authority that on 2 June 2000 the Norwegian Government had submitted a proposal to Stortinget on changes in conditions related to Statkraft's industrial contracts and leases ('St. prp. No 78 (1999-2000) Endringer i vilkårene for Statkrafts industrikontrakter og leieavtaler'). The proposal suggested the elimination of the termination clauses in the 52-contracts. This meant that the existing contracts and leases will continue with no alterations until they expire.

By letter of 27 June 2000 from the Norwegian Ministry of Petroleum and Energy, received and registered on 29 June 2000 (Doc. No 00-4701 A), the Ministry informed the Authority that Stortinget had approved St. prp. No 78 (1999-2000) on 14 June 2000⁽¹⁾.

II. APPRECIATION

The complainant assumed that prices in the 52-contracts (see point I.2) would be below market prices and that this would be contrary to Article 61(1) of the EEA Agreement.

For a measure to constitute State aid within the meaning of Article 61(1) EEA it must:

1. be granted through State resources;
2. distort or threaten to distort competition by favouring certain undertakings or the production of certain goods;
3. affect trade between Contracting Parties.

These conditions would be fulfilled if Statkraft (the seller) were obliged to enter into 52-contracts containing conditions that are more advantageous for the enterprises (the buyers) than market conditions, i.e. if the 52-contracts confer a financial advantage on the buyers. The Authority therefore has to identify and quantify possible elements of State aid in the 52-contracts.

The adoption of St. prp. No 78 (1999-2000) (see point I.5) means that termination clauses have been withdrawn from the 52-contracts. This implies that existing contracts and leases will run, with no alterations, to the respective expiry dates. This encompasses contracts with 11 enterprises and the three mentioned leases.

The price in the 52-contracts commencing 1 January 2001 will be fixed at 15,88 øre/kWh (1999 prices) and adjusted for annual inflation. Contracts that commence thereafter will have higher prices, reflecting expectations that electricity prices will rise in real terms. If prices in the electricity market develop differently from expectations, the contracts provide for price adjustments from 1 January 2011 onwards. In addition, the enterprises will be obliged to pay the spot price if the average spot price exceeds 30 øre/kWh for more than 168 hours in a row.

⁽¹⁾ Innst. S. No 251 (1999-2000) 'Innstilling fra energi- og miljøkomiteen om endringer i vilkårene for Statkrafts industrikontrakter og leieavtaler'.

The price in the leasing contracts is 15,75 øre/kWh in real terms for the period between 2001 and 2020. In nominal terms this price will also be adjusted for inflation. The price between 2021 and 2030 will (in real terms) be equal to the average spot price in the period from 2016 to 2020.

Enterprises accepting the 52-contracts and the leasing contracts are required to contribute to power control and dry year buffer. The values of these obligations are reflected in the contract prices.

The Authority has received comprehensive information from the Norwegian authorities regarding prices on long-term contracts. The Norwegian authorities have gathered information from a variety of sources (brokers) in the electricity market. The Authority has also gathered information from different sources. It appears from this information that the market prices for long-term electricity contracts have gone down since St. prp. No 52 (1998-99) was presented to Stortinget. It is now possible to obtain 20-year contracts in the open market at a price of around 19 øre/kWh. This price is fixed in nominal terms for the whole contract period and consequently not subject to inflation adjustment. Bellona claimed that a corresponding price would be 21 øre/kWh.

The Authority agrees with the view of the Norwegian authorities that it is incorrect to make a direct comparison between the prices of contracts contained in St. prp. No 52 (1998-99) and contracts not containing service obligations and having a constant volume throughout the contract period. Furthermore, prices in the 52-contracts are expressed in real terms (15,88 øre/kWh) while the actual prices to be paid will be adjusted for inflation. The price claimed by Bellona is a price that will be maintained in nominal terms throughout the contract period and not adjusted for inflation. If the economic value of a contract with a given nominal price should be similar to the economic value of a contract with an increasing nominal price, the former price would naturally be higher at the outset, while the latter would be higher at the end of the contract period. To compare the economic values of two such sets of contracts it would be necessary to make assumptions of inflationary developments and a rate of discounts.

The Authority has made such comparisons between different fixed nominal prices using different discount factors and a price of 15,88 øre/kWh indexed with 2,25 % over a period of 20 years. With a discount factor of 7 % ⁽¹⁾, the Authority has estimated the Ministry's indexed price of 15,88 øre/kWh to be higher than the present fixed nominal market price of 19 øre/kWh. In addition it has to be taken into account that enterprises entering into the 52-contracts are subject to the service obligations. The Authority therefore cannot conclude that the 52-contracts contain State aid.

III. CONCLUSION

In view of the above facts and considerations, the case is closed without further action by the Authority,

HAS ADOPTED THIS DECISION:

The EFTA Surveillance Authority's examination of the complaint received and registered on 27 May 1999 (Doc. No 99-3867 A), concerning alleged State aid to certain enterprises through the contract conditions for electricity ('Kraftkontrakter på myndighetsbestemte vilkår') (Aid No 020.500.032), is closed without further action.

Done at Brussels, 26 July 2000.

For the EFTA Surveillance Authority

Knut ALMESTAD

President

⁽¹⁾ 7 % is used by the Norwegian authorities. See St. prp. No 52 (1998-99), p. 14.

COMMISSION

COMMISSION DECISION

of 7 December 2000

authorising the Member States to permit temporarily the marketing of vine propagating material not satisfying the requirements of Council Directive 68/193/EEC

(notified under document number C(2000) 3498)

(2000/800/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden ⁽²⁾, and in particular Article 14 thereof,

Having regard to the request submitted by France,

Whereas:

- (1) In the Community, in particular in France, the production of certain vine propagating materials satisfying the requirements of Directive 68/193/EEC has been insufficient in 1998 and is therefore not adequate to meet that country's needs.
- (2) It is not possible to cover this demand satisfactorily with material satisfying all the requirements laid down in the said Directive.
- (3) France should therefore be authorised to permit the marketing for a period expiring on 15 March 2001 of material of a category to which less stringent requirements apply.
- (4) Other Member States likely to supply France with such material should furthermore be authorised to permit its marketing to this end.
- (5) In France the propagating material will be imported from Switzerland in the form of dormant buds to be used for grafting. According to the request, the rooted grafts produced in the Community from such propagating material are then intended for re-export to Switzerland.

(6) This authorisation may only be used in accordance with the plant health conditions and requirements laid down by Council Directive 2000/29/EC ⁽³⁾, and in any implementing measures made thereof.

(7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

France is authorised to permit, for a period expiring on 15 March 2001, the marketing on its territory of a maximum of 195 000 dormant buds for grafting harvested in Switzerland which do not satisfy the requirements laid down in Directive 68/193/EEC as regards certification and inspection of standard propagating material, provided that the official label is brown and bears the words 'less stringent requirements'.

Article 2

Member States other than the applicant Member State are also authorised to permit, on the terms set out in Article 1 and for the purposes intended by the applicant Member State, the marketing in their territories of the material authorised to be marketed under this Decision.

Article 3

The authorisations under Articles 1 and 2 shall be without prejudice to Council Directive 2000/29/EC and any implementing measures thereof.

⁽¹⁾ OJ L 93, 17.4.1968, p. 15.

⁽²⁾ OJ C 241, 29.8.1994, p. 1.

⁽³⁾ OJ L 169, 10.7.2000, p. 1.

Article 4

Member States shall immediately notify the Commission and the other Member States of the quantities of propagating material permitted to be marketed in their territories under this Decision.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 7 December 2000.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION

of 20 December 2000

concerning the non-inclusion of lindane in Annex I to Council Directive 91/414/EEC and the withdrawal of authorisations for plant-protection products containing this active substance

(notified under document number C(2000) 4014)

(Text with EEA relevance)

(2000/801/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant-protection products on the market ⁽¹⁾, as last amended by Commission Directive 2000/80/EC ⁽²⁾, and in particular the fourth subparagraph of Article 8(2) thereof,

Having regard to Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Articles 8(2) of Council Directive 91/414/EEC concerning the placing of plant-protection products on the market ⁽³⁾, as last amended by Regulation (EC) No 2266/2000 ⁽⁴⁾, and in particular Article 7(3a)(b) thereof,

Whereas:

- (1) Article 8(2) of Directive 91/414/EEC provided for the Commission to carry out a programme of work for the examination of the active substances used in plant-protection products which were already on the market on 15 July 1993. Detailed rules for the carrying out of this programme were established in Regulation (EC) No 3600/92.
- (2) Commission Regulation (EC) No 933/94 of 27 April 1994 laying down the active substances of plant-protection products and designating the rapporteur Member States for the implementation of Regulation (EEC) No 3600/92 ⁽⁵⁾, as last amended by Regulation (EC) No 2230/95 ⁽⁶⁾, has designated the active substances which should be assessed in the framework of Regulation (EEC) No 3600/92, designated a Member State to act as rapporteur in respect of the assessment of each substance and identified the producers of each active substance who submitted a notification in due time in accordance with Article 4(2) of Regulation (EEC) No 3600/92.
- (3) Lindane is one of the 90 active substances designated in Regulation (EC) No 933/94.
- (4) In accordance with Article 7(1)(c) of Regulation (EEC) No 3600/92, Austria, being the designated rapporteur Member State, submitted on 17 December 1998 to the

Commission the report of its assessment of the information submitted by the notifiers in accordance with the provisions of Article 6(1) of this Regulation.

- (5) On receipt of the report of the rapporteur Member State, the Commission undertook consultations with experts of the Member States as well as with the main notifier (CIEL) as provided for in Article 7(3) of Regulation (EEC) No 3600/92.
- (6) The assessment report prepared by Austria has been reviewed by the Member States and the Commission within the Standing Committee on Plant Health. This review was finalised on 13 July 2000 in the format of the Commission review report for lindane, in accordance with Article 7(6) of Regulation (EEC) No 3600/92.
- (7) Assessments made on the basis of the information submitted have not demonstrated that it may be expected that, under the proposed conditions of use, plant-protection products containing lindane satisfy in general the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular with regard to the safety of operators potentially exposed to lindane and with regard to the fate and behaviour of the substance in the environment and its possible impact on non-target organisms.
- (8) Therefore it is not possible to include this active substance in Annex I to Directive 91/414/EEC.
- (9) Any period of grace for disposal, storage, placing on the market and use of existing stocks of plant-protection products containing lindane allowed by Member States, in accordance with the provisions of Article 4(6) of Directive 91/414/EEC should be limited to a period of no longer than 18 months to allow existing stocks to be used in no more than one further growing season.
- (10) This Decision does not prejudice any action the Commission may undertake at a later stage for this active substance within the framework of Council Directive 79/117/EEC ⁽⁷⁾.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 309, 9.12.2000, p. 14.

⁽³⁾ OJ L 366, 15.12.1992, p. 10.

⁽⁴⁾ OJ L 259, 13.10.2000, p. 27.

⁽⁵⁾ OJ L 107, 28.4.1994, p. 8.

⁽⁶⁾ OJ L 225, 22.9.1995, p. 1.

⁽⁷⁾ OJ L 33, 8.2.1979, p. 36.

HAS ADOPTED THIS DECISION:

Article 1

Lindane is not included as an active substance in Annex I to Directive 91/414/EEC.

Article 2

The Member States shall ensure that:

1. authorisations for plant-protection products containing lindane are withdrawn within a period of six months from the date of adoption of the present Decision;
2. from the date of adoption of the present Decision no authorisation for plant-protection products containing lindane will be granted or renewed under the derogation provided for in Article 8(2) of Directive 91/414/EEC.

Article 3

Any period of grace granted by Member States in accordance with the provisions of Article 4(6) of Directive 91/414/EEC, shall be as short as possible and not longer than 18 months from the date of adoption of the present Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 20 December 2000.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION

of 18 December 2000

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(notified under document number C(2000) 3984)

(2000/802/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1706/98 of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 715/90 ⁽¹⁾, and in particular Article 30 thereof,

Having regard to Commission Regulation (EC) No 1918/98 of 9 September 1998 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 1706/98 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and repealing Regulation (EC) No 589/96 ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) Article 1 of Regulation (EC) No 1918/98 provides for the possibility of issuing import licences for beef and veal products. However, imports must take place within the limits of the quantities specified for each of these exporting non-member countries.
- (2) The applications for import licences submitted between 1 and 10 December 2000, expressed in terms of boned meat, in accordance with Regulation (EC) No 1918/98, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from those States. It is therefore possible to issue import licences in respect of the quantities applied for.
- (3) The quantities in respect of which licences may be applied for from 1 January 2001 should be fixed within the scope of the total quantity of 52 100 tonnes.
- (4) This Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems on importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽³⁾, as last amended by Directive 97/79/EC ⁽⁴⁾,

Article 1

The following Member States shall issue on 21 December 2000 import licences for beef and veal products, expressed as boned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

Germany:

- 240 tonnes originating in Botswana,
- 16,6 tonnes originating in Namibia,

United Kingdom:

- 50 tonnes originating in Botswana,
- 25,8 tonnes originating in Namibia,
- 13,5 tonnes originating in Swaziland,
- 0,9 tonnes originating in Zimbabwe.

Article 2

Licence applications may be submitted, pursuant to Article 3(2) of Regulation (EC) No 1918/98, during the first 10 days of January 2001 for the following quantities of boned beef and veal:

Botswana:	18 916 tonnes,
Kenya:	142 tonnes,
Madagascar:	7 579 tonnes,
Swaziland:	3 363 tonnes,
Zimbabwe:	9 100 tonnes,
Namibia:	13 000 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 December 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 215, 1.8.1998, p. 12.

⁽²⁾ OJ L 250, 10.9.1998, p. 16.

⁽³⁾ OJ L 302, 31.12.1972, p. 28.

⁽⁴⁾ OJ L 24, 30.1.1998, p. 31.