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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1194/1999
of 10 June 1999
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 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;

Whereas, 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 11 June 1999.

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

Done at Brussels, 10 June 1999.

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 10 June 1999 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	49,1
	999	49,1
0707 00 05	052	77,0
	628	125,4
	999	101,2
0709 90 70	052	59,3
	999	59,3
0805 30 10	382	49,8
	388	66,7
	528	54,7
0808 10 20, 0808 10 50, 0808 10 90	999	57,1
	388	71,6
	400	63,3
	508	71,0
	512	69,4
	524	66,1
	528	57,4
	804	98,7
	999	71,1
	052	214,5
0809 20 95	064	234,8
	400	177,5
	999	208,9

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 1195/1999
of 10 June 1999
on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat⁽¹⁾, as last amended by Regulation (EC) No 134/1999⁽²⁾,

Whereas Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2(f);

Whereas Article 2(f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms for the period 1 July 1998 to 30 June 1999 at 11 500 t;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import licences from 1 to 5 June 1999 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2(f) of Regulation (EC) No 936/97 shall be granted in full.

Article 2

This Regulation shall enter into force on 11 June 1999.

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

Done at Brussels, 10 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 137, 28.5.1997, p. 10.

⁽²⁾ OJ L 17, 22.1.1999, p. 22.

COMMISSION REGULATION (EC) No 1196/1999
of 10 June 1999

**on the issuing of a standing invitation to tender for the resale on the internal
market of 75 000 tonnes of maize held by the German intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
Community,

Having regard to Council Regulation (EEC) No 1766/92
of 30 June 1992 on the common organisation of the
market in cereals ⁽¹⁾, as last amended by Commission
Regulation (EC) No 923/96 ⁽²⁾ and in particular Article 5
thereof,

- (1) Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by the intervention agencies;
- (2) Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 75 000 tonnes of maize held by the German intervention agency should be issued;
- (3) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The German intervention agency shall issue pursuant to Regulation (EEC) No 2131/93 a standing invitation to

tender for the resale on the internal market of 75 000 tonnes of maize held by it.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 22 June 1999.
2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 31 August 1999.

3. Tenders must be lodged with the German intervention agency at the following address:

Bundesanstalt für Landwirtschaft und Ernährung (BLE)
Adickesallee 40
D-60322 Frankfurt am Main
Fax (49-69) 156 47 93.

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the German intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

Article 4

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, 10 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

COMMISSION REGULATION (EC) No 1197/1999
of 10 June 1999

amending Regulation (EC) No 1667/98 increasing to 417 608 tonnes the quantity of barley held by the Swedish intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96 ⁽²⁾, and in particular Article 5 thereof,

- (1) Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;
- (2) Whereas Commission Regulation (EC) No 1667/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1144/1999 ⁽⁶⁾, opened a standing invitation to tender for the export of 367 341 tonnes of barley held by the Swedish intervention agency; whereas, Sweden informed the Commission of the intention of its intervention agency to increase by 50 267 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the Swedish intervention agency for which a standing invitation to tender for export has been opened should be increased to 417 608 tonnes;
- (3) Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions

and quantities in store; whereas Annex I to Regulation (EC) No 1667/98 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1667/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 417 608 tonnes of barley to be exported to all third countries with the exception of the United States of America, Canada and Mexico.
 2. The regions in which the 417 608 tonnes of barley are stored are stated in Annex I to this Regulation.'
2. Annex I is replaced by the Annex hereto.

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, 10 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 211, 29.7.1998, p. 17.

⁽⁶⁾ OJ L 137, 1.6.1999, p. 20.

ANNEX

ANNEX I

(tonnes)

Place of storage	Quantity
Ättersta	7 584
Brännarp	2 624
Broddbo 1	5 997
Broddbo 2	6 076
Djurön	39 504
Ervalla	934
Falun	878
Fammarp	19 046
Funbo-Lövsta	6 579
Gamleby	2 835
Gårdsjö	2 565
Gävle	10 847
Gimo	23 901
Gistad	3 761
Gullspång	2 391
Halmstad (Engströms)	4 659
Hästholmen	5 089
Helsingborg	37 526
Hova	12 981
Kalmar	15 738
Karlshamn	42 356
Katrineholm	2 068
Köping	2 077
Laholm	2 737
Mariestad	1 956
Mjölby	1 804
Moraby	1 637
Motala	2 807
Norrtälje	10 014
Ormesta	13 583
Österbybruk	10 878
Otterbäcken	4 075
Rimforsa	11 049
Rök	4 994
Signestorp	2 672
Simonstorp	5 022
Skivarp	9 415
Söråker	13 053
Stallarholmen	2 062
Stavreviken	1 479
Stockholm (Kvarnholmen)	29 957
Tjustorp	9 879
Värnamo	5 742
Vetlanda	10 780
Vimmerby	3 997

COMMISSION REGULATION (EC) No 1198/1999
of 10 June 1999

amending Regulation (EC) No 1760/98 increasing to 2 138 000 tonnes the quantity of barley held by the French intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96 ⁽²⁾, and in particular Article 5 thereof,

- (1) Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;
- (2) Whereas Commission Regulation (EC) No 1760/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1144/1999 ⁽⁶⁾, opened a standing invitation to tender for the export of 1 938 000 tonnes of barley held by the French intervention agency; whereas, France informed the Commission of the intention of its intervention agency to increase by 200 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the French intervention agency for which a standing invitation to tender for export has been opened should be increased to 2 138 000 tonnes;
- (3) Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions

and quantities in store; whereas Annex I to Regulation (EC) No 1760/98 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1760/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 2 138 000 tonnes of barley to be exported to all third countries with the exception of the United States, Canada and Mexico.
 2. The regions in which the 2 138 000 tonnes of barley are stored are stated in Annex I to this Regulation.⁷
2. Annex I is replaced by the Annex hereto.

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, 10 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 221, 8.8.1998, p. 13.

⁽⁶⁾ OJ L 137, 1.6.1999, p. 20.

*ANNEX**'ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Amiens	81 000
Châlons	173 000
Dijon	84 000
Lille	351 054
Nantes	37 000
Nancy	62 000
Orléans	460 000
Paris	124 000
Poitiers	185 000
Rouen	579 546
Toulouse	1 400'

COMMISSION REGULATION (EC) No 1199/1999
of 10 June 1999

amending Regulation (EC) No 2198/98 increasing to 1 149 933 tonnes the quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96 ⁽²⁾, and in particular Article 5 thereof,

- (1) Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;
- (2) Whereas Commission Regulation (EC) No 2198/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1144/1999 ⁽⁶⁾, opened a standing invitation to tender for the export of 949 973 tonnes of barley held by the German intervention agency; whereas, Germany informed the Commission of the intention of its intervention agency to increase by 199 960 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 1 149 933 tonnes;
- (3) Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions

and quantities in store; whereas Annex I to Regulation (EC) No 2198/98 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2198/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 1 149 933 tonnes of barley for export to third countries, with the exception of the United States of America, Canada and Mexico.
 2. The regions in which the 1 149 933 tonnes of barley are stored are stated in Annex I to this Regulation;
2. Annex I is replaced by the Annex hereto.

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, 10 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 277, 14.10.1998, p. 9.

⁽⁶⁾ OJ L 137, 1.6.1999, p. 20.

*ANNEX**'ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Schleswig-Holstein/Hamburg/ Niedersachsen/Bremen/ Nordrhein-Westfalen	342 445
Hessen/Rheinland-Pfalz/ Baden-Württemberg/ Saarland/Bayern	81 482
Berlin/Brandenburg/ Mecklenburg-Vorpommern	385 225
Sachsen/Sachsen-Anhalt/Thüringen	340 781'

COMMISSION REGULATION (EC) No 1200/1999
of 10 June 1999
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 17(3) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Regulation (EEC) No 804/68 provides that when the refunds on the products listed in Article 1 of the abovementioned Regulation, exported in the natural state, are being fixed, account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 228 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 17(5) of Regulation (EEC) No 804/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that

when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 17(3) of Regulation (EEC) No 804/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination;

Whereas Article 17(3) of Regulation (EEC) No 804/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽³⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components; whereas one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; whereas the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organisation of the markets in the sugar sector ⁽⁴⁾, as last amended by Commission Regulation (EC) No 1148/98 ⁽⁵⁾; whereas, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community;

⁽¹⁾ OJ L 148, 28.6.1968, p. 13.

⁽²⁾ OJ L 206, 16.8.1996, p. 21.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 177, 1.7.1981, p. 4.

⁽⁵⁾ OJ L 159, 3.6.1998, p. 38.

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than EUR 230,00 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84 ⁽¹⁾, as last amended by Regulation (EEC) No 222/88 ⁽²⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to destination No 400 for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.
3. There shall be no refunds for exports to destinations No 021, 023, 024, 028, 043, 044, 045, 046, 052, 404, 600, 800 and 804 for products falling within CN code 0406.

Article 2

This Regulation shall enter into force on 11 June 1999.

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

Done at Brussels, 10 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71.

⁽²⁾ OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 10 June 1999 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0401 10 10 9000	970	2,327	0402 21 91 9900	+	159,96
	***	—	0402 21 99 9100	+	120,86
0401 10 90 9000	970	2,327	0402 21 99 9200	+	121,69
	***	—	0402 21 99 9300	+	123,20
0401 20 11 9100	970	2,327	0402 21 99 9400	+	131,67
	***	—	0402 21 99 9500	+	134,61
0401 20 11 9500	970	3,597	0402 21 99 9600	+	145,88
	***	—	0402 21 99 9700	+	152,49
0401 20 19 9100	970	2,327	0402 21 99 9900	+	159,96
	***	—	0402 29 15 9200	+	0,9000
0401 20 19 9500	970	3,597	0402 29 15 9300	+	1,0589
	***	—	0402 29 15 9500	+	1,1156
0401 20 91 9100	970	4,551	0402 29 15 9900	+	1,2002
	***	—	0402 29 19 9200	+	0,9000
0401 20 91 9500	+	—	0402 29 19 9300	+	1,0589
0401 20 99 9100	970	4,551	0402 29 19 9500	+	1,1156
	***	—	0402 29 19 9900	+	1,2002
0401 20 99 9500	+	—	0402 29 91 9100	+	1,2086
0401 30 11 9100	+	—	0402 29 91 9500	+	1,3167
0401 30 11 9400	970	10,50	0402 29 99 9100	+	1,2086
	***	—	0402 29 99 9500	+	1,3167
0401 30 11 9700	970	15,77	0402 91 11 9110	+	—
	***	—	0402 91 11 9120	+	—
0401 30 19 9100	+	—	0402 91 11 9310	+	11,31
0401 30 19 9400	+	—	0402 91 11 9350	+	13,85
0401 30 19 9700	970	15,77	0402 91 11 9370	+	16,84
	***	—	0402 91 19 9110	+	—
0401 30 31 9100	+	38,32	0402 91 19 9120	+	—
0401 30 31 9400	+	59,85	0402 91 19 9310	+	11,31
0401 30 31 9700	+	66,00	0402 91 19 9350	+	13,85
0401 30 39 9100	+	38,32	0402 91 19 9370	+	16,84
0401 30 39 9400	+	59,85	0402 91 31 9100	+	—
0401 30 39 9700	+	66,00	0402 91 31 9300	+	19,91
0401 30 91 9100	+	75,22	0402 91 39 9100	+	—
0401 30 91 9400	+	110,55	0402 91 39 9300	+	19,91
0401 30 91 9700	+	129,01	0402 91 51 9000	+	—
0401 30 99 9100	+	75,22	0402 91 59 9000	+	—
0401 30 99 9400	+	110,55	0402 91 91 9000	+	63,94
0401 30 99 9700	+	129,01	0402 91 99 9000	+	63,94
0402 10 11 9000	+	90,00	0402 99 11 9110	+	—
0402 10 19 9000	+	90,00	0402 99 11 9130	+	—
0402 10 91 9000	+	0,9000	0402 99 11 9150	+	—
0402 10 99 9000	+	0,9000	0402 99 11 9310	+	0,2689
0402 21 11 9200	+	90,00	0402 99 11 9330	+	0,3228
0402 21 11 9300	+	105,89	0402 99 11 9350	+	0,4291
0402 21 11 9500	+	111,56	0402 99 19 9110	+	—
0402 21 11 9900	+	120,00	0402 99 19 9130	+	—
0402 21 17 9000	+	90,00	0402 99 19 9150	+	—
0402 21 19 9300	+	105,89	0402 99 19 9310	+	0,2689
0402 21 19 9500	+	111,56	0402 99 19 9330	+	0,3228
0402 21 19 9900	+	120,00	0402 99 19 9350	+	0,4291
0402 21 91 9100	+	120,86	0402 99 31 9110	+	—
0402 21 91 9200	+	121,69	0402 99 31 9150	+	0,4467
0402 21 91 9300	+	123,20	0402 99 31 9300	+	0,3832
0402 21 91 9400	+	131,67	0402 99 31 9500	+	0,6600
0402 21 91 9500	+	134,61	0402 99 39 9110	+	—
0402 21 91 9600	+	145,88	0402 99 39 9150	+	0,4467
0402 21 91 9700	+	152,49	0402 99 39 9300	+	0,3832

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0402 99 39 9500	+	0,6600	0404 90 29 9160	+	152,49
0402 99 91 9000	+	0,7522	0404 90 29 9180	+	159,96
0402 99 99 9000	+	0,7522	0404 90 81 9100	+	0,9000
0403 10 11 9400	+	—	0404 90 81 9910	+	—
0403 10 11 9800	+	—	0404 90 81 9950	+	0,2689
0403 10 13 9800	+	—	0404 90 83 9110	+	0,9000
0403 10 19 9800	+	—	0404 90 83 9130	+	1,0589
0403 10 31 9400	+	—	0404 90 83 9150	+	1,1156
0403 10 31 9800	+	—	0404 90 83 9170	+	1,2002
0403 10 33 9800	+	—	0404 90 83 9911	+	—
0403 10 39 9800	+	—	0404 90 83 9913	+	—
0403 90 11 9000	+	88,48	0404 90 83 9915	+	—
0403 90 13 9200	+	88,48	0404 90 83 9917	+	—
0403 90 13 9300	+	104,95	0404 90 83 9919	+	—
0403 90 13 9500	+	110,56	0404 90 83 9931	+	0,2689
0403 90 13 9900	+	118,93	0404 90 83 9933	+	0,3228
0403 90 19 9000	+	119,81	0404 90 83 9935	+	0,4291
0403 90 31 9000	+	0,8848	0404 90 83 9937	+	0,4467
0403 90 33 9200	+	0,8848	0404 90 89 9130	+	1,2086
0403 90 33 9300	+	1,0495	0404 90 89 9150	+	1,3167
0403 90 33 9500	+	1,1056	0404 90 89 9930	+	0,4601
0403 90 33 9900	+	1,1893	0404 90 89 9950	+	0,6600
0403 90 39 9000	+	1,1981	0404 90 89 9990	+	0,7522
0403 90 51 9100	970	2,327	0405 10 11 9500	+	165,85
	***	—	0405 10 11 9700	+	170,00
0403 90 51 9300	+	—	0405 10 19 9500	+	165,85
0403 90 53 9000	+	—	0405 10 19 9700	+	170,00
0403 90 59 9110	+	—	0405 10 30 9100	+	165,85
0403 90 59 9140	+	—	0405 10 30 9300	+	170,00
0403 90 59 9170	970	15,77	0405 10 30 9500	+	165,85
	***	—	0405 10 30 9700	+	170,00
0403 90 59 9310	+	38,32	0405 10 50 9100	+	165,85
0403 90 59 9340	+	59,85	0405 10 50 9300	+	170,00
0403 90 59 9370	+	64,80	0405 10 50 9500	+	165,85
0403 90 59 9510	+	64,80	0405 10 50 9700	+	170,00
0403 90 59 9540	+	64,80	0405 10 90 9000	+	176,22
0403 90 59 9570	+	64,80	0405 20 90 9500	+	155,49
0403 90 61 9100	+	—	0405 20 90 9700	+	161,71
0403 90 61 9300	+	—	0405 90 10 9000	+	216,00
0403 90 63 9000	+	—	0405 90 90 9000	+	170,00
0403 90 69 9000	+	—	0406 10 20 9100	+	—
0404 90 21 9100	+	90,00	0406 10 20 9230	037	—
0404 90 21 9910	+	—		039	—
0404 90 21 9950	+	11,31		099	37,68
0404 90 23 9120	+	90,00		400	22,83
0404 90 23 9130	+	105,89		***	37,68
0404 90 23 9140	+	111,56			
0404 90 23 9150	+	120,00	0406 10 20 9290	037	—
0404 90 23 9911	+	—		039	—
0404 90 23 9913	+	—		099	35,05
0404 90 23 9915	+	—		400	15,29
0404 90 23 9917	+	—		***	35,05
0404 90 23 9919	+	—			
0404 90 23 9931	+	11,31			
0404 90 23 9933	+	13,85			
0404 90 23 9935	+	16,84			
0404 90 23 9937	+	19,91			
0404 90 23 9939	+	20,81			
0404 90 29 9110	+	120,86	0406 10 20 9300	037	—
0404 90 29 9115	+	121,69		039	—
0404 90 29 9120	+	123,20		099	15,39
0404 90 29 9130	+	131,67		400	7,834
0404 90 29 9135	+	134,61		***	15,39
0404 90 29 9150	+	145,88			

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 10 20 9610	037	—	0406 20 90 9990	+	—
	039	—	0406 30 31 9710	037	—
	099	51,11		039	—
	400	30,98		099	9,536
	***	51,11		400	8,346
0406 10 20 9620				***	17,88
	037	—	0406 30 31 9730	037	—
	039	—		039	—
	099	51,83		099	13,99
	400	31,42		400	12,25
0406 10 20 9630	***	51,83		***	26,24
	037	—	0406 30 31 9910	037	—
	039	—		039	—
	099	57,86		099	9,536
	400	35,06		400	8,346
0406 10 20 9640	***	57,86		***	17,88
	037	—	0406 30 31 9930	037	—
	039	—		039	—
	099	85,03		099	13,99
	400	48,35		400	12,25
0406 10 20 9650	***	85,03		***	26,24
	037	—	0406 30 31 9950	037	—
	039	—		039	—
	099	70,86		099	20,36
	400	25,44		400	17,81
0406 10 20 9660	***	70,86		***	38,17
	+	—	0406 30 39 9500	037	—
	037	—		039	—
	039	—		099	13,99
	099	26,28		400	12,25
0406 10 20 9830	400	13,38		***	26,24
	***	26,28	0406 30 39 9700	037	—
	037	—		039	—
	039	—		099	20,36
	099	31,87		400	17,81
0406 10 20 9850	400	16,22		***	38,17
	***	31,87	0406 30 39 9930	037	—
	+	—		039	—
	+	—		099	20,36
	+	—		400	17,81
0406 10 20 9870	037	—		***	38,17
	039	—	0406 30 39 9950	037	—
	099	58,77		039	—
	400	31,59		099	23,02
	***	58,77		400	21,14
0406 20 90 9915				***	43,16
	037	—	0406 30 90 9000	037	—
	039	—		039	—
	099	77,56		099	24,15
	400	42,12		400	21,14
0406 20 90 9917	***	77,56		***	45,28
	037	—	0406 40 50 9000	037	—
	039	—		039	—
	099	82,41		099	90,00
	400	44,75		400	32,98
0406 20 90 9919	***	82,41		***	90,00
	037	—			
	039	—			
	099	92,10			
	400	50,02			
	***	92,10			

Product code	Destination (°)	Amount of refund	Product code	Destination (°)	Amount of refund
0406 40 90 9000	037	—	0406 90 33 9951	037	—
	039	—		039	—
	099	92,42		099	68,98
	400	32,98		400	20,01
	***	92,42		***	78,66
0406 90 13 9000	037	—	0406 90 35 9190	037	33,29
	039	—		039	33,29
	099	101,62		099	105,71
	400	60,16		400	61,40
	***	116,37		***	121,56
0406 90 15 9100	037	—	0406 90 35 9990	037	—
	039	—		039	—
	099	105,01		099	105,71
	400	62,17		400	40,19
	***	120,25		***	121,56
0406 90 17 9100	037	—	0406 90 37 9000	037	—
	039	—		039	—
	099	105,01		099	101,62
	400	62,17		400	60,16
	***	120,25		***	116,37
0406 90 21 9900	037	—	0406 90 61 9000	037	47,01
	039	—		039	47,01
	099	102,90		099	112,00
	400	44,53		400	57,27
	***	117,54		***	129,64
0406 90 23 9900	037	—	0406 90 63 9100	037	42,83
	039	—		039	42,83
	099	90,36		099	111,41
	400	18,57		400	63,89
	***	103,92		***	128,55
0406 90 25 9900	037	—	0406 90 63 9900	037	34,22
	039	—		039	34,22
	099	89,77		099	107,11
	400	21,16		400	48,93
	***	102,80		***	124,18
0406 90 27 9900	037	—	0406 90 69 9100	+	—
	039	—	0406 90 69 9910	037	—
	099	81,30		039	—
	400	18,57		099	107,11
	***	93,10		400	48,93
0406 90 31 9119	037	—		***	124,18
	039	—	0406 90 73 9900	037	—
	099	74,72		039	—
	400	25,56		099	93,28
	***	85,71		400	52,63
0406 90 33 9119	037	—		***	106,91
	039	—	0406 90 75 9900	037	—
	099	74,72		039	—
	400	25,56		099	93,90
	***	85,71		400	22,27
0406 90 33 9919	037	—		***	108,07
	039	—	0406 90 76 9300	037	—
	099	68,29		039	—
	400	20,33		099	84,68
	***	78,60		400	20,12
				***	96,98

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 76 9400	037	—	0406 90 85 9999	+	—
	039	—	0406 90 86 9100	+	—
	099	94,85	0406 90 86 9200	037	—
	400	23,22		039	—
	***	108,62		099	86,17
0406 90 76 9500	037	—		400	27,65
	039	—		***	102,23
	099	90,24	0406 90 86 9300	037	—
	400	23,22		039	—
	***	102,45		099	87,41
0406 90 78 9100	037	—		400	30,30
	039	—		***	103,32
	099	87,50	0406 90 86 9400	037	—
	400	18,14		039	—
	***	102,26		099	92,87
0406 90 78 9300	037	—		400	34,28
	039	—		***	108,62
	099	92,78	0406 90 86 9900	037	—
	400	20,12		039	—
	***	105,98		099	102,43
0406 90 78 9500	037	—		400	40,24
	039	—		***	117,90
	099	91,91	0406 90 87 9100	+	—
	400	23,22	0406 90 87 9200	037	—
	***	104,35		039	—
0406 90 79 9900	037	—		099	71,81
	039	—		400	24,78
	099	75,02		***	85,19
	400	19,23	0406 90 87 9300	037	—
	***	86,27		039	—
0406 90 81 9900	037	—		099	80,27
	039	—		400	28,02
	099	94,85		***	94,89
	400	47,61	0406 90 87 9400	037	—
	***	108,62		039	—
0406 90 85 9910	037	33,32		099	82,36
	039	33,32		400	30,66
	099	102,43		***	96,33
	400	59,27	0406 90 87 9951	037	—
	***	117,90		039	—
0406 90 85 9991	037	—		099	93,15
	039	—		400	42,19
	099	102,43		***	106,68
	400	40,19	0406 90 87 9971	037	—
	***	117,90		039	—
0406 90 85 9995	037	—		099	93,15
	039	—		400	34,41
	099	93,90		***	106,68
	400	21,16	0406 90 87 9972	099	39,68
	***	108,07		400	13,67
				***	45,63

Product code	Destination (*)	Amount of refund	Product code	Destination (*)	Amount of refund
0406 90 87 9973	037	—	2309 10 19 9100	+	—
	039	—	2309 10 19 9200	+	—
	099	91,46	2309 10 19 9300	+	—
	400	24,08	2309 10 19 9400	+	—
	***	104,74	2309 10 19 9500	+	—
0406 90 87 9974	037	—	2309 10 19 9600	+	—
	039	—	2309 10 19 9700	+	—
	099	99,26	2309 10 19 9800	+	—
	400	24,08	2309 10 70 9010	+	—
	***	113,19	2309 10 70 9100	+	13,85
0406 90 87 9975	037	—	2309 10 70 9200	+	18,47
	039	—	2309 10 70 9300	+	23,09
	099	101,25	2309 10 70 9500	+	27,70
	400	31,87	2309 10 70 9600	+	32,32
	***	114,45	2309 10 70 9700	+	36,94
0406 90 87 9979	037	—	2309 10 70 9800	+	40,63
	039	—	2309 90 35 9010	+	—
	099	90,36	2309 90 35 9100	+	—
	400	24,08	2309 90 35 9200	+	—
	***	103,92	2309 90 35 9300	+	—
0406 90 88 9100	+	—	2309 90 35 9400	+	—
0406 90 88 9300	037	—	2309 90 35 9500	+	—
	039	—	2309 90 35 9700	+	—
	099	70,90	2309 90 39 9010	+	—
	400	30,30	2309 90 39 9100	+	—
	***	83,50	2309 90 39 9200	+	—
2309 10 15 9010	+	—	2309 90 39 9300	+	—
2309 10 15 9100	+	—	2309 90 39 9400	+	—
2309 10 15 9200	+	—	2309 90 39 9500	+	—
2309 10 15 9300	+	—	2309 90 39 9600	+	—
2309 10 15 9400	+	—	2309 90 39 9700	+	—
2309 10 15 9500	+	—	2309 90 39 9800	+	—
2309 10 15 9700	+	—	2309 90 70 9010	+	—
2309 10 19 9010	+	—	2309 90 70 9100	+	13,85
			2309 90 70 9200	+	18,47
			2309 90 70 9300	+	23,09
			2309 90 70 9500	+	27,70
			2309 90 70 9600	+	32,32
			2309 90 70 9700	+	36,94
			2309 90 70 9800	+	40,63

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 2317/97 (OJ L 321, 22.11.1997, p. 19). However:

— '099' covers all destination codes from 053 to 096 inclusive,

— '970' covers the exports referred to in Articles 34(1)(a) and (c) and 42(1)(a) and (b) of Commission Regulation (EEC) No 3665/87 (OJ L 351, 14.12.1987, p. 1).

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

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

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

COMMISSION REGULATION (EC) No 1201/1999

of 10 June 1999

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 2072/98⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Commission Regulation (EC) No 1518/95⁽⁵⁾, as amended by Regulation (EC) No 2993/95⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d) of Regulation (EEC) No 1766/92 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 11 June 1999.

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

Done at Brussels, 10 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 10 June 1999 fixing the export refunds on products processed from cereals and rice

<i>(EUR/tonne)</i>		<i>(EUR/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 9200 ⁽¹⁾	81,07	1104 23 10 9100	86,87
1102 20 10 9400 ⁽¹⁾	69,49	1104 23 10 9300	66,60
1102 20 90 9200 ⁽¹⁾	69,49	1104 29 11 9000	35,77
1102 90 10 9100	77,34	1104 29 51 9000	35,07
1102 90 10 9900	52,59	1104 29 55 9000	35,07
1102 90 30 9100	72,34	1104 30 10 9000	8,77
1103 12 00 9100	72,34	1104 30 90 9000	14,48
1103 13 10 9100 ⁽¹⁾	104,24	1107 10 11 9000	62,42
1103 13 10 9300 ⁽¹⁾	81,07	1107 10 91 9000	91,78
1103 13 10 9500 ⁽¹⁾	69,49	1108 11 00 9200	70,14
1103 13 90 9100 ⁽¹⁾	69,49	1108 11 00 9300	70,14
1103 19 10 9000	54,97	1108 12 00 9200	92,66
1103 19 30 9100	79,92	1108 12 00 9300	92,66
1103 21 00 9000	35,77	1108 13 00 9200	92,66
1103 29 20 9000	52,59	1108 13 00 9300	92,66
1104 11 90 9100	77,34	1108 19 10 9200	48,64
1104 12 90 9100	80,38	1108 19 10 9300	48,64
1104 12 90 9300	64,30	1109 00 00 9100	0,00
1104 19 10 9000	35,77	1702 30 51 9000 ⁽²⁾	109,10
1104 19 50 9110	92,66	1702 30 59 9000 ⁽²⁾	83,52
1104 19 50 9130	75,28	1702 30 91 9000	109,10
1104 21 10 9100	77,34	1702 30 99 9000	83,52
1104 21 30 9100	77,34	1702 40 90 9000	83,52
1104 21 50 9100	103,12	1702 90 50 9100	109,10
1104 21 50 9300	82,50	1702 90 50 9900	83,52
1104 22 20 9100	64,30	1702 90 75 9000	114,32
1104 22 30 9100	68,32	1702 90 79 9000	79,34
		2106 90 55 9000	83,52

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), amended.

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

COMMISSION REGULATION (EC) No 1202/1999
of 10 June 1999
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13(3) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds;

Whereas that calculation must also take account of the cereal products content; whereas in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of the

quantity of cereal products present in the compound feedingstuff;

Whereas furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 11 June 1999.

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

Done at Brussels, 10 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 126, 24.5.1996, p. 37.

⁽³⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation 10 June 1999 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefiting from export refund⁽¹⁾:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

(EUR/t)

Cereal products ⁽²⁾	Amount of refund ⁽²⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	57,91
Cereal products ⁽²⁾ excluding maize and maize products	43,32

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p 1), amended.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (unprocessed and not reconstituted) excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

COMMISSION REGULATION (EC) No 1203/1999
of 10 June 1999
on the issuing of system B export licences for fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EEC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1287/98 ⁽²⁾, and in particular Article 5(6) thereof,

Whereas Commission Regulation (EC) No 458/1999 ⁽³⁾, as rectified by Regulation (EC) No 499/1999 ⁽⁴⁾, fixes the indicative quantities laid down for the issue of export licences other than those requested in the context of food aid;

Whereas, in the light of information now available to the Commission, the indicative quantities have been exceeded in the case of tomatoes, lemons and apples for destination groups X and Y;

Whereas as a consequence, for system B licences applied for between 17 March 1999 and 16 May 1999, a rate of refund which is lower than the indicative rate should be

fixed for tomatoes, lemons and apples for destination groups X and Y,

HAS ADOPTED THIS REGULATION:

Article 1

The percentages for the issuing of system B export licences, as referred to in Article 5 of Regulation (EC) No 2190/96, and applied for between 17 March 1999 and 16 May 1999, by which the quantities applied for and the rates of refund applicable must be multiplied, shall be as fixed in the Annex hereto.

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

Article 2

This Regulation shall enter into force on 11 June 1999.

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

Done at Brussels, 10 June 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 178, 23.6.1998, p. 11.

⁽³⁾ OJ L 55, 3.3.1999, p. 8.

⁽⁴⁾ OJ L 59, 6.3.1999, p. 22.

ANNEX

Percentages for the issuing of licences and rates of refund applicable to system B licences applied for between 17 March and 16 May 1999

Product	Destination or group of destinations	Percentage for the issuing of licences	Rate of refund (EUR/tonne net)
Tomatoes	F	100 %	18,5
Shelled almonds	F	100 %	50,0
Shelled hazelnuts	F	100 %	114,0
Oranges	XYC	100 %	50,0
Lemons	F	100 %	33,5
Apples	X	100 %	35,3
	Y	100 %	66,3
	Z	100 %	54,0

COMMISSION REGULATION (EC) No 1204/1999**of 10 June 1999****fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 923/96⁽²⁾, and in particular Article 13(3) thereof,Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice⁽³⁾, as amended by Regulation (EC) No 2072/98⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EC) No 1352/98⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;Whereas Article 4(5)(b) of Regulation (EC) No 1222/94 provides that, in the absence of the proof referred to in Article 4(5)(a) of that Regulation, a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Commission Regulation (EEC) No 1722/93⁽⁸⁾, as last amended by Regulation (EC) No 87/1999⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1(1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to amended Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 11 June 1999.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.⁽²⁾ OJ L 126, 24.5.1996, p. 37.⁽³⁾ OJ L 329, 30.12.1995, p. 18.⁽⁴⁾ OJ L 265, 30.9.1998, p. 4.⁽⁵⁾ OJ L 136, 31.5.1994, p. 5.⁽⁶⁾ OJ L 184, 27.6.1998, p. 25.⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.⁽⁹⁾ OJ L 9, 15.1.1999, p. 8.

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

Done at Brussels, 10 June 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 10 June 1999 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product
1001 10 00	Durum wheat: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases	0,910 1,400
1001 90 99	Common wheat and meslin: — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in other cases: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases	2,280 0,343 3,507
1002 00 00	Rye	5,497
1003 00 90	Barley	5,156
1004 00 00	Oats	4,019
1005 90 00	Maize (corn) used in the form of: — starch: — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ : — — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — — in other cases — other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: — where pursuant to Article 4 (5) of Regulation (EC) No 1222/94 ⁽²⁾ — in other cases	1,836 5,791 1,265 5,220 5,791 1,836 5,791
ex 1006 30	Wholly-milled rice: — round grain — medium grain — long grain	13,500 13,500 13,500
1006 40 00	Broken rice	3,200
1007 00 90	Sorghum	5,156

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1222/94 shall be applied (OJ L 136, 31.5.1994, p. 5).

⁽²⁾ The goods concerned are listed in Annex I of amended Regulation (EEC) No 1722/93 (OJ L 159, 1.7.1993, p. 112).

⁽³⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION DIRECTIVE 1999/55/EC

of 1 June 1999

adapting to technical progress Council Directive 77/536/EEC relating to the roll-over protection structures of wheeled agricultural or forestry tractors

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

Article 1

Annexes I, II and III to Directive 77/536/EEC are hereby amended as shown in the Annex hereto.

Having regard to Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors⁽¹⁾, as last amended by Directive 97/54/EC of the European Parliament and of the Council⁽²⁾, and in particular Article 11 thereof,

Article 2

1. From 1 July 2000, Member States may not:

- refuse to grant EC type-approval, to issue the document provided for in the third indent of Article 10(1) of Directive 74/150/EEC, or to grant national type-approval, in respect of any type of tractor, or
- prohibit the entry into service of tractors,

if the tractors in question meet the requirements of Directive 77/536/EEC as amended by this Directive.

2. From 1 January 2001, Member States:

- may no longer issue the document provided for in the third indent of Article 10(1) of Directive 74/150/EEC in respect of any type of tractor which does not meet the requirements of Directive 77/536/EEC as amended by this Directive,
- may refuse to grant national type-approval in respect of a type of tractor which does not meet the requirements of Directive 77/536/EEC, as amended by this Directive.

(1) Whereas, in order to improve safety in the face of the growing variety of tractors on the market, provisions are now required to ensure equal treatment for tractors with a reversible driving position, that is to say, having a reversible seat and steering wheel designed to increase operational versatility and improve the supervision of implements;

(2) Whereas the arrangements for testing roll-over protection structures should be harmonised with the arrangements defined in code 3 of the Organisation for Economic Cooperation and Development (OECD) for the official testing of protection structures for agricultural tractors (dynamic tests);

(3) Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Article 12 of Directive 74/150/EEC,

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 2000 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law that they adopt in the field governed by this Directive.

⁽¹⁾ OJ L 84, 28.3.1974, p. 10.

⁽²⁾ OJ L 277, 10.10.1997, p. 24.

⁽³⁾ OJ L 220, 29.8.1977, p. 1.

Article 4

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 1 June 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

Annexes I, II and III to Directive 77/536/EEC are amended as follows:

1. in Annex I, item 2.2, the following third indent is added:
‘— as regards tractors with a reversible driving position (i.e. with a reversible seat and steering wheel) or fitted with optional seats, only the testing method described in part B of Annex III shall apply.’;
2. in Annex II, the following item 3.1.1.5 is added:
‘3.1.1.5. In the case of a tractor with a reversible driving position (i.e. with a reversible seat and steering wheel), the first impact shall be longitudinal and shall be applied at the heaviest extremity (with more than 50 % of the mass of the tractor). It shall be followed by a crushing test at the same extremity. The second impact shall be on the lightest extremity, and the third impact shall be from the side. Lastly, a second crushing test shall be carried out on the lightest extremity.’;
3. Part B of Annex III is amended as follows:
 - (a) the following text is added at the end of the second paragraph of item 1.3.1:
‘In the case of a tractor with a reversible driving position (i.e. with a reversible seat and steering wheel), the point of impact shall be determined in relation to the intersection of the median plane of the tractor and of a plane perpendicular to it, by a straight line passing through a point that is equidistant from the two seat reference points.’;
 - (b) the following items 2.2.11, 2.2.12 and 2.2.13 are added:
 - ‘2.2.11. In the case of a tractor with a reversible driving position (i.e. with a reversible seat and steering wheel), the clearance shall be a combination of the two clearances determined by the two positions of the steering wheel and seat.
 - 2.2.12. In the case of a tractor which can be fitted with optional seats, the tests shall be based on the combined clearance of the seat reference points for all available seat-fitting options. The roll-over protection structure must not enter the combined clearance around the various seat reference points.
 - 2.2.13. Where a new option for the seat is proposed after the test has taken place, a calculation is made to determine whether the clearance around the new seat reference point is located entirely within the combined clearance established previously. If this is not the case, a new test is required.’

COMMISSION DIRECTIVE 1999/56/EC

of 3 June 1999

adapting to technical progress Council Directive 78/933/EEC relating to the installation of lighting and light-signalling devices on wheeled agricultural and forestry tractors

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors⁽¹⁾, as last amended by Directive 97/54/EC of the European Parliament and of the Council⁽²⁾, and in particular Article 11 thereof,

Having regard to Council Directive 78/933/EEC of 17 October 1978 on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on wheeled agricultural and forestry tractors⁽³⁾, as last amended by Directive 97/54/EC, and in particular Article 5 thereof,

- (1) Whereas, in order to improve safety, it is now necessary to specify how the light-signalling devices should be installed;
- (2) Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee for Adaptation to Technical Progress established by Article 12 of Directive 74/150/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annexes to Directive 78/933/EEC are hereby amended as set out in the Annex to this Directive.

Article 2

1. From 1 July 2000, Member States may not:
 - refuse to grant EC type-approval, to issue the document provided for in the third indent of Article 10(1) of Directive 74/150/EEC, or to grant national type-approval, in respect of a type of tractor, or
 - prohibit the entry into service of tractors,if the tractors in question meet the requirements of Directive 78/933/EEC, as amended by this Directive.

2. From 1 January 2001, Member States:

- may no longer issue the document provided for in the third indent of Article 10(1) of Directive 74/150/EEC in respect of a type of tractor which does not meet the requirements of Directive 78/933/EEC, as amended by this Directive,
- may refuse to grant national type-approval in respect of a type of tractor which does not meet the requirements of Directive 78/933/EEC, as amended by this Directive.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 2000 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of domestic law that they adopt in the field governed by this Directive.

Article 4

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 3 June 1999.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ L 84, 28.3.1974, p. 10.

⁽²⁾ OJ L 277, 10.10.1997, p. 24.

⁽³⁾ OJ L 325, 20.11.1978, p. 16.

ANNEX

The Annexes to Directive 78/933/EEC are hereby amended as follows:

1. Annex I is amended as follows:

- (a) in item 3.13:
 - every reference to 'selective yellow' is deleted,
 - in the ninth indent, the rest of the sentence after the word 'white' is deleted,
 - the last paragraph is deleted;
- (b) item 4.2.4.2.2 is replaced by the following:
 - '4.2.4.2.2 in the case of tractors equipped for the fitting of portable devices at the front, two dipped-beam headlamps in addition to the lamps mentioned in 4.2.4.2.1 shall be allowed at a height not exceeding 3 000 mm, if the electrical connections are such that two pairs of dipped-beam headlamps cannot be switched on at the same time.';
- (c) in item 4.7.1, 'Optional' is replaced by 'Mandatory';
- (d) in item 4.9.4.2, '2 100 mm' is replaced by '2 300 mm';

2. Annex II is amended as follows:

- (a) after the title, the text reading:
 - 'Articles 4(2) and 10 of Council Directive 74/150/EEC of 4 March 1974 on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors with a maximum design speed of between 6 and 25 km/h'is replaced by the following text:
 - 'Articles 4(2) and 10 of Council Directive 74/150/EEC on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors';
 - (b) at the end of footnote (1), 'with a maximum design speed of between 6 and 25 km/h' is deleted.
-

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 26 April 1999

establishing the second phase of the Community vocational training action programme 'Leonardo da Vinci'

(1999/382/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community and in particular Article 127 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 189c of the Treaty ⁽³⁾,

(1) Whereas the Treaty establishing the European Community stipulates that the latter's action shall, *inter alia*, contribute to the development of quality education and vocational training;

(2) Whereas, by Decision 94/819/EC ⁽⁴⁾, the Council established an action programme for the implementation of a European Community vocational training policy; whereas it is appropriate, on the basis of the acquired experience of that programme, to ensure its extension, taking into account the results obtained to date;

(3) Whereas the extraordinary European Council on Employment held in Luxembourg on 20 and 21 November 1997 recognised that life-long education and vocational training can make an important contribution to Member States' employment pol-

icies in order to enhance employability, adaptability and entrepreneurship and to promote equal opportunities;

(4) Whereas life-long learning should be provided for persons of all ages and all occupational categories, not only because of technological change but also as a result of the reduction in the number of persons in active employment in the age pyramid;

(5) Whereas in its communication 'Towards a Europe of Knowledge' the Commission set out proposals for the creation of a European education area capable of achieving the objective of life-long education and vocational training, identifying the types of measures to be developed at Community level, all focusing on transnational cooperation and designed to bring added value to the action taken by the Member States, while fully respecting the principle of subsidiarity, and in a context of simplified procedures;

(6) Whereas in its White Paper 'Teaching and learning — Towards the learning society' the Commission states that the emergence of the learning society entails encouraging the acquisition of new knowledge and to this end providing motivation to learn at every opportunity; whereas in its Green Paper 'Education, vocational training, research: the obstacles to transnational mobility' the Commission highlighted the advantages of mobility for people and competitiveness in the European Union;

⁽¹⁾ OJ C 309, 9.10.1998, p. 9.

⁽²⁾ OJ C 410, 30.12.1998, p. 6.

⁽³⁾ Opinion, of the European Parliament of 5 November 1998 (OJ 359, 23.11.1998, p. 59), Council Common Position of 21 December 1998 (OJ C 49, 22.2.1999, p 65) and Decision of the European Parliament of 23 March 1999 (not yet published in the Official Journal).

⁽⁴⁾ OJ L 340, 29.12.1994, p. 8.

- (7) Whereas measures under this programme should serve the purpose of developing quality, fostering innovation and promoting the European dimension in vocational training systems and practices with a view to encouraging life-long learning; whereas, in the implementation of this programme, attention should be paid to fighting exclusion in all its forms, including racism and xenophobia; whereas special attention should be focused on removing all forms of discrimination and inequality, *inter alia* for people with a disability, and on promoting equal opportunities for women and men;
- (8) Whereas it is necessary, in order to reinforce the added value of Community action, to ensure, at all levels, a coherence and complementarity between the actions implemented in the framework of this Decision and other Community interventions;
- (9) Whereas, in view of their role in the maintenance and creation of jobs and the development of training, small and medium-sized enterprises (SMEs) and the craft industry should be more closely involved in the implementation of this programme;
- (10) Whereas the Commission, in cooperation with the Member States, is seeking to secure coherence and complementarity between the actions under this programme and other relevant Community policies, instruments and actions, in particular the European Social Fund, by facilitating the transfer and dissemination, on a wider scale, innovative approaches and methods developed under this programme; whereas the Commission, in partnership with social partners, is endeavouring to develop cooperation between this programme and the activities of the Community social dialogue;
- (11) Whereas the Agreement on the European Economic Area ('EEA Agreement') provides for greater cooperation in the field of education, vocational training and youth between the European Community and its Member States, on the one hand, and the countries of the European Free Trade Association (EFTA) participating in the European Economic Area, ('EFTA/EEA countries'), on the other;
- (12) Whereas provision should be made to open up this programme to participation of: the associated central and eastern European countries (CEEC), in accordance with the conditions established in the Europe Agreements, in their additional protocols

and in the decisions of the respective Association Councils; Cyprus under the same conditions as those applied to the EFTA/EEA countries, funded by additional appropriations in accordance with the procedures to be agreed with that country; and Malta and Turkey, funded by additional appropriations in accordance with the Treaty;

- (13) Whereas this programme should be regularly monitored and evaluated in cooperation between the Commission and the Member States in order to allow for readjustments, particularly in the priorities for implementing the measures;
- (14) Whereas a financial reference amount, within the meaning of point 2 of the Declaration by the European Parliament, the Council and the Commission of 6 March 1995⁽¹⁾, is included in this Decision for the entire duration of the programme, without thereby affecting the powers of the budgetary authority as they are defined by the Treaty;
- (15) Whereas, in accordance with the principle of subsidiarity and the principle of proportionality as set out in Article 3b of the Treaty, since the objectives of the proposed action concerning the implementation of a vocational training policy at Community level cannot be sufficiently achieved by the Member States given the complexity of vocational training partnerships; they can therefore be better achieved by the Community owing to the transnational dimension of the Community actions and measures; whereas this Decision is limited to the minimum required to achieve these objectives and does not go beyond what is necessary to achieve these objectives,

HAS DECIDED AS FOLLOWS:

Article 1

Establishment of the programme

1. This Decision establishes the second phase of the action programme for the implementation of a Community vocational training policy 'Leonardo da Vinci', hereinafter referred to as 'this programme'.
2. This programme shall be implemented over the period starting on 1 January 2000 and ending on 31 December 2006.
3. This programme shall contribute to the promotion of a Europe of knowledge by developing a European area of cooperation in the field of education and vocational training. It shall support Member States' policies on life-long learning and the building up of the knowledge and skills and competences likely to foster active citizenship and employability.
4. This programme shall support and supplement action taken by, and in, the Member States while fully respecting their responsibility for the content and organisation of vocational training, and of their cultural and linguistic diversity.

⁽¹⁾ OJ C 102, 4.4.1996, p. 4.

Article 2

Objectives of the programme

1. Within the framework of the objectives set out in Article 127 of the Treaty, this programme aims at developing the quality, innovation and European dimension in vocational training systems and practices, through transnational cooperation. The objectives of the programme shall be to:

- (a) improve the skills and competences of people, especially young people, in initial vocational training at all levels; this may be achieved *inter alia* through work-linked vocational training and apprenticeship with a view to promoting employability and facilitating vocational integration and reintegration;
- (b) improve the quality of, and access to, continuing vocational training and the life-long acquisition of skills and competences with a view to increasing and developing adaptability, particularly in order to consolidate technological and organisational change;

innovative counselling and guidance approaches are of particular importance for the fulfilment of the objectives set out in (a) and (b) and shall be given support;

- (c) promote and reinforce the contribution of vocational training to the process of innovation, with a view to improving competitiveness and entrepreneurship, also in view of new employment possibilities; special attention shall be paid in this respect to fostering cooperation between vocational training institutions, including universities, and undertakings, particularly SMEs.

2. In implementing the objectives set out in paragraph 1, particular attention shall be paid to people at a disadvantage in the labour market, including disabled people, to practices facilitating their access to training, to the promotion of equality, to equal opportunities for women and men and to the fight against discrimination.

Article 3

Community measures

1. The objectives of this programme shall be pursued by means of the following measures, the operational content and application procedures thereof which are described in the Annexes and which may be combined:

- (a) support for the transnational mobility of people undergoing vocational training, especially young people, and for those responsible for training ('Mobility');
- (b) support for pilot projects based on transnational partnerships designed to develop innovation and quality in vocational training ('pilot projects');
- (c) promotion of language competences, including for less widely used and taught languages, and under-

standing of different cultures in the context of vocational training ('language competences');

- (d) support for the development of transnational co-operation networks facilitating the exchange of experience and good practice ('transnational networks');
- (e) the development and updating of reference material through support for surveys and analyses, the establishment and updating of comparable data, the observation and dissemination of good practices and the comprehensive exchange of information ('reference material').

2. In carrying out the measures referred to in paragraph 1, specific support for transnational actions shall be available for the promotion and use of information and communication technologies (ICT) in vocational training.

Article 4

Access to the programme

Under the conditions and arrangements for implementation specified in the Annexes, access to this programme shall be open to all public and/or private bodies and institutions involved in vocational training and, in particular:

- (a) vocational training establishments, centres and bodies at all levels, including universities;
- (b) research centres and bodies;
- (c) undertakings, particularly SMEs and the craft industry, or public or private sector establishments, including those involved in vocational training;
- (d) trade organisations, including chambers of commerce, etc.;
- (e) social partners;
- (f) local and regional bodies and organisations;
- (g) non profit making organisations, voluntary bodies and NGOs.

Article 5

Implementation of the programme and co-operation with the Member States

1. The Commission shall ensure the implementation of the Community actions covered by this programme.

2. Member States shall:

- take the necessary steps to secure, by means of appropriate structures, the coordination, an integrated management and the follow-up for the attainment of the objectives of this programme, involving all the parties concerned by vocational training, in accordance with national practice,

- ensure that relevant information and publicity is provided in respect of the actions of this programme,
- take the necessary steps to ensure the efficient running of this programme,
- endeavour, as far as possible, to adopt such measures as they deem necessary and desirable to remove obstacles to access to this programme.

3. In cooperation with Member States, the Commission shall:

- take the steps described in the Annexes to build upon the achievements of the first phase of this programme and the Community initiatives in the area of vocational training,
- ensure the smooth transition between those actions developed in the framework of the first phase of this programme and those to be implemented under the second phase.

Article 6

Joint actions

As part of the process of building up a Europe of knowledge, the measures contained in this programme may be implemented, in conformity with the procedure laid down in Article 7, as joint actions with related Community programmes and actions, particularly those in the fields of education and youth.

Article 7

Committee

1. The Commission shall be assisted by a committee composed of two representatives from each Member State and chaired by the representative of the Commission.
2. The Committee shall deliver opinions on the following points:
 - (a) the general guidelines for the implementation of this programme and the financial support to be supplied by the Community;
 - (b) the annual plan of work for the implementation of this programme's actions, including priorities, the themes for the thematic actions and the joint actions and the Commission proposals for project selection, including those under the joint actions;
 - (c) the annual budgets and distribution of funding between measures, as well as joint actions, accompanying measures and projects of European organisations;
 - (d) the criteria applicable for establishing the indicative breakdown of funds among the Member States for the purpose of the actions to be managed according to selection procedure A (Annex I, Section III);
 - (e) the arrangements for monitoring and evaluating the programme and for the dissemination and transfer of results.

3. As regards the points referred to in paragraph 2, the representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148(2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The Chairman shall not vote.

4. (a) The Commission shall adopt measures which apply immediately.

(b) However, if these measures are not in accordance with the opinion of the Committee, they shall be communicated by the Commission to the Council forthwith. In that event,

- the Commission shall defer application of the measures which it has decided for a period of up to two months from the date of the communication,

- the Council, acting by a qualified majority, may take a different decision within the time limit referred to in the preceding indent.

5. The representative of the Commission shall consult the Committee on other appropriate matters concerning implementation of this programme. In that event, the representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the Chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

6. The Committee shall draw up its rules of procedure.

7. The Commission, in cooperation with the Committee, shall establish regular and structured cooperation with the Committees established for the implementation of the European Community educational and youth programmes.

8. To ensure the consistency of this programme with other measures referred to in Article 9, the Commission shall keep the Committee regularly informed about Community initiatives taken in the fields of education, vocational training and youth, including cooperation with third countries and international organisations.

*Article 8***Social partners**

Without prejudice to the procedures described in Article 7(3), (4) and (5), the Commission may consult the Committee on any matter concerning the application of this Decision.

Whenever such consultation takes place, a number, equal to that of the representatives of the Member States, of representatives of the social partners, appointed by the Commission on the basis of proposals from the social partners at Community level, shall participate in the work of the Committee as observers.

They shall have the right to request that their position be recorded in the minutes of Committee meetings.

*Article 9***Consistency and complementarity**

1. The Commission shall, in cooperation with the Member States, ensure the overall consistency and complementarity with other relevant Community policies, instruments and actions, in particular the European Social Fund, in particular those contributing to a Europe of knowledge, in particular in the fields of education, vocational training, youth, research and technological development, and innovation.

2. In implementing the measures of this programme, the Commission and the Member States shall have regard to the priorities set out in the employment guidelines adopted by the Council, as part of a coordinated employment strategy.

3. In partnership with Community social partners, the Commission shall endeavour to develop the coordination between this programme and the social dialogue at Community level, including at sectoral levels.

4. The Commission shall secure the assistance of the European Centre for the Development of Vocational Training (Cedefop) in implementing this programme, in accordance with the arrangements set out in Regulation (EEC) No 337/75⁽¹⁾ establishing the Cedefop. Subject to the same conditions and in the areas which lend themselves to it, coordination shall be established under the auspices of the Commission with the European Training Foundation as specified by Regulation (EEC) No 1360/90⁽²⁾.

5. The Commission shall keep the Advisory Committee on Vocational Training regularly informed of the progress of this programme.

*Article 10***Participation of the EFTA/EEA countries, the associated central and eastern European countries (CEEC), Cyprus, Malta and Turkey**

⁽¹⁾ OJ L 39, 13.2.1975, p. 1. Regulation as last amended by Regulation (EC) No 354/95 (OJ L 41, 23.2.1995, p. 1).

⁽²⁾ OJ L 131, 23.4.1990, p. 1. Regulation as last amended by Regulation (EC) No 1572/98 (OJ L 206, 23.7.1998, p. 1).

This programme shall be open to the participation of:

- the EFTA/EEA countries in accordance with the conditions established in the EEA agreement,
- the associated central and eastern European countries (CEEC) in accordance with the conditions established in the Europe agreements, in their additional protocols and in the decisions of the respective Association Councils,
- Cyprus, under the same conditions as those applied to the EFTA/EEA countries, funded by additional appropriations in accordance with the procedures to be agreed with that country,
- Malta and Turkey, funded by additional appropriations, in accordance with the provisions of the Treaty.

*Article 11***International cooperation**

Under this programme, and in accordance with the procedure laid down in Article 7(2), (3) and (4), the Commission shall strengthen its cooperation with third countries and with the competent international organisations.

*Article 12***Funding**

1. The financial reference amount for the implementation of this programme for the period 2000 to 2006 shall be EUR 1 150 million.

2. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.

*Article 13***Monitoring and evaluation**

1. The Commission shall regularly monitor this programme in cooperation with the Member States.

This monitoring shall include the reports referred to in paragraph 4 and specific activities.

2. The Commission shall regularly evaluate the implementation of this programme in cooperation with the Member States, in accordance with the procedure laid down in Article 7(2), (3) and (4) and on the basis of criteria devised in cooperation with the Member States. The main objective shall be the evaluation of the effectiveness and the impact of actions implemented in comparison with the objectives aimed at in Article 2. The evaluation shall also look at the dissemination of the results of actions under this programme, of good practice and the impact of this programme as a whole in terms of its objectives.

This evaluation shall also examine the complementarity between actions under this programme and those pursued under other relevant Community policies, instruments and actions.

In accordance with criteria established using the procedure described in Article 7(2), (3) and (4), there shall be regular independent external evaluations of the results of the Community actions.

3. The findings of the monitoring and evaluation should be taken into account when implementing this programme.

4. Member States shall submit to the Commission by 31 December 2003 and 30 June 2007 respectively reports on the implementation and effectiveness of this programme and its impact on the vocational training systems and arrangements which exist in the Member States. The reports shall also take into account the promotion of equality, and of equal opportunities, between women and men.

5. The Commission shall submit to the European Parliament, the Council and the Economic and Social Committee:

- a first interim report on the initial operational implementation of this programme by 30 June 2002,
- a second interim report on the implementation of this programme by 30 June 2004,
- a communication on the continuation of this programme by 31 December 2004; where appropriate, that communication shall contain a suitable proposal,
- a final report on the implementation of this programme by 31 December 2007.

Article 14

Entry into force

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

Done at Luxembourg, 26 April 1999.

For the Council

The President

J. FISCHER

ANNEX I

COMMUNITY ACTIONS AND MEASURES

SECTION I: GENERAL PRINCIPLES

1. The objectives set out in Article 2 of the Decision will be implemented by means of transnational partnerships which submit proposals for action on the basis of the Community measures described in Article 3.
2. Each proposal submitted by a transnational partnership will pursue one or more of the objectives of the programme, and will indicate the measure(s) it intends to implement in order to achieve its aims. Proposals can be submitted for activities integrating various measures according to Article 3(1) and in a manner to be determined by the Committee referred to in Article 7 of the Decision. With the exception of measures 1 (Mobility) and 3 (Language competences) as described in Section II, each proposal must involve partners from at least three participating countries, of which at least one must be a Member State of the European Union. In the case of project proposals under Measures 1 and 3, each proposal must involve partners from at least two participating countries, of which at least one must be a Member State of the European Union.
3. Community calls for proposals will define the priorities for the objectives, the timetable, the conditions of submission, the common eligibility criteria, particularly in terms of transnationality, project evaluation and selection procedures. The indicative timetable will include Community annual deadlines for submission, selection and approval of project applications.

A first call for proposals will remain valid for three years. A second call for proposals, will be drawn up in 2002 valid for two years, a third in 2004 valid for two years on, the basis of the interim reports referred to in Article 13(5) of the Decision.

The Community calls for proposals will be published by the Commission after having sought the opinion of the Committee referred to in Article 7 of the Decision.

4. The proposals for action must set out clearly the aims established, the methods of implementation, the results anticipated, the mechanisms for evaluating the actual results, the plans for dissemination, the beneficiaries and the partners associated, as well as the nature and level of participation of these partners, including their financial contribution and the timetable of work.
5. The proposals can be sent in during the periods specified for each year by the call for proposals. Proposal selections will take place at least once yearly in accordance with the procedures defined in Section III.
6. Member States will take appropriate steps to promote interaction between the players taking part in this programme and in education and youth-related programmes.
7. Under no circumstances may the project partners' own resources derive from other Community funding.

SECTION II: MEASURES

1. Mobility

Support for transnational mobility projects for people undergoing vocational training, especially young people, and for trainers.

Community support will be provided for the following actions:

- (a) preparation and implementation of transnational placement projects for:

— people undergoing initial vocational training (placements of normally three weeks to nine months in vocational training institutions and undertakings; these placements form an integral part of the vocational training programme for the people concerned),

- students (placements of three to twelve months in undertakings),
- young workers and recent graduates (placements of two to twelve months in vocational training institutions and undertakings);

Whenever possible, these placements should involve the validation of skills and competences acquired during the placement, according to the practices of the country of origin.

These placements may also include projects which are part of 'European pathways for work-linked vocational training and apprenticeship' within the meaning of Decision 1999/51/EC⁽¹⁾.

The transnational placement projects for people undergoing vocational training which involve SMEs and craft industry as host bodies will receive special financial support under the conditions described below.

(b) The organisation of transnational projects of exchanges

- between undertakings, on the one hand, and vocational training organisations or universities, on the other, targeting human resources managers in the business sector, and vocational training programme planners and managers, particularly trainers, and occupational guidance specialists,
- for trainers and mentors in the area of language competences (between the business sector, on the one hand, and the specialised language vocational training establishments, including universities, or vocational training bodies on the other).

Exchanges for these target groups will last between one week and a maximum of six weeks.

(c) Study visits for those responsible for vocational training on the themes proposed by the Commission can be provided by the cedefop.

The transnational placement and exchange projects may last up to two years. For the implementation of placement and exchange projects, measures for specific help for disabled participants are to be elaborated by the Committee referred to in Article 7 of the Decision.

Funding

The Community's financial contribution to the transnational placement and exchange projects defined under this measure may not exceed EUR 5 000 per beneficiary for a placement or an exchange - the maximum amount of this contribution corresponding to the maximum duration indicated in (a) and (b). This maximum amount may be exceeded in the case of participants with a disability.

For this measure, the Commission will allocate to each Member State an annual global grant the amount of which will be defined in accordance with the procedures described in Annex II.

Up to 10 % of this allocation will be set aside, in accordance with procedures agreed upon with the management structure concerned to help:

- SME promoters submitting their first application to the programme. The sum may not exceed EUR 500 per promoter,
- all promoters preparing the target group mentioned under (a). The sum allowed for the pedagogic, cultural and linguistic preparation of that target group, may not exceed EUR 200 per placement of less than three months duration or EUR 500 per placement of more than three months duration, with a ceiling of EUR 25 000 per promoter.

This amount is on top of that set aside for the sending organisation for the management and monitoring of transnational placement projects.

Any unused part of this allocation may be redeployed by the management structure elsewhere within this measure. The reasons for the redeployment must be communicated to the Commission.

2. Pilot projects

Support for transnational pilot projects to develop and transfer innovation and quality in vocational training, including actions aiming at the use of information and communication technologies (ICT) in vocational training.

Community support is available for the design, development, testing and assessment of transnational pilot projects to develop and/or disseminate innovation in vocational training.

⁽¹⁾ OJ L 17, 22.1.1999, p. 45.

Such transnational pilot projects may relate to the development of quality in vocational training, to the development of new methods of vocational training and to vocational guidance in the context of lifelong learning.

Transnational pilot projects may also aim at:

- developing the use of ICT in vocational training actions and products,
- promoting access for people undergoing vocational training to new tools, services and vocational training products which use ICT,
- supporting the development of transnational open and distance vocational training networks through the use of ICT (multimedia products, WEB sites, network transmission, etc.),
- designing, testing and validating new vocational training approaches arising from new work situations (e.g. teleworking).

Community support for projects under this measure may be available for up to three years.

Thematic actions

Special support will be given to a small number of projects on themes of particular interest at Community level, for example:

- the development of new methods of promoting transparency with an emphasis on new forms of certification or accreditation of skills and expertise learned on the job,
- actions in support of Member States' policies and initiatives to equip with appropriate skills those at a disadvantage in the labour market, particularly those young people who have no qualifications or people whose qualifications need updating,
- developing European arrangements for vocational guidance, counselling and vocational training in business-related services.

Funding

The Community may contribute up to 75 % of eligible expenditure for the transnational pilot projects, with a ceiling of EUR 200 000 per year and per project. For the thematic actions, the ceiling may be raised to EUR 300 000 per year and per project, if justified by the scope of the project concerned.

3. Language competences

Support for projects to promote language and cultural competences in vocational training

Community support is available for transnational pilot projects to develop language competences in a vocational training context. Special attention will be paid to projects on less widely used and taught languages.

The point of these projects is to design, test and validate, assess and disseminate teaching material as well as innovative pedagogical methods tailored to the specific needs of each occupational area and economic sector, including through the use of language audits, and also innovative pedagogical approaches based on language self-tuition and the dissemination of their results.

Proposals for linguistic and cultural support may also be submitted under other actions and measures, particularly in order to improve language and cultural competences amongst the trainers and mentors responsible for the pedagogic supervision of people taking part in transnational mobility programmes.

Community support is also available for transnational programmes between the business sector on the one hand and the specialised language vocational training establishments or vocational training bodies on the other.

Community support for projects under this measure may be available for up to three years.

Funding

The Community may contribute up to 75 % of eligible expenditure, with a ceiling of EUR 200 000 per project and per year.

4. Transnational networks

Support for transnational networks of European expertise and dissemination

Community support is available for the activities of multi-player vocational training networks, bringing together in the Member States, at the regional or sectoral level, the public and private players concerned. Those players include the local authorities, local chambers of commerce, trade organisations for employers and employees, undertakings and research and vocational training centres - including universities - as providers of services, advice and information on access to validated vocational training methods and products. These activities aim at:

- (i) assembling, distilling and building on European expertise and innovatory approaches,
- (ii) improving the analysis and anticipation of skills requirements,
- (iii) disseminating the network outputs and project results throughout the Union in the appropriate circles.

Community support for transnational networks may be available for up to three years.

Funding

The Community may contribute up to 50 % of eligible expenditure for the activities of transnational networks, with a ceiling of EUR 150 000 per year and per network.

5. Reference material

Support for actions to establish, update and disseminate reference material

Community support is available for actions undertaken on a transnational basis on priority themes of common interest. Such actions shall make a contribution to:

- establishing comparable data on vocational training systems and arrangements, practices and various approaches to qualifications and competences in the Member States, or
- producing quantitative and/or qualitative information, analyses and observing best practices in support of policies and vocational training practices for lifelong learning that cannot be made available by Eurostat or Cedefop. Eurostat and Cedefop are closely associated with the production of statistical instruments within the procedures currently in place notably those defined by Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics⁽¹⁾, taking into account Council Decision 99/126/EC of 22 December 1998 on the Community statistical programme 1998 to 2002⁽²⁾.

Community support for projects under this measure may be available for up to three years.

The Commission and the Member States will ensure that such reference material is disseminated as widely as possible, particularly in order to make it available to public and private decision-makers in vocational training.

Funding

The Community's financial contribution will be between 50 % and 100 % of eligible expenditure, with a ceiling of EUR 200 000 per year and per project. If justified by the scope of the project proposed, this ceiling could be raised to EUR 300 000.

6. Joint actions

1. For the joint actions described in Article 6 of the Decision, Community support may be provided for joint actions with other Community actions promoting a Europe of knowledge, particularly the Community programmes in the fields of education and youth.

⁽¹⁾ OJ L 52, 22.2.1997, p. 1.

⁽²⁾ OJ L 42, 16.2.1999, p. 1.

2. Such joint actions may be carried out by common calls for proposals for selected themes of interest in fields of activity which are not exclusively covered by one single programme. The themes for joint actions will be agreed by the committees concerned, in accordance with the procedure laid down in Article 7(2), (3) and (4) of the Decision.

The common calls for proposals may also respond to new demands originating during the running of the programmes concerned.

Community support for projects under this measure may be available for up to three years.

Funding

The Community may contribute up to 75 % of eligible expenditure.

7. Accompanying measures

1. To attain the objectives set out in Article 2 of the Decision, Community support is available for:
 - management, coordination, monitoring and evaluation activities by the Member States as described in Articles 5 and 13 and of the Decision and in Section 1(6) of this Annex,
 - information, monitoring, assessment and dissemination activities by the Member States and the Commission to facilitate access to the programme and consolidate the transfer of methods, products and tools designed, and of the results obtained by this programme, among others through data banks accessible to a wide public,
 - the transnational network of national resource centres for vocational guidance,
 - cooperation activities with third countries and with relevant international organisations according to Article 11 of the Decision.
2. Community financial assistance shall be provided to support the activities of the appropriate structures set up by the Member States in accordance with Article 5 of the Decision.
3. In carrying out the programme, the Commission can have recourse to technical assistance organisations the financing of which shall be provided for within the overall envelope for the programme. It can, under the same conditions, have recourse to experts. Furthermore, the Commission will be able to organise seminars, colloquia or other meetings of experts, likely to facilitate the implementation of the programme and take forward information, publication and dissemination actions.
4. The respective roles and operational tasks of the technical assistance organisation(s) and the national management structures must be clearly defined, in accordance with Article 5.

SECTION III: SELECTION PROCEDURES

The proposals submitted by promoters under the calls for proposals shall be selected according to one of the following procedures:

1. Procedure A applicable to mobility actions (measure 1);
2. Procedure B applicable to:
 - pilot projects (measure 2) except for thematic actions,
 - language competences (measure 3),
 - transnational networks (measure 4);
3. Procedure C applicable to:
 - reference material (measure 5),
 - thematic actions (within measure 2),
 - joint actions (measure 6),
 - projects of European organisations (under all measures).

1. Procedure A

This selection procedure consists of the following stages:

- (i) The Commission will allocate a global grant to each participating country according to the procedure defined in Annex II, after having sought the opinion of the Committee referred to in Article 7 of the Decision.
- (ii) Under the rules defined in the calls for proposals, proposals are to be submitted by the promoters to the management structure designated by the Member State.
- (iii) The management structure will assess the proposals on the basis of specifications established at Community level. The management structure will establish a list of the mobility programmes selected and circulate this list, for information, to the Commission and the management structures in the other Member States.
- (iv) The Member States, with the assistance of the respective management structures, shall be responsible for contracting and allocating the global grant to the individual promoters.
- (v) The Member States will submit to the Commission an annual report on the results of the mobility programmes. The report includes information *inter alia* on the following topics:
 - the target publics of the programme,
 - the contents and objectives in terms of skills and/or qualifications,
 - the duration of training and/or work learning experience in a training establishment and/or company,
 - the partners associated in the other Member State or States.

2. Procedure B

This selection procedure consists of a two-step selection process:

- selection of pre-proposals;
 - selection of full proposals.
- (i) Under the rules defined in the call for proposals, pre-proposals are to be submitted by the promoters to the management structure designated by the Member State.
 - (ii) Member States will evaluate and select the pre-proposals. The promoters will be informed of the outcome of this selection. Only promoters of successful pre-proposals will be invited to submit a full proposal to the management structure in the respective Member State. The promoters will also send a copy of their full proposals to the Commission.
 - (iii) Member States will evaluate and rank the full proposals and submit a report to the Commission, presenting the outcome of this pre-selection by objective and by measure, the assessment procedure, the parties involved in this procedure as well as a descriptive and reasoned list of proposals likely to be retained in order of priority. This report will also present the information and publicity measures taken to facilitate participation in the programme.
 - (iv) The Commission, with the assistance of independent experts, will evaluate the proposals, with a view to assessing and ensuring their transnational and innovative nature. These independent experts will be appointed by the Commission, taking full account of the views of the Member States and the social partners. The Commission will examine the national reports and consult accordingly with each Member State.
 - (v) The Commission will submit to the Committee a proposal on the allocation of the budgetary resources by measure and by Member State and will obtain its opinion in accordance with the procedure set out in Article 7 of the Decision.
 - (vi) After receiving the opinion of the Committee, the Commission will establish the list of selected projects per Member State and allocate the funds for the implementation of the selected projects to each Member State.
 - (vii) Member States, with the assistance of the respective management structures, will be responsible for contracting and allocating funds to the individual promoters.
 - (viii) The selection of pre-proposals has to be carried out within two months after the end of the period for submission of proposals as specified in the call for proposals; the process on stages (iii) to (vi) should not take more than five months.

3. Procedure C

This procedure consists of a two-step selection process:

- selection of pre-proposals;
 - selection of full proposals.
- (i) Under the rules defined in the call for proposals, pre-proposals are to be submitted by the promoters to the Commission. The promoters will also send a copy of their pre-proposals to the management structure in their Member States.
 - (ii) The Commission will evaluate all the pre-proposals and, having sought the opinion of the programme Committee, make a selection. The promoters will be informed of the outcome of this selection.
 - (iii) Only promoters of successful pre-proposals will be invited to submit a full proposal to the Commission. The promoters will also send a copy of their full proposals to the management structure of their Member States.
 - (iv) The Commission, with the assistance of independent experts, will undertake a transnational appraisal of the proposals received and establish a short list of projects. These independent experts will be appointed by the Commission, taking full account of the views of the Member States and the social partners.
 - (v) In accordance with the procedure set out in Article 7 of the Decision, the Commission shall seek the opinion of the Committee on this short-list.
 - (vi) The Commission will establish the final list of proposals selected and inform the Committee. It will set out the conditions for monitoring these projects in conjunction with the management structures in the Member States.
 - (vii) The Commission, with the appropriate technical assistance, will be responsible for contracting and allocating funds to the individual promoters.
 - (viii) The selection of pre-proposals has to be carried out within three months after the end of the period for submission of proposals as specified in the call for proposals; the process on stages (iii) to (vi) should not take more than five months.
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ANNEX II

SECTION I: OVERALL BUDGET BREAKDOWN

1. At the beginning of the operation, and no later than 1 March every year, the Commission will submit to the Committee an *ex ante* breakdown of budget resources by type of measure, by procedure and taking into account, to this end, the objectives set out in Article 2 of the Decision and will seek its opinion. The Commission will on this basis define an indicative budget for each Member State for the implementation of the actions covered by selection procedure A referred to in Annex I.
2. The funds available will be broken down internally subject to the following restrictions:
 - (a) The funds allocated to mobility programmes may not be less than 39 % of the annual budget for the programme.
 - (b) The funds allocated in support of devising, developing and testing transnational pilot projects may not be less than 36 % of the annual budget for the programme. Within this allocation the funds allocated in support of Thematic Action projects may not be more than 5 %.
 - (c) The funds allocated in support of devising, developing and testing Language Competence projects may not be less than 5 % of the annual budget for the programme.
 - (d) The remaining expenditure may not be less than 15 %. Within this expenditure, the funds allocated for the accompanying measures is not to exceed 9 %. The funds allocated for activities under Article 11 of the Decision is not to exceed 0,2 % of the annual budget of the programme.
3. All the percentages given above are indicative and can be adapted by the Committee according to the procedure laid down in Article 7(2), (3) and (4) of the Decision.

SECTION II: SPECIFIC REGULATIONS FOR MOBILITY GLOBAL GRANTS

1. Before the start of the transnational exchange and placement programmes, the Commission will allocate a global grant established on the basis of calculation criteria defined within the procedures described in Article 7 of the Decision, taking into account:
 - the population,
 - the difference in the cost of living between the Member State of origin of the sending organisation and the host Member State,
 - the geographical distance and the costs of transport,
 - the weight of the target public concerned in relation to the overall population, depending on the availability of data for all Member States.

In any event, the application of these criteria cannot result in the exclusion of any Member State from funding of the transnational placement and exchange programmes described in Annex I.
2. The overall grant is allocated to each Member State on the basis of an operational plan which must set out clearly:
 - the arrangements for managing financial support,
 - the steps to be taken to assist placement and exchange organisers to identify potential partners,
 - appropriate measures to be taken in the interests of sound preparation, organisation and follow-up of placements and exchanges, also regarding the promotion of equal opportunities.
3. For the first year of programme implementation, Member States will submit this operational plan to the Commission no later than 31 March 2000. The Commission will on this basis allocate to each Member State an amount on the basis of which it can go ahead with transnational programmes. The amounts not used up within this allocation at 1 October 2000 will be incorporated in the final amount of the global grant.

ANNEX III

DEFINITIONS

For the purposes of this Decision and taking account of the differences which exist between the systems and arrangements in the Member States:

- (a) *initial vocational training* means any form of initial vocational training, including technical and vocational teaching, apprenticeship and vocationally oriented education, which contributes to the achievement of a vocational qualification recognised by the competent authorities in the Member State in which it is obtained,
- (b) *work-linked training* means vocational training, at any level including higher education. This vocational training, recognised or certified by the competent authorities of the Member State of provenance according to its own legislation, procedures or practices, involves structured periods of training in an undertaking and, where appropriate, in a vocational training establishment or centre,
- (c) *continuing vocational training* means any vocational training undertaken by a worker in the Community during his or her working life,
- (d) *life-long learning* means the education and vocational training opportunities offered to individuals throughout their lives to enable them continually to acquire, update and adapt their knowledge, skills and competences,
- (e) *open and distance vocational training* means any form of flexible vocational training involving:
 - the use of ICT techniques and services in traditional or modern form, and
 - support in the form of individualised advice and mentoring,
- (f) *European pathways for work-linked vocational training and apprenticeship* means any period which is completed by a person in a Member State other than the one where his or her work-linked vocational training is based, which forms part of the work-linked vocational training,
- (g) *vocational guidance* means a range of activities such as counselling, information, assessment and advice, to assist people to make choices relating to initial and continuing vocational education and vocational training programmes, and to employment opportunities,
- (h) *undertaking* means all undertakings in the public or private sector whatever their size, legal status or the economic sector in which they operate, and all types of economic activities, including the social economy,
- (i) *workers* means all persons available on the labour market in accordance with national laws and practices, including the self-employed,
- (j) *vocational training bodies* means any type of public, semi-public or private establishment which, in accordance with national laws and/or practices design or undertake vocational training, further vocational training, refresher vocational training or retraining, irrespective of the designation given to it in the Member States,
- (k) *university* means any type of higher education institution, according to national legislation or practice, which offers qualifications or diplomas at that level, whatever such establishments may be called in the Member States,
- (l) *students* means persons registered in universities as defined in this Annex, whatever their field of study, in order to follow higher education studies leading to a degree or diploma, up to and including the level of doctorate,
- (m) *social partners* means, at national level, employers' and workers' organisations in conformity with national laws and/or practices and, at Community level, employers' and workers' organisations taking part in the social dialogue at Community level,
- (n) *local and regional partners* means any player in regional and local life — local authority, association, local chambers of commerce and associations, consortia, advisory bodies, the media — participating in local or regional cooperation activities which include vocational training,
- (o) *European organisations* means social partners at Community level, European employers' and trade union federations in specific sectors, and bodies and organisations with a European status or scope,
- (p) *reference material* means all the analyses, studies, surveys and identification of good practice which make it possible to locate, at Community level, the relative position of the various Member States and the progress made on a given subject or in a given area.

COMMISSION

COMMISSION DECISION

of 21 May 1999

authorising Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in the Republic of South Africa

(notified under document number C(1999) 1336)

(1999/383/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Directive 98/2/EC⁽²⁾, and in particular Article 14(1) thereof,

Having regard to the request made by the United Kingdom,

(1) Whereas, under the provisions of Directive 77/93/EEC, plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in non-European countries, other than Mediterranean countries, Australia, New Zealand, Canada and the continental States of the USA, may in principle not be introduced into the Community;

(2) Whereas, there is interest in the multiplication, in the Republic of South Africa, of plants of *Fragaria* L., intended for planting, other than seeds, from plants supplied by a Member State, in order to prolong the producing season of the plants; whereas the plants produced are afterwards exported to the Community in order to have them planted for the production of fruits;

(3) Whereas, by Decisions 97/488/EC⁽³⁾ and 98/432/EC⁽⁴⁾, Member States were authorised to provide, under certain conditions, for derogations from certain general rules of Directive 77/93/EEC for plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in the Republic of South Africa;

(4) Whereas in the 1997 to 1998 import seasons there had been no confirmed findings of harmful organisms during import inspections on the plants imported pursuant to Decisions 97/488/EC and 98/432/EC;

(5) Whereas information supplied by the Republic of South Africa and collected in that country during a mission carried out in June 1998 by the Food and Veterinary Office, has shown that the strawberry plants supplied by a Member State, with a view to be multiplied for export afterwards to the Community, are grown under adequate health conditions in the Elliot district of the North Eastern Cape Region;

(6) Whereas, as a result of modified conditions after import of the South African plants, i.e. cold storage under official control before movement to the premises where the imported plants will be planted, it became apparent that certain technical conditions should be modified to improve plant health security in the Member States of the imported plants;

⁽¹⁾ OJ L 26, 31.1.1977, p. 20.

⁽²⁾ OJ L 15, 21.1.1998, p. 34.

⁽³⁾ OJ L 208, 2.8.1997, p. 49.

⁽⁴⁾ OJ L 192, 8.7.1998, p. 16.

- (7) Whereas therefore it is appropriate to grant a further authorisation for the import of South African strawberry plants for a limited period, provided that it includes the aforementioned conditions;
- (8) Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States are hereby authorised to provide, under the conditions laid down in paragraph 2, for a derogation from Article 4(1) of Directive 77/93/EEC, with regard to the requirements referred to in Annex III(A)(18) for plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in the Republic of South Africa.

2. In addition to the requirements laid down in part A of the Annexes I, II and IV to Directive 77/93/EEC, in relation to plants of strawberry, the following specific conditions shall be satisfied:

- (a) the plants shall be intended for fruit production within the Community and shall have been:
- (i) produced exclusively from mother plants, certified under an approved certification scheme of a Member State and those mother plants shall have been imported from a Member State,
 - (ii) grown on land which is:
 - situated in the Elliot district of the North Eastern Cape Region,
 - situated in an area isolated from commercial strawberry production,
 - situated at least 1 km from the nearest crop of strawberry plants for fruit or runner production which do not satisfy the conditions of this Decision,
 - situated at least 200 m from any other plants of the genus *Fragaria* which do not satisfy the conditions of this Decision, and
 - prior to planting and in the period after the previous crop was removed from the land, tested by appropriate methods or treated to ensure freedom from soil infesting harmful

organisms, including *Globodera pallida* (Stone) Behrens and *Globodera rostochiensis* (Wollenweber) Behrens;

- (iii) officially inspected by the Plant Protection Service of the Republic of South Africa, at least three times during the growing season and prior to export for the presence of both harmful organisms listed in part A of Annexes I and II to Directive 77/93/EEC, in particular,

- *Aphelenchoides besseyi* Christie
- Arabis mosaic virus
- *Colletotrichum acutatum* Simmonds
- *Globodera pallida* (Stone) Behrens
- *Globodera rostochiensis* (Wollenweber) Behrens
- Strawberry crinkle virus
- Strawberry mild yellow edge virus
- *Xiphinema americanum* Cobb *sensu lato* (non European populations),

and the following harmful organisms which are not known to occur in the Community

- *Eremnus setulosus* (Boheman)
- *Naupactus leucoloma* (Boheman)
- *Heteronychus arator* (Fabricius);

- (iv) found free, in the inspections referred to in (iii) from the harmful organisms referred to in point (iii);

- (v) prior to export:

- shaken free from soil or other growing medium,
- cleaned (i.e. free from plant debris) and free from flowers and fruits;

- (b) the plants intended for the Community shall be accompanied by a phytosanitary certificate issued in the Republic of South Africa in accordance with Articles 7 and 12 of Directive 77/93/EEC, on the basis of the examination laid down therein, in particular freedom from the harmful organisms mentioned in (a)(iii), as well as to the requirements specified in (a)(i), (ii), (iv) and (v).

The certificate shall state:

- under the column 'Disinfestation and/or disinfection treatment', the specification of the last treatment(s) applied prior to export,

— under 'Additional declaration', the indication 'This consignment meets the conditions laid down in Decision 99/383/EC', as well as the name of the variety and the Member State certification scheme under which the mother plants had been certified;

(c) the plants shall be introduced through points of entry situated within the territory of a Member State and designated for the purpose of this derogation by that Member State; these points of entry and the name and address of the responsible official body referred to in Directive 77/93/EEC in charge of each point shall be notified sufficiently in advance by the Member States to the Commission and shall be held available on request to other Member States. In those cases where the introduction into the Community takes place in a Member State other than the Member State making use of this derogation, the said responsible official bodies of the Member State of introduction shall inform and cooperate with the said responsible official bodies of the Member States making use of this derogation to ensure that the provisions of this Decision are complied with;

(d) prior to introduction into the Community, the importer shall be officially informed of the conditions laid down in (a), (b), (c), (d), (e) and (f); the said importer shall notify details of each introduction sufficiently in advance to the responsible official bodies in the Member State of introduction and that Member State, without delay, shall convey the details of the notification of the Commission, indicating:

— the type of material,

— the quantity,

— the declared date of introduction and confirmation of the point of entry,

— the names, addresses and the locations where the plants will be stored under official control pending the results of inspections and tests referred to in (e); at least two weeks before movement of the plants from the premises where they are stored the importer shall notify the responsible official body of the premises referred to in point (f) where the plants will be planted.

The importer shall provide details of any changes to the aforementioned advance notification, to the responsible official bodies of their own Member State, preferably as soon as they are known, and that Member State, without delay, shall convey the details of the changes to the Commission;

(e) the inspections including testing, as appropriate, required pursuant to Article 12 of Directive 77/93/EEC and in accordance with provisions laid down

in the present Decision shall be made by the responsible official bodies, referred to in the said Directive; of these inspections, the plant health checks shall be carried out by the Member State making use of this derogation and where appropriate, in cooperation with the said bodies of the Member State in which the plants will be planted. Furthermore during the said plant health check that Member State(s) shall also inspect for all other harmful organisms. Without prejudice to the monitoring referred to in Article 19a(3) second indent, first possibility of the said Directive, the Commission shall determine to which extent the inspections referred to in Article 19a(3) second indent, second possibility of the said Directive shall be integrated into the inspection programme in accordance with Article 19a(5)(c) of that Directive;

(f) the plants shall be planted only at premises officially registered and approved for the purposes of this derogation and of which the name of the owner and address of the site have been notified in advance by the person who intends to plant the plants imported pursuant to this Decision, to the said responsible official bodies of the Member State in which the premises are situated; in those cases where the place of planting is situated in a Member State other than the Member State making use of this derogation, the said responsible official bodies of the Member State making use of this derogation, at the moment of receipt of the aforementioned advance notification from the importer, shall inform the said responsible official bodies of the Member State in which the plants will be planted giving the name and addresses of the premises where the plants will be planted;

(g) the said responsible official bodies shall ensure that any plant not planted in accordance with (f) shall be destroyed under the control of the said responsible official bodies. Records shall be kept available to the Commission on the numbers of plants destroyed;

(h) in the growing period following importation, a suitable proportion of the plants shall be visually inspected by the said responsible official bodies of the Member State in which the plants are planted, at appropriate times, at the premises referred to in (f), for the presence of any harmful organism or for signs or symptoms caused by any harmful organism; as a result of such visual inspection any harmful organism having caused signs or symptoms shall be identified by an appropriate testing procedure. Any plant which has not been found free during the said inspections or testing, from the harmful organisms listed under (a) (iii) shall be immediately destroyed under the control of the said responsible bodies.

Article 2

Member States shall inform the other Member States and the Commission by means of the notification referred to in Article 1(2)(d) of any use made of the authorisation. They shall provide the Commission and the other Member States, before 1 November of each year, with the information on amounts imported pursuant to this Decision and with a detailed technical report of the official examination referred to in Article 1(2)(e). Furthermore all Member States in which the plants are planted shall also provide the Commission and the other Member States, before 1 March after the year of importation, with a detailed technical report of the official examination referred to in Article 1(2)(h).

Article 3

Article 1 shall apply during the period between 1 June 1999 and 31 July 1999. The present Decision shall be revoked if it is established that the conditions laid down in Article 1(2) are not sufficient to prevent the introduction of harmful organisms or have not been complied with.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 21 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 31 May 1999

amending Decision 95/108/EC concerning health protection measures against African swine fever in Sardinia, Italy*(notified under document number C(1999) 1438)*

(Text with EEA relevance)

(1999/384/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks in intra-Community trade with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 10 thereof,Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 9 thereof,

(1) Whereas, as a result of the African swine fever situation in Italy, the Commission adopted Decision 95/108/EC of 28 March 1995 concerning certain health protection measures against African swine fever in Sardinia, Italy⁽⁴⁾;

(2) Whereas African swine fever must be considered as an endemic disease in the province of Nuoro, the Sardinia region, Italy;

(3) Whereas the disease situation is liable to endanger the herds in other regions of Italy and of other Member States, in view of trade in live pigs, fresh pigmeat and certain meat-based products;

(4) Whereas Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽⁵⁾, as last amended by Council Decision 94/370/EC⁽⁶⁾, provides for the possibility of financial participation by the Community in the eradication and surveillance of animal diseases;

(5) Whereas it is the objective within the eradication programme adopted by Commission Decision 98/703/EC of 26 November 1998 approving the programmes for the eradication of animal diseases presented for 1999 by the Member States and fixing the level of the Community's financial

contribution⁽⁷⁾ to eliminate African swine fever from the remaining infected areas of Sardinia;

(6) Whereas in the light of the animal health situation in the province of Sassari, the province of Oristano and the province of Cagliari and the established movement controls in the region of Sardinia the testing procedures applicable to certain slaughter-pigs can be amended;

(7) Whereas the Italian authorities have taken legal measures to prohibit the movement of live pigs, fresh pigmeat and certain meat-based pork products from the territory of the region of Sardinia and the adoption of these legal measures guarantees the efficacy of the implementation of this Decision;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 95/108/EC is amended as follows:

1. In Article 2(2)(b), the fifth and sixth indents are replaced by:

— have been included in a pig population on a holding which is covered by the serological testing programme required under the African swine fever eradication programme adopted by the Commission within the context of the provisions of Council Decision 90/424/EC and no antibodies to African swine fever virus have been detected within the last six months,

— have been included in a pre-movement serological testing programme carried out within ten days prior to transport for slaughter where no antibodies to the African swine fever virus have been detected;

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 395, 30.12.1989, p. 13.

⁽⁴⁾ OJ L 79, 7.4.1995, p. 29.

⁽⁵⁾ OJ L 224, 18.8.1990, p. 19.

⁽⁶⁾ OJ L 168, 2.7.1994, p. 31.

⁽⁷⁾ OJ L 333, 9.12.1998, p. 29.

the pre-movement testing programme for the consignment in question must be designed to give approximately 95 % confidence of detecting sero-positive animals at a 5 % prevalence level.'

2. Article 6 is replaced by:

'Article 6

Italy shall present to all Member States and the Commission:

- (a) a list containing name(s) and location of designated slaughterhouse(s) referred to in Article 2 and name(s) and location of designated establishment(s) referred to in Article 4 paragraph 2(b) and approved by the Central Veterinary Authority;
- (b) a report every six months which contains information on number of pigs which have been subject to the measures given in Article 2(2)(b) and the results from serological testing carried out.'

Article 2

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

Article 3

The Decision is addressed to the Member States.

Done at Brussels, 31 May 1999.

For the Commission

Franz FISCHLER

Member of the Commission
