

English edition

Legislation

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC, EURATOM) No 1150/2000
of 22 May 2000**

implementing Decision 94/728/EC, Euratom on the system of the Communities' own resources

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 279 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 183 thereof,

Having regard to Council Decision 94/728/EC, Euratom of 31 October 1994, on the system of the Communities' own resources ⁽¹⁾, and particularly Article 8(2) thereof,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Court of Auditors ⁽³⁾,

Whereas:

(1) Council Regulation (EEC, Euratom) No 1552/89 of 29 May 1989, implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources ⁽⁴⁾ has been frequently and substantially amended ⁽⁵⁾. For reasons of clarity and rationality the said Regulation should therefore be codified.

(2) The Community must have the own resources referred to in Article 2 of Decision 94/728/EC, Euratom available in the best possible conditions and accordingly arrangements must be laid down for the States to provide the Commission with the own resources allocated to the Communities.

(3) Traditional own resources are levied by the Member States in accordance with laws, regulations and administrative provisions that are, where necessary, adapted to the requirements of Community regulations. The Commission must monitor such adaptation and, where necessary, make proposals.

(4) The Council and the representatives of the Governments of the Member States, meeting within the Council, adopted a resolution on 13 November 1991 on the protection of the financial interests of the Community ⁽⁶⁾.

(5) The concept of establishment must be defined in respect of the own resources and detailed rules must be laid down for satisfying the obligation to establish the own resources referred to in Article 2(1)(a) and (b) of Decision 94/728/EC, Euratom.

(6) For own resources deriving from sugar levies, which need to be recovered in the budget year corresponding to the marketing year to which the expenditure relates, provision should be made for the Member States to make such levies available to the Commission during the budget year in which they are established.

(7) The transparency of the own resources system should be improved and more information supplied to the budgetary authority.

(8) The Member States must keep at the disposal of the Commission and, where necessary, forward to it the documents and information needed to allow it to exercise the power conferred upon it as regards the Communities' own resources.

(9) The national authorities responsible for the collection of own resources must be able to produce to the Commission at all times the documents substantiating the own resources collected.

(10) The arrangements whereby the Member States report to the Commission, should make it possible for the latter to monitor Member States action to recover own resources, in particular in cases of fraud and irregularities.

⁽¹⁾ OJ L 293, 12.11.1994, p. 9. Decision replacing Decision No 88/376/EC, Euratom (OJ L 185, 15.7.1988, p. 24).

⁽²⁾ Opinion delivered on 18 January 2000 (not yet published in the Official Journal).

⁽³⁾ OJ C 145, 9.5.1998, p. 1.

⁽⁴⁾ OJ L 155, 7.6.1989, p. 1. Regulation as last amended by Regulation (Euratom, EC) No 1355/96 (OJ L 175, 13.7.1996, p. 3).

⁽⁵⁾ See Annex, Part B.

⁽⁶⁾ OJ C 328, 17.12.1991, p. 1.

- (11) Separate accounts should be kept for entitlements which have not been recovered. These accounts and the submission of a quarterly statement of such accounts should enable the Commission to monitor more closely the action taken by Member States to collect own resources, and particularly those compromised by fraud or irregularities.
- (12) A time limit should be laid down for relations between Member States and the Commission, since new entitlements established by Member States in respect of earlier years are deemed to be establishments for the current year.
- (13) Provision should be made, as regards the own resources accruing from value added tax, hereinafter called 'VAT resources', referred to in Article 2(1)(c) of Decision 94/728/EC, Euratom, for Member States to make available to the Community, in the form of constant monthly twelfths, the own resources entered in the budget and subsequently to adjust the amounts made available in accordance with the actual base of VAT resources as soon as it is fully known.
- (14) This procedure is also to apply to the additional resource referred to in Article 2(1)(d) of the said Decision, hereinafter referred to as 'the additional resource', created in accordance with Council Directive 89/130/EEC, Euratom of 13 February 1989 on the harmonization of the compilation of the gross national product at market prices ⁽¹⁾.
- (15) The own resources must be made available in the form of an entry of the amounts due in an account opened for this purpose in the name of the Commission with the Treasury or with the body appointed by each Member State. In order to restrict the movements of funds to that which is necessary for the implementation of the budget, the Community must confine itself to drawing on the abovementioned accounts solely to cover the Commission's cash requirements.
- (16) The payment of aid resulting from application of Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops ⁽²⁾ is mainly concentrated in the opening months of the year; whereas the Commission must have sufficient cash resources to make this payment.
- (17) Council Decision 94/729/EC of 31 October 1994 concerning budgetary discipline ⁽³⁾ provides for the entry in the general budget of the European Union of a reserve relating to Community loans and loan guarantees to non-member countries and in those countries a reserve for emergency aid. Amendments need to be made to cover the entry of the own resources corresponding to these reserves.
- (18) In order to ensure that the Community budget will be financed in all circumstances, the procedure for making available the contributions based on the gross national product, hereinafter referred to as the 'GNP financial contributions', referred to in Article 2(7) of Decision 88/376/EEC, Euratom should be laid down.
- (19) The balance to be carried forward to the following financial year should be defined.
- (20) The Member States should conduct the checks and enquiries relating to the establishment and making available of own resources. The Commission should exercise its powers in accordance with this Regulation. The powers of the Commission should be stipulated with regard to the inspection measures on the additional resource.
- (21) Close collaboration between Member States and the Commission will facilitate proper application of the financial rules relating to own resources,

HAS ADOPTED THIS REGULATION:

TITLE I

General provisions

Article 1

The Community's own resources provided for in Decision 94/728/EC, Euratom, hereinafter referred to as 'own resources' shall be made available to the Commission and inspected as specified in this Regulation, without prejudice to Regulation (EEC, Euratom) No 1553/89 ⁽⁴⁾ and Directive 89/130/EEC, Euratom.

Article 2

1. For the purpose of applying this Regulation, the Community's entitlement to the own resources referred to in Article 2(1)(a) and (b) of Decision 94/728/EC, Euratom shall be established as soon as the conditions provided for by the customs regulations have been met concerning the entry of the entitlement in the accounts and the notification of the debtor.

2. The date of the establishment referred to in paragraph 1 shall be the date of entry in the accounting ledgers provided for by the customs regulations.

As regards the levies and other charges connected with the common organisation of the sugar market, the date of the establishment referred to in paragraph 1 shall be the date of notification under the sugar regulations.

⁽¹⁾ OJ L 49, 21.2.1989, p. 26.

⁽²⁾ OJ L 181, 1.7.1992, p. 12. Regulation replaced by Regulation (EC) No 1251/1999 (OJ L 160, 26.6.1999, p. 1).

⁽³⁾ OJ L 293, 12.11.1994, p. 14.

⁽⁴⁾ Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax (OJ L 155, 7.6.1989, p. 9). Regulation as amended by Regulation (EC, Euratom) No 1026/1999 (OJ L 126, 20.5.1999, p. 1).

Should that notification not be explicitly provided for, the date shall be the date of establishment by the Member States of the amounts due by the debtors, where necessary by way of advance payment or payment of balance.

3. In disputed cases, the competent administrative authorities shall be deemed, for the purposes of the establishment referred to in paragraph 1, to be in a position to calculate the amount of the entitlement not later than when the first administrative decision is taken notifying the debtor of the debt or when judicial proceedings are brought if this occurs first.

The date of the establishment referred to in paragraph 1 shall be the date of the decision or of the calculation to be made following the abovementioned commencing of judicial proceedings.

4. Paragraph 1 shall apply when a notification must be corrected.

Article 3

Member States shall take all appropriate measures to ensure that the supporting documents concerning the establishment and making available of own resources are kept for at least three calendar years, counting from the end of the year to which these supporting documents refer.

The supporting documents relating to the statistical procedures and bases referred to in Articles 4 and 5 of Directive 89/130/EEC, Euratom shall be kept by the Member States until 30 September of the fourth year following the financial year in question. The supporting documents relating to the VAT resources base shall be kept for the same period.

If verification pursuant to Articles 18 and 19 of this Regulation or Article 11 of Regulation (EEC, Euratom) No 1553/89 of the supporting documents referred to in the first and second paragraphs shows that a correction is required, they shall be kept beyond the time limit provided for in the first paragraph for a sufficient period to permit the correction to be made and monitored.

Article 4

1. Each Member State shall inform the Commission:
 - (a) of the names of the departments or agencies responsible for establishing, collecting, making available and controlling own resources and the basic provisions relating to the role and operation of those departments and agencies;
 - (b) of the general provisions laid down by law, regulation or administrative action and those relating to accounting procedure concerning the establishment, collection, making available and control by the Commission of own resources;
 - (c) of the precise title of all administrative and accounting records in which are entered the established entitlements as specified in Article 2, in particular those used for drawing up the accounts provided for in Article 6.

The Commission shall be informed immediately of any change in these names or provisions.

2. The Commission shall, at the request of the other Member States, pass on to them the information referred to in paragraph 1.

Article 5

The rate referred to in Article 2(1)(d) of Decision 94/728/EC, Euratom which shall be set within the budgetary procedure, shall be calculated as a percentage of the sum of the forecast of the gross national product, (hereinafter referred to as 'GNP') of the Member States in such a manner that it fully covers that part of the budget not financed from customs duties, agricultural levies, levies, and other charges connected with the common organisation of the market in the sugar sector, VAT resources, financial contributions to supplementary research and technological development programmes, other revenue and, where appropriate, GNP financial contributions.

That rate shall be expressed in the budget by a figure containing as many decimal places as is necessary to fully divide the GNP-based resource among the Member States.

TITLE II

Accounts for own resources

Article 6

1. Accounts for own resources shall be kept by the Treasury of each Member State or by the body appointed by each Member State and broken down by type of resources.
2. For own-resources accounting purposes, the month shall end no earlier than 1 p.m. on the last working day of the month during which establishment took place.
3. (a) Entitlements established in accordance with Article 2 shall, subject to point (b) of this paragraph, be entered in the accounts at the latest on the first working day after the 19th day of the second month following the month during which the entitlement was established.
 - (b) Established entitlements not entered in the accounts referred to in point (a), because they have not yet been recovered and no security has been provided shall be shown in separate accounts within the period laid down in point (a). Member States may adopt this procedure where established entitlements for which security has been provided have been challenged and might, upon settlement of the disputes which have arisen, be subject to change.
 - (c) VAT resources and the additional resources shall, however, be recorded in the accounts as specified in point (a) as follows:
 - the twelfth referred to in Article 10(3) shall be recorded on the first working day of each month,

— the balances referred to in Article 10(4) and (7) and the adjustments referred to in Article 10(6) and (8) shall be recorded annually, except for the particular adjustments referred to in the first indent of Article 10(6), which shall be recorded in the accounts on the first working day of the month following agreement between the Member State concerned and the Commission.

(d) Established entitlements relating to levies and other charges connected with the common organization of the sugar market shall be entered in the accounts referred to in point (a). If these entitlements are not then recovered within the time limits set, the Member States may correct the entry and, by way of exception, enter the entitlements in the separate accounts.

4. Each Member State shall send the Commission, within the time limits specified in paragraph 3:

(a) a monthly statement of its accounts for the entitlements referred to in point (a) of paragraph 3.

Together with these monthly statements the Member States concerned shall provide details or statements of deductions from own resources based on provisions relating to special-status territories.

(b) a quarterly statement of the separate accounts referred to in point (b) of paragraph 3.

Detailed rules for the monthly and quarterly statements referred to in the first subparagraph and duly substantiated amendments thereto shall be laid down by the Commission after consulting the Committee referred to in Article 20. They shall provide for any appropriate time limits for implementation.

5. In the two months following the end of each quarter, each Member State shall send the Commission a description of cases of fraud and irregularities detected involving entitlements of over EUR 10 000.

As far as possible, the Member State provide the following details:

- type of fraud and/or irregularity (designation, customs procedure concerned),
- amount of own resources evaded, or their presumed order of magnitude,
- goods involved (tariff heading, origin, place from which they come),
- concise description of fraud mechanism,
- type of check that led to discovery of fraud and irregularities,

- national departments or agencies which detected the fraud or irregularity,
- stage reached in procedure, including the stage of recovery, with reference to the establishment if already made,
- reference of notification of case under Council Regulation (EC) No 515/97 ⁽¹⁾,
- if appropriate, the Member States involved,
- measures taken or envisaged to prevent the recurrence of the case of fraud or irregularity already detected.

Together with each quarterly statement pursuant to the first subparagraph, each Member State shall give details of the position concerning cases of fraud and irregularities already reported to the Commission whose recovery, cancellation or non-recovery was not indicated earlier.

For this purpose, each Member State shall indicate for each of the cases referred to in the first subparagraph:

- the reference to the original communication,
- the balance to be recovered during the previous quarter,
- the date of establishment,
- the date of entry in the separate accounts provided for in point (b) of paragraph 3,
- the amounts recovered during the quarter in question,
- rectifications of the base (corrections/cancellations) during the quarter in question,
- amounts written off,
- stage of administrative and judicial procedure reached,
- balance to be recovered at the end of the quarter in question.

Details of the above descriptions and duly substantiated amendments thereto shall be worked out by Commission after consulting the Committee referred to in Article 20. They shall provide for any appropriate time limits for implementation.

Article 7

1. Each Member State shall draw up annually a summary account of established entitlements shown in the accounts referred to in of Article 6(3)(a) and shall send it to the Commission before 1 April of the year following the financial year in question. A remark shall be added to explain any difference between the total of the summary account and the sum of the monthly statements sent in by the Member States from January to December of the year in question. The Commission shall check that the summary account tallies with the amounts made available during the year; it shall have two months after receiving the summary accounts in which to make any observations to the Member State concerned.

2. After 31 December of the third year following a given year, no further corrections shall be made to the annual summary account referred to in paragraph 1, except on points notified before this date either by the Commission or by the Member State concerned.

⁽¹⁾ Council Regulation (EC) No 515 of 13 March 1997 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters (OJ L 82, 22.3.1997, p. 1).

Article 8

Corrections carried out under Article 2(4) shall be added to or subtracted from the total amount of established entitlements. They shall be recorded in the accounts as specified in Article 6(3)(a) and (b) and in the statements as specified in Article 6(4) in accordance with the date of these corrections.

Corrections in respect of cases of fraud and irregularities already notified to the Commission shall be singled out.

TITLE III

Making available own resources

Article 9

1. In accordance with the procedure laid down in Article 10, each Member State shall credit own resources to the account opened in the name of the Commission with its Treasury or the body it has appointed.

This account shall be kept free of charge.

2. The amounts credited shall be converted by the Commission and entered in its accounts in euro in accordance with Regulation (Euratom, ECSC, EC) No 3418/93⁽¹⁾.

Article 10

1. After deduction of 10 % by way of collection costs in accordance with Article 2(3) of Decision 94/728/EC, Euratom, entry of the own resources referred to in Article 2(1)(a) and (b) of that Decision shall be made at the latest on the first working day following the 19th day of the second month following the month during which the entitlement was established in accordance with Article 2 of this Regulation.

However, for entitlements shown in separate accounts under Article 6(3)(b) of the entry must be made at the latest on the first working day following the 19th day of the second month following the month in which the entitlements were recovered.

2. If necessary, Member States may be invited by the Commission to bring forward by one month the entering of resources other than VAT resources and the additional resource on the basis of the information available to them on the 15th of the same month.

Each entry brought forward shall be adjusted the following month when the entry mentioned in paragraph 1 is made. This adjustment shall entail the negative entry of an amount equal to that given in the entry brought forward.

3. VAT resources, the additional resource — excluding an amount corresponding to the EAGGF (European Agricultural Guidance and Guarantee Fund) monetary reserve, to the reserve

relating to loans and loan guarantees and to the reserve for emergency aid — and, where appropriate, GNP financial contributions shall be credited on the first working day of each month, the amounts being one-twelfth of the relevant totals in the budget, converted into national currencies at the rates of exchange of the last day of quotation of the calendar year preceding the budget year, as published in the *Official Journal of the European Communities*, 'C' Series.

For the specific needs of paying EAGGF Guarantee Section expenditure, pursuant to Regulation (EEC) No 1765/92 and depending on the Community's cash position, Member States may be invited by the Commission to bring forward by one or two months in the first quarter of the financial year the entry of one-twelfth or a fraction of one-twelfth of the amounts in the budget for VAT resources and/or the additional resource, but excluding own resources to cover the EAGGF monetary reserve, the reserve for loan guarantees and the reserve for emergency aid.

After the first quarter, the monthly entry requested may not exceed one-twelfth of VAT and GNP-based resources, while remaining within the limit of the amounts entered in the budget for that purpose.

The Commission shall notify the Member States thereof in advance, no later than two weeks before the entry requested.

The eleventh subparagraph concerning the amount to be entered in January each year and the twelfth subparagraph applicable if the budget has not been finally adopted before the beginning of the financial year shall apply to these advance entries.

The entry in respect of the EAGGF monetary reserve referred to in Article 6 of Decision 94/728/EC, the reserve relating to loans and loan guarantees and the emergency aid reserve created by Decision 94/729/EC, shall be made on the first working day of the month following the charging to the budget of the expenditure concerned and shall be limited to the said expenditure if charging is effected before the 16th day of the month. If such is not the case, the entry shall be made on the first working day of the second month after charging.

By way of derogation from Article 6 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities⁽²⁾, hereinafter referred to as 'the Financial Regulation', these entries shall be taken into account in the financial year to which they relate.

However, if the situation as regards the implementation of the budget of the financial year is such that the entries relating to the EAGGF monetary reserve and the reserve for emergency aid are not necessary to achieve a balance between revenue and expenditure for the year, the Commission shall decide to dispense with these entries or part of these entries.

⁽¹⁾ Commission Regulation (Euratom, ECSC, EC) No 3418/93 of 9 December 1993 laying down detailed rules for the implementation of certain provisions of the Financial Regulation of 21 December 1977 (OJ L 315, 16.12.1993, p. 1). Regulation as last amended by Decision 1999/537/EC, ECSC, Euratom (OJ L 206, 5.8.1999, p. 24).

⁽²⁾ OJ L 356, 31.12.1977, p. 1. Regulation as last amended by Regulation (EC, ECSC, Euratom) No 2673/1999 (OJ L 326, 18.12.1999, p. 1).

Any change in the uniform rate of VAT resources, in the correction granted to the United Kingdom and in its financing referred to in Article 5 of Decision 94/728/EC, Euratom in the rate of the additional resource and, where appropriate, in the GNP financial contributions shall require the final adoption of a supplementary or amending budget and shall give rise to readjustments of the twelfths which have been entered since the beginning of the financial year.

These readjustments shall be carried out when the first entry is made following the final adoption of the amending or supplementary budget if it is adopted before the 16th of the month. Otherwise they shall be carried out when the second entry following final adoption is made. By way of derogation from Article 6 of the Financial Regulation, these readjustments shall be entered in the accounts in respect of the financial year of the supplementary or amending budget in question.

Calculation of the twelfths for January of each financial year shall be based on the amounts provided for in the draft budget, with the exception of the amounts for financing the EAGGF monetary reserve, referred to in Article 78(3) of the ECSC Treaty, Article 272(3) of the EC Treaty and Article 177(3) of the EAEC Treaty and converted into national currencies at the rates of exchange of the first day of quotation following 15 December of the calendar year preceding the budget year; the adjustment shall be made with the entry for the following month.

If the budget has not been finally adopted before the beginning of the financial year, the Member States shall enter on the first working day of each month, including January, one-twelfth of the amount of VAT own resources, of the additional resource, with the exception of the amounts for financing the EAGGF monetary reserve, and, where appropriate, of the GNP financial contributions entered in the last budget finally adopted; the adjustment shall be made on the first due date following final adoption of the budget if it is adopted before the 16th of the month. Otherwise, the adjustment shall be made on the second due date following final adoption of the budget.

4. Each Member State shall, on the basis of the annual statement on the VAT resources base provided for in Article 7(1) of Regulation (EEC, Euratom) No 1553/89, be debited with an amount calculated from the information contained in the said statement by applying the uniform rate adopted for the previous financial year and credited with the 12 payments made during that financial year. However each Member State's VAT own resources base to which the above rate is applied may not exceed the percentages determined by Article 2(1)(c) of Decision 94/728/EC, Euratom as referred to in the first sentence of paragraph 7 of this Article. The Commission shall work out the balance and shall inform the Member States in time for them to enter it in the account referred to in Article 9(1) of this Regulation on the first working day of December of the same year.

5. The Commission shall then calculate adjustments to the financial contributions so as to restore, in the light of the actual yield from VAT resources, the original distribution in the

budget between the latter and the GNP financial contributions. For the calculation of these adjustments, the balances referred to in paragraph 4 shall be converted into euro at the rates of exchange applying on the first working day after 15 November preceding the entries provided for in paragraph 4. For each Member State concerned, the total of VAT balances shall be adjusted by the ratio between the financial contributions entered in the budget and the VAT resources. The Commission shall communicate the results of this calculation to the Member States which, during the previous financial year, paid GNP financial contributions so that they can make a credit or debit entry as appropriate in the account referred to in Article 9(1) on the first working day of December of the same year.

6. Any corrections to the VAT resources base under Article 9(1) of Regulation (EEC, Euratom) No 1553/89 shall give rise for each Member State concerned whose base, allowing for these corrections, does not exceed the percentages determined by Article 2(1)(c) of Decision 94/728/EC, Euratom to the following adjustments to the balance referred to in paragraph 4 of this Article:

- the corrections under the first subparagraph of Article 9(1) of Regulation (EEC, Euratom) No 1553/89 made by 31 July shall give rise to a general adjustment to be entered in the account referred to in Article 9(1) of this Regulation on the first working day of December of the same year. However a particular adjustment may be entered before that date if the Member State concerned and the Commission are in agreement,
- where the measures which the Commission takes under the second subparagraph of Article 9 (1) of Regulation (EEC, Euratom) No 1553/89 to correct the base lead to an adjustment of the entries in the account referred to in Article 9 (1) of this Regulation, that adjustment shall be made on the date specified by the Commission pursuant to the said measures.

The changes to GNP referred to in paragraph 8 of this Article shall also give rise to an adjustment of the balance of any Member State whose base, allowing for those corrections, is capped at the percentages determined by Article 2(1)(c) of Decision 94/728/EC, Euratom. The adjustments to be made to the VAT balances by the first working day of December of each year under the first subparagraph of this paragraph shall also give rise to the calculation by the Commission of further adjustments to the GNP financial contributions. The exchange rates to be employed in calculating these further adjustments shall be those used for the initial calculation referred to in paragraph 5.

The Commission shall inform the Member States of these adjustments in time for them to enter them in the account referred to in Article 9(1) on the first working day of December of the same year.

However, a particular adjustment may be entered at any time if the Member State concerned and the Commission are in agreement.

7. On the basis of figures for aggregate GNP at market prices and its components from the preceding year, supplied by the Member States in accordance with Article 3(2) of Directive 89/130/EEC, Euratom, each Member State shall be debited with an amount calculated by applying to GNP the rate adopted for the previous financial year, amended, where appropriate, in the light of any use of the EAGGF monetary reserve, of the reserve relating to loans and loan guarantees or of the reserve relating to loans and loan guarantees or of the reserve for emergency aid, and credited with the payments made during that previous financial year. The Commission shall work out the balance and shall inform the Member States in time for them to enter it in the account referred to in Article 9(1) of this Regulation on the first working day of December of the same year.

8. Any changes to the GNP of previous financial years pursuant to Article 3(2) of Directive 89/130/EEC, Euratom, subject to Article 6 thereof, shall give rise for each Member State concerned to an adjustment to the balance established pursuant to paragraph 7. This adjustment shall be established in the manner laid down in the first subparagraph of paragraph 6. The Commission shall inform the Member States of these adjustments so that they can enter them in the account referred to in Article 9(1) of this Regulation on the first working day of December of the same year. After 30 September of the fourth year following a given financial year, any changes to GNP shall no longer be taken into account, except on points notified within this time limit either by the Commission or by the Member State.

9. The operations referred to in paragraphs 4 to 8 constitute modifications to revenue in respect of the financial year in which they occur.

Article 11

Any delay in making the entry in the account referred to in Article 9(1) shall give rise to the payment of interest by the Member State concerned at the interest rate applicable on the Member State's money market on the due date for short-term public financing operations, increased by two percentage points. This rate shall be increased by 0,25 of a percentage point for each month of delay. The increased rate shall be applied to the entire period of delay.

TITLE IV

Management of cash resources

Article 12

1. The Commission shall draw on the sums credited to the accounts referred to in Article 9(1) to the extent necessary to cover its cash resource requirements arising out of the implementation of the budget.

2. If the cash resource requirements are in excess of the assets of the accounts, the Commission may draw in excess of the total of these assets subject to the availability of appropriations in the budget and within the limit of the own resources entered in the budget. In this event, it shall inform the Member States in advance of any foreseeable excess requirements.

3. In the sole case of default under a loan contracted or guaranteed pursuant to Council regulations and decisions, in circumstances in which the Commission cannot activate other measures provided for by the financial arrangements applying to these loans in time to ensure compliance with the Community's legal obligations to the lenders, paragraphs 2 and 4 may provisionally be applied, irrespective of the conditions in paragraph 2, in order to service the Community's debts.

4. The difference between the overall assets and the cash resource requirements shall be divided among the Member States, as far as possible, in proportion to the estimated budget revenue from each of them.

5. The Member States, or the body designated by them in accordance with Article 9(1), shall execute the Commission's payment orders as quickly as possible, and within not more than seven working days of receipt, and shall send the Commission a statement of account within not more than seven working days of completing each transaction.

However, in the case of cash movement transactions, the Member States shall execute the orders within the period requested by the Commission.

TITLE V

Procedure for the application of Article 2(7) of Decision 88/376/EEC, Euratom

Article 13

1. This Article shall apply where it may be necessary to implement the provisional derogation provided for in Article 2(7) of Decision 88/376/EEC, Euratom.

2. The GNP at market prices shall be calculated by the Statistical Office of the European Communities, on the basis of statistics prepared according to the European System of Integrated Economic Accounts (ESA), and corresponding, for each Member State, to the arithmetic mean of the first three years of the five-year period preceding the financial year in respect of which the provisions of Article 2(7) of Decision 88/376/EEC, Euratom have been applied. No account shall be taken of any revisions of statistical data made after the final adoption of the budget.

3. The GNP for each reference year shall be calculated in terms of the euro on the basis of the average rate of the euro for the year in question.

4. For such time as the derogation provided for in Article 2(7) of Decision 88/376/EEC, Euratom applies to one or more Member States, the Commission shall, in its preliminary draft budget, fix the percentage corresponding to the financial contributions of those Member States on the basis of the proportion of their GNP to the sum total of the GNPs of the Member States, and shall determine the amount of that part of the budget to be financed by VAT resources at the uniform rate and by the GNP financial contributions.

These figures shall be approved in accordance with budgetary procedure.

Article 14

1. The definition of GNP at market prices shall be that given in Articles 1 and 2 of Directive 89/130/EEC, Euratom.

2. The figures to be used in calculating the percentage of the GNP financial contributions shall be those supplied pursuant to Article 3(2) of Directive 89/130/EEC, Euratom, and subject to Article 6 thereof. In the absence of such figures the Statistical Office of the European Communities shall use the data available.

TITLE VI

Procedure for the application of Article 7 of Decision 94/728/EC, Euratom

Article 15

For the purpose of applying Article 7 of Decision 94/728/EC, Euratom, the balance of a given financial year shall consist of the difference between:

- all the revenue collected in respect of that financial year, and
- the amount of payments made against appropriations for that financial year increased by the amount of the appropriations for the same financial year carried over pursuant to Articles 7(1) and 2(b) of the Financial Regulation.

This difference shall be increased or decreased on the one hand, by the net amount of appropriations carried over from previous financial years which have been cancelled and, on the other hand, by way of derogation from Article 5(1) of the Financial Regulation, by:

- payments made in excess of non-differentiated appropriations carried over from the previous financial year under Article 7(1) of the Financial Regulation as a result of change in euro rates, and
- the balance resulting from exchange gains and losses during the financial year.

Article 16

The Commission shall, before the end of October in each financial year, make an estimate of the own resources collected for the entire year, on the basis of the data at its disposal at that time.

Any appreciable differences in relation to original estimates may give rise to a letter of amendment to the preliminary draft budget for the following financial year or a supplementary and amending budget for the current financial year.

For the operations referred to in Article 10(4) to (8), the amount of revenue set out in the budget for the current financial year may be increased or reduced, by means of an amending budget, by the amount resulting from those operations.

TITLE VII

Provisions concerning inspection measures

Article 17

1. Member States shall take all requisite measures to ensure that the amount corresponding to the entitlements established under Article 2 are made available to the Commission as specified in this Regulation.

2. Member States shall be free from the obligation to place at the disposal of the Commission the amounts corresponding to established entitlements solely if, for reasons of *force majeure*, these amounts have not been collected. In addition, Member States may disregard this obligation to make such amounts available to the Commission in specific cases if, after thorough assessment of all the relevant circumstances of the individual case, it appears that recovery is impossible in the long term for reasons which cannot be attributed to them. These cases must be mentioned in the report provided for in paragraph 3 if the amounts exceed EUR 10 000, converted into national currency at the rate applying on the first working day of October of the previous calendar year; this report must contain an indication of the reasons why the Member State was unable to make available the amounts in question. The Commission has six months in which to forward, if appropriate, its comments to the Member State concerned.

3. Member States shall inform the Commission, by means of annual reports, of the details and results of their inspections and of the overall data and questions of principle concerning the most important problems arising out of the application of this Regulation and, in particular, matters in dispute. The reports shall be sent to the Commission by 30 April of the year following the financial year in question.

A specimen of the report and duly substantiated amendments thereto shall be drawn up by the Commission after consulting the Committee referred to in Article 20. Any appropriate time limits for implementation shall be provided for.

By 30 June of the year following the financial year referred to in the second sentence of paragraph 1 the Commission shall send to the European Parliament and to the Council a summary report on the notifications by the Member States under this Article and Article 6(5).

Article 18

1. Member States shall conduct the checks and enquiries concerning the establishment and the making available of the own resources referred to in Article 2(1)(a) and (b) of Decision 94/728/EC, Euratom. The Commission shall exercise its powers as specified in this Article.

2. In pursuance of paragraph 1, Member States shall:

- (a) carry out additional inspection measures at the Commission's request. In its request the Commission shall state the reasons for the additional inspection,
- (b) associate the Commission, at its request, with the inspection measures which they carry out.

Member States take all steps required to facilitate these inspection measures. Where the Commission is associated with these measures, Member States shall place at its disposal the supporting documents referred to in Article 3.

In order to restrict additional inspection measures to the minimum:

- (a) the Commission may, in specific cases, request that certain documents be forwarded to it;
- (b) in the monthly statement of accounts referred to in Article 6(4), the amounts entered in the accounts which relate to irregularities or delays in the establishment, entry in the accounts and making available of own resources, discovered during the inspections referred to above, must be identified by means of appropriate notes.

3. Without prejudice to paragraphs 1 and 2, the Commission may itself carry out inspection measures on the spot. The agents authorised by the Commission for such inspection measures shall have access, in so far as the correct application of this Regulation so requires, to the supporting documents referred to in Article 3 and to any other appropriate document connected with those supporting documents. In a duly substantiated communication, the Commission shall give notice of this inspection in good time to the Member State in which the inspection measure is to take place. Agents of the Member State concerned shall participate in such inspection measures.

4. The inspection measures referred to in paragraphs 1, 2 and 3 shall not prejudice:

- (a) the inspection measures undertaken by Member States in accordance with their own provisions laid down by law, regulation or administrative action;
- (b) the measures provided for in Articles 246, 247, 248 and 276 of the EC Treaty and Articles 160a, 160b, 160c and 180b of the EAEC Treaty;
- (c) the inspection arrangements made pursuant to Article 279(c) of the EC Treaty and Article 183(c) of the EAEC Treaty.

5. The Commission shall report every three years to the European Parliament and to the Council on the functioning of the inspection arrangements.

Article 19

Together with the Member State concerned, the Commission shall each year inspect the aggregates provided for errors in compilation, especially in cases notified by the GNP management committee. In doing so it may, in individual cases, also examine calculations and basic statistics, apart from information about individual companies or persons, where no proper assessment would otherwise be possible. The Commission shall respect national legal provisions on the preservation of the confidentiality of statistics.

TITLE VIII

Provisions relating to the Advisory Committee on the Communities' Own Resources

Article 20

1. An Advisory Committee on the Communities' own resources, hereinafter called the committee, is hereby set up.

2. The committee shall consist of representatives of the Member States and of the Commission. Each Member State shall be represented on the committee by not more than five officials.

The chairman of the committee shall be a representative of the Commission. The secretariat services for the committee shall be provided by the Commission.

3. The committee shall adopt its own rules of procedure.

Article 21

1. The committee shall examine the questions raised by its chairman on his initiative or at the request of the representative of a Member State which concern the application of this Regulation, especially as regards:

- (a) the information and reports referred to in Articles 4(1)(b), 6, 7 and 17(3);
- (b) the cases of *force majeure* referred to in Article 17(2);
- (c) the inspection measures laid down in Article 18(2).

The committee shall also examine estimates of own resources.

2. At the request of the chairman, the committee shall deliver its opinion within a time limit which the chairman may lay down according to the urgency of the matter in hand, 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 these 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.

TITLE IX

Final provisions

Article 22

Regulation (EEC, Euratom) No 1552/89 shall be repealed.

References to the said Regulation shall be construed as references to this Regulation and should be read in accordance with the correlation table set out in Part A of the Annex.

Article 23

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, 22 May 2000.

For the Council

The President

J. GAMA

ANNEX

PART A

Correlation table

Regulation (EEC, Euratom) No 1552/89	This Regulation
Article 1	Article 1
Article 2(1)	Article 2(1)
Article 2(1a)	Article 2(2)
Article 2(1b)	Article 2(3)
Article 2(2)	Article 2(4)
Article 3	Article 3
Article 4	Article 4
Article 5	Article 5
Article 6(1)	Article 6(1)
Article 6(1a)	Article 6(2)
Article 6(2)(a)	Article 6(3)(a)
Article 6(2)(b)	Article 6(3)(b)
Article 6(2)(c)	Article 6(3)(c)
Article 6(2)(d)	Article 6(3)(d)
Article 6(3), point (a)	Article 6(4), first subparagraph, point (a)
Article 6(3), point (b), first subparagraph	Article 6(4), first subparagraph, point (b)
Article 6(3), point (b), second subparagraph	Article 6(4), second subparagraph
Article 6(4)	Article 6(5)
Article 7	Article 7
Article 8	Article 8
Article 9	Article 9
Article 10	Article 10
Article 11	Article 11
Article 12	Article 12
Article 13	Article 13
Article 14	Article 14
Article 15	Article 15
Article 16	Article 16
Article 17	Article 17
Article 18(1)	Article 18(1)
Article 18(2), first subparagraph, first indent	Article 18(2), first subparagraph, point (a)
Article 18(2), first subparagraph, second indent	Article 18(2), first subparagraph, point (b)
Article 18(2), second subparagraph	Article 18(2), second subparagraph
Article 18(2), third subparagraph	Article 18(2), third subparagraph
Article 18(3)	Article 18(3)
Article 18(4)	Article 18(4)
Article 18(5)	Article 18(5)
Article 19	Article 19
Article 20	Article 20
Article 21	Article 21
Article 22	—
Article 23	—
—	Article 22
—	Article 23
—	Annex

PART B**Amending Regulations to Regulation (EEC, Euratom) No 1552/89**

Council Regulation (Euratom, EC) No 3464/93 of 10 December 1993 (OJ L 317, 18.12.1993, p. 1).

Council Regulation (EC, Euratom) No 2729/94 of 31 October 1994 (OJ L 293, 12.11.1994, p. 5).

Council Regulation (Euratom, EC) No 1355/96 of 8 July 1996 (OJ L 175, 13.7.1996, p. 3).

COMMISSION REGULATION (EC) No 1151/2000
of 30 May 2000
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 31 May 2000.

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

Done at Brussels, 30 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 30 May 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value	
0702 00 00	052	81,9	
	204	66,1	
	999	74,0	
0707 00 05	052	85,5	
	068	45,2	
	628	125,1	
	999	85,3	
0709 10 00	052	141,9	
	999	141,9	
0709 90 70	052	64,4	
	999	64,4	
0805 10 10, 0805 10 30, 0805 10 50	052	65,4	
	204	36,7	
	212	52,6	
	220	41,6	
	600	67,4	
	624	45,2	
	999	51,5	
	999	56,8	
0805 30 10	528	56,8	
	999	56,8	
0808 10 20, 0808 10 50, 0808 10 90	388	85,3	
	400	87,5	
	404	82,6	
	508	83,1	
	512	84,9	
	528	81,4	
	720	61,3	
	804	101,2	
	999	83,4	
	0809 20 95	400	584,4
		999	584,4

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

COMMISSION REGULATION (EC) No 1152/2000**of 30 May 2000****altering the export refunds on cereals and on wheat or rye flour, groats and meal**

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular the fourth subparagraph of Article 13 (2) thereof,

Whereas

- (1) The export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EC) No 1112/2000 ⁽³⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 1112/2000 to the information known to the Commission that the export refunds at

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, exported in the natural state, as fixed in the Annex to Regulation (EC) No 1112/2000 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 1 June 2000.

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

Done at Brussels, 30 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 125, 26.5.2000, p. 43.

ANNEX

to the Commission Regulation of 30 May 2000 amending the export refunds on cereals and on wheat or rye flour, groats and meal

(EUR/t)			(EUR/t)		
Product code	Destination (1)	Amount of refund	Product code	Destination (1)	Amount of refund
1001 10 00 9200	—	—	1101 00 11 9000	—	—
1001 10 00 9400	01	0	1101 00 15 9100	01	0
1001 90 91 9000	—	—	1101 00 15 9130	01	0
1001 90 99 9000	01	0	1101 00 15 9150	01	0
1002 00 00 9000	01	0	1101 00 15 9170	01	0
1003 00 10 9000	—	—	1101 00 15 9180	01	0
1003 00 90 9000	01	0	1101 00 15 9190	—	—
1004 00 00 9200	—	—	1101 00 90 9000	—	—
1004 00 00 9400	—	—	1102 10 00 9500	01	0
1005 10 90 9000	—	—	1102 10 00 9700	01	0
1005 90 00 9000	01	0	1102 10 00 9900	—	—
1007 00 90 9000	—	—	1103 11 10 9200	01	0 (2)
1008 20 00 9000	—	—	1103 11 10 9400	01	0 (2)
			1103 11 10 9900	—	—
			1103 11 90 9200	01	0 (2)
			1103 11 90 9800	—	—

(1) The destinations are identified as follows:

- 01 all third countries,
- 02 other third countries,
- 03 Switzerland, Liechtenstein.

(2) No refund is granted when this product contains compressed meal.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30.7.1992, p. 20).

COMMISSION REGULATION (EC) No 1153/2000
of 30 May 2000
amending the corrective amount applicable to the refund on cereals

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 1253/1999 ⁽²⁾, and in particular Article 13(8) thereof,

Whereas:

- (1) The corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 1113/2000 ⁽³⁾.
- (2) On the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered.

- (3) The corrective amount must be fixed according to the same procedure as the refund. It may be altered in the period between fixings,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1(1)(a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 2000.

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

Done at Brussels, 30 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 125, 26.5.2000, p. 45.

ANNEX

to the Commission Regulation of 30 May 2000 amending the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination ⁽¹⁾	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11	6th period 12
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	01	0	0	-1,00	-2,00	-3,00	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	01	0	0	-1,00	-2,00	-3,00	—	—
1002 00 00 9000	01	0	0	-1,00	-2,00	-3,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	01	0	0	-1,00	-2,00	-3,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	01	0	0	-1,00	-2,00	-3,00	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	01	0	-1,00	-2,00	-2,00	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	01	0	0	-1,37	-2,74	-4,11	—	—
1101 00 15 9130	01	0	0	-1,28	-2,56	-3,84	—	—
1101 00 15 9150	01	0	0	-1,18	-2,36	-3,54	—	—
1101 00 15 9170	01	0	0	-1,09	-2,18	-3,27	—	—
1101 00 15 9180	01	0	0	-1,02	-2,04	-3,06	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	01	0	0	-1,37	-2,74	-4,11	—	—
1102 10 00 9700	01	0	0	-1,08	-2,16	-3,24	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	01	0	0	-1,50	-3,00	-4,50	—	—
1103 11 10 9400	01	0	0	-1,34	-2,68	-4,02	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	01	0	0	-1,37	-2,74	-4,11	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries,

02 other third countries,

03 Mauritania, Mali, Niger, Senegal, Burkina Faso, The Gambia, Guinea-Bissau, Guinea, Cape Verde, Sierra Leone, Liberia, Côte d'Ivoire, Ghana, Togo, Chad, Central African Republic, Benin, Cameroon, Equatorial Guinea, São Tomé and Príncipe, Gabon, Congo, Democratic Republic of the Congo, Rwanda, Burundi, Angola, Zambia, Malawi, Mozambique, Namibia, Botswana, Zimbabwe, Lesotho, Swaziland, Seychelles, The Comoros, Madagascar, Djibouti, Ethiopia, Eritrea and Mauritius.

NB: The zones are those defined in amended Commission Regulation (EEC) No 2145/92 (OJ L 214, 30.7.1992, p. 20).

COMMISSION REGULATION (EC) No 1154/2000
of 30 May 2000
altering the export refunds on malt

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular, the fourth subparagraph of Article 13(2) thereof,

Whereas:

- (1) The export refunds on malt were fixed by Commission Regulation (EC) No 1056/2000 ⁽³⁾.
- (2) It follows from applying the rules, criteria and other provisions contained in Regulation (EC) No 1056/2000 to the information at present available to the Commis-

sion that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1(1)(c) of Regulation (EEC) No 1766/92 are hereby altered to the amounts set out in the Annex hereto, in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 1 June 2000.

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

Done at Brussels, 30 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 118, 19.5.2000, p. 36.

ANNEX

to the Commission Regulation of 30 May 2000 altering the export refunds on malt

(EUR/t)

Product code	Refund
1107 10 19 9000	0,00
1107 10 99 9000	0,00
1107 20 00 9000	0,00

COMMISSION REGULATION (EC) No 1155/2000
of 30 May 2000
altering the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 13(8) thereof,

Whereas:

- (1) The corrective amount applicable to the refund on malt was fixed by Commission Regulation (EC) No 1057/2000 ⁽³⁾.
- (2) On the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market

into account, the corrective amount at present applicable to the refund on malt should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 13(4) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to is hereby altered to the amount set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 2000.

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

Done at Brussels, 30 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 160, 26.6.1999, p. 18.

⁽³⁾ OJ L 118, 19.5.2000, p. 38.

ANNEX

to the Commission Regulation of 30 May 2000 amending the corrective amount applicable to the refund on malt*(EUR/t)*

Product code	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11
1107 10 11 9000	0	0	0	0	0	0
1107 10 19 9000	0	0	-1,27	-2,54	-3,81	-5,08
1107 10 91 9000	0	0	0	0	0	0
1107 10 99 9000	0	0	-1,27	-2,54	-3,81	-5,08
1107 20 00 9000	0	0	-1,49	-2,98	-4,47	-5,96

(EUR/t)

Product code	6th period 12	7th period 1	8th period 2	9th period 3	10th period 4	11th period 5
1107 10 11 9000	0	0	0	0	0	0
1107 10 19 9000	-6,35	-7,62	-8,89	-10,16	-11,43	-12,70
1107 10 91 9000	0	0	0	0	0	0
1107 10 99 9000	-6,35	-7,62	-8,89	-10,16	-11,43	-12,70
1107 20 00 9000	-7,45	-8,94	-10,43	-11,92	-13,41	-14,90

COMMISSION REGULATION (EC) No 1156/2000

of 30 May 2000

amending Regulation (EC) No 2705/98 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 37 thereof,

Whereas:

- (1) Article 1(3) of Commission Regulation (EC) No 2705/98 of 14 December 1998 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽²⁾ provides for the possibility of revising the list of representative markets and weighting coefficients in the light of how marketing and the size of the cattle population in each Member State develop. This information should therefore be updated.
- (2) The planned amendments should be applied from 1 January 2001 to ensure that prices on the representative markets remain comparable over the calendar year and to allow the representative market in Spain to be changed as of 1 July 2000.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2705/98 is amended as follows.

1. Annex I is replaced by Annex I to this Regulation.
2. Annex II (D) 'Greece' is replaced by Annex II to this Regulation.
3. In Annex III:

(a) under point A, the 'weighting coefficients' are replaced by:

'— Germany	26,2
— Spain	7,0
— France	25,0
— Ireland	7,1
— Italy	12,0
— Netherlands	8,9
— United Kingdom	13,8'

(b) under point C 'Spain':

The market 'Avilés (Asturias)' is replaced by 'Pola de Siero (Asturias)'.

4. In Annex IV(A), the 'weighting coefficients' are replaced by:

'— Spain	18,9
— France	42,5
— Ireland	11,8
— Italy	6,9
— United Kingdom	19,9'.

5. In Annex V(A), the 'weighting coefficients' are replaced by:

'— Belgium	6,6
— France	38,1
— Italy	23,1
— Netherlands	32,2'.

Article 2

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

It shall apply from 1 January 2001, with the exception of Article 1(3)(b) which shall apply from 1 July 2000.

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

Done at Brussels, 30 May 2000.

For the Commission
 Franz FISCHLER
 Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 340, 16.12.1998, p. 3.

ANNEX

ANNEX I

Coefficients to be used in calculating the price on the representative Community markets of adult bovine animals

	Adult bovine animals	Cows	Heifers	Young bulls	Steers	Bulls
Belgium	3,8	4,3	6,0	6,4	—	—
Denmark	2,6	3,0	2,2	4,8	3,6	2,5
Germany	18,8	20,3	18,9	—	—	—
Greece	0,8	1,1	0,5	1,8	—	—
Spain	8,0	11,4	4,8	6,4	—	—
France	26,2	31,8	42,4	50,5	37,6	97,5
Ireland	8,7	9,0	9,6		26,0	—
Italy	9,6	10,5		23,0	—	—
Luxembourg	—				—	—
Netherlands	5,3	6,2		3,6	—	—
Austria	—			—	—	—
Portugal	1,6	2,4	1,0	3,5	2,6	—
Finland	—			—	—	—
Sweden	—			—	—	—
United Kingdom	14,6		14,6	—	30,2	—

ANNEX II

D. GREECE

1. Representative markets (quotation centres)

- Αλεξανδρούπολη (Alexandroupoli)
- Σέρρες (Serres)
- Τρικαλα-Λάρισα (Trikala-Larisa)
- Βέροια (Veroia).

2. Categories, qualities and coefficients

Categories and qualities	Live-weight conversion coefficients	Weighting coefficients
Μόσχος U (Young bovines U)	60	25,0
Μόσχος R (Young bovines R)	58	22,7
Μόσχος O (Young bovines O)	56	45,9
Δάμαλις R (Heifers R)	53	1,4
Δάμαλις O (Heifers O)	50	1,3
Βόειον O (Cows O)	52	2,3
Βόειον P (Cows P)	48	1,4

COMMISSION REGULATION (EC) No 1157/2000

of 30 May 2000

fixing the compensatory aid for bananas produced and marketed in the Community in 1999, the time limit for payment of the balance of the aid and the unit value of the advances for 2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Articles 12(6) and 14 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1858/93 ⁽³⁾, as last amended by Regulation (EC) No 1467/1999 ⁽⁴⁾, lays down detailed rules for applying Regulation (EEC) No 404/93 as regards the aid scheme to compensate for loss of income from marketing in the banana sector.
- (2) Pursuant to Article 12 of Regulation (EEC) No 404/93, the compensatory aid is calculated on the basis of the difference between the flat-rate reference income and the average production income from bananas produced and marketed in the Community during the year in question. Supplementary aid is granted in one or more producer regions where the average income from production is significantly lower than the average for the Community.
- (3) Article 2(2) of Regulation (EEC) No 1858/93 fixes the flat-rate reference income at EUR 64,03 per 100 kilograms net weight of green bananas ex-packing shed for the aid to be calculated in respect of 1999.
- (4) In 1999, the average production income, calculated on the basis of the average of the prices for bananas marketed outside the producer regions at the stage of delivery at first port of unloading (goods not unloaded) on the one hand and the selling prices on local markets for bananas marketed in their producer region on the other, less the flat-rate amounts laid down in Article 3(2) of Regulation (EEC) No 1858/93, was less than the flat-rate reference income fixed for 1999. The compensatory aid to be granted in respect of 1999 should be fixed accordingly.
- (5) The aid for 1999 is relatively high and it is difficult to predict at present the evolution of prices over the whole of the 2000 marketing year. As a result, from the economic viewpoint the unit amount of advances should not be set at relatively high level which could

prove exorbitant when the aid for the year is determined. The level of advances should be fixed at 60 % of the amount of aid granted for 1999.

- (6) The annual average production income from the marketing of bananas produced in Portugal, Martinique and Guadeloupe has proved to be significantly lower than the Community average during 1999. As a result, supplementary aid should be granted in the producer regions in Portugal, Martinique and Guadeloupe pursuant to Article 12(6) of Regulation (EEC) No 404/93, in accordance with the practice followed in recent years. As regards the regions in Portugal, and Madeira in particular, the data for 1999 reveal extremely difficult production and marketing conditions, requiring supplementary aid to be fixed at a level covering 75 % of the difference between the average income in the Community and the average recorded on selling products in that region. The specific marketing difficulties in Guadeloupe, which has been hit by cyclones several times in recent years and has had difficulties rebuilding its marketing capacities, justify the granting of supplementary aid covering the same percentage of the difference between the Community average and regional income.
- (7) Given the lack of all the data necessary, it has not hitherto been possible to determine the compensatory aid for 1999. Provision should be made for the balance of the aid to be paid within two months of the publication of this Regulation. In view of the latter points, provision should be made for this Regulation to enter into force on the day following its publication.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Bananas,

HAS ADOPTED THIS REGULATION:

Article 1

1. The compensatory aid provided for in Article 12 of Regulation (EEC) No 404/93 for fresh bananas falling within CN code ex 0803, excluding plantains, produced and marketed in the Community in 1999 shall be EUR 29,69 per 100 kilograms.

⁽¹⁾ OJ L 47, 25.2.1993, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 170, 13.7.1993, p. 5.

⁽⁴⁾ OJ L 170, 6.7.1999, p. 7.

2. The aid fixed in paragraph 1 shall be increased by EUR 4,99 per 100 kilograms for bananas produced in producer regions in Portugal, by EUR 2,99 per 100 kilograms for bananas produced in the region of Martinique and by EUR 8,45 per 100 kilograms for bananas produced in the region of Guadeloupe.

Article 2

Notwithstanding Article 4(2) of Regulation (EEC) No 1858/93, advances for bananas marketed from January to October 2000 shall amount to EUR 17,81 per 100 kilograms. The relevant security shall be EUR 8,90 per 100 kilograms.

Article 3

Notwithstanding Article 10 of Regulation (EEC) No 1858/93, the competent authorities of the Member States shall pay the balance of the compensatory aid to be granted in respect of 1999 within two months of the entry into force of this Regulation.

Article 4

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

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

Done at Brussels, 30 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

**COMMISSION REGULATION (EC) No 1158/2000
of 30 May 2000**

repealing Regulation (EC) No 1781/1999 suspending the import quota for milk powder for the Dominican Republic and derogating from certain provisions of Regulation (EC) No 174/1999 laying down detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products and Regulation (EEC) No 3719/88 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the markets in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1040/2000 ⁽²⁾, and in particular Article 26(3), Article 30(1) and Article 31(3) thereof,

Whereas:

- (1) Article 20(a) of Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products ⁽³⁾, as amended by Regulation (EC) No 1596/1999 ⁽⁴⁾, lays down the rules for administering the milk powder quota for imports into the Dominican Republic under the Memorandum of Understanding between the European Community and the Dominican Republic approved by Council Decision 98/486/EC ⁽⁵⁾. The application of that Article has been suspended by virtue of Commission Regulation (EC) No 1781/1999 ⁽⁶⁾. The Dominican Republic having now adopted the measures for applying the quota, that suspension should consequently be lifted.
- (2) The tariff quota covers periods of 12 months starting on 1 July. In consequence, in order to implement the tariff quota for the year 2000/01, the period foreseen for applying for special export licences for the year 2000/01 should also be adapted with urgency. This period should start on 1 June 2000.
- (3) Exporters whose intention it is to export to the Dominican Republic the products indicated in Article 20a(3) of Regulation (EC) No 174/1999 and who may experience difficulties in doing so because of the implementation of the quota system, may request the cancellation of the export licences in question without incurring any loss of the licence security. In consequence, a derogation should be made to Article 33 of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certi-

ificates for agricultural products ⁽⁷⁾, as last amended by Regulation (EC) No 1127/1999 ⁽⁸⁾, which, in particular, provides for general conditions on the release of guarantees.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1781/1999 is hereby repealed.

Article 2

By way of derogation from Article 20a(7) of Regulation (EC) No 174/1999, for the period from 1 July 2000 to 30 June 2001, licence applications shall be lodged from 1 to 9 June 2000.

Article 3

1. By way of derogation from Article 33 of Regulation (EEC) No 3719/88, export licences with prefixation of the export refund issued in accordance with Regulation (EC) No 174/1999 for the products indicated in Article 20a(3) thereof, showing the Dominican Republic in box 7 and valid on 1 July 2000, shall be cancelled at the request of the titular holder lodged, by 15 June at the latest, with the competent licence issuing authority and the security shall be released.

2. Member States shall inform the Commission immediately of such applications, indicating the quantity, the export refund nomenclature (ERN) code and the amount of the refund applicable. Member States shall provide the Commission with a summary of all the requests accepted by 16 June 2000 at the latest, indicating the total quantity by ERN code and the amount of export refund concerned.

Article 4

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

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 118, 19.5.2000, p. 1.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 188, 21.7.1999, p. 39.

⁽⁵⁾ OJ L 218, 6.8.1998, p. 45.

⁽⁶⁾ OJ L 212, 12.8.1999, p. 18.

⁽⁷⁾ OJ L 331, 2.12.1988, p. 1.

⁽⁸⁾ OJ L 135, 29.5.1999, p. 48.

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

Done at Brussels, 30 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1159/2000**of 30 May 2000****on information and publicity measures to be carried out by the Member States concerning assistance from the Structural Funds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽¹⁾, and in particular Article 53(2) thereof,

Whereas:

- (1) Article 46 of Regulation (EC) No 1260/1999 requires information and publicity measures about the activities of the Structural Funds to be carried out.
- (2) Article 34(1)(h) of Regulation (EC) No 1260/1999 stipulates that the managing authority in charge of implementing a package of structural assistance is responsible for compliance with the requirements on information and publicity.
- (3) Article 46(2) of Regulation (EC) No 1260/1999 states that the managing authority is responsible for ensuring publicity about an assistance package and in particular for informing potential final beneficiaries, trade and professional bodies, the economic and social partners, bodies promoting equality between men and women and non-governmental organisations about the opportunities afforded by the assistance and for informing the general public about the role played by the Community in the assistance concerned and its results.
- (4) Article 46(3) requires the Member States to consult the Commission and inform it each year of the initiatives taken with regard to information and publicity measures.
- (5) Under Articles 18(3) and 19(4) of Regulation (EC) No 1260/1999, the programme complement for each operational programme or single programming document is to include the measures intended to publicise the assistance in accordance with Article 46.
- (6) Article 35(3)(e) of Regulation (EC) No 1260/1999 states that the Monitoring Committees are to consider and approve the annual and final reports on assistance before they are sent to the Commission and Article 37(2) of that Regulation requires those reports to include the steps taken by the managing authority and

the Monitoring Committee to ensure the quality and effectiveness of the measures taken to ensure publicity for the assistance. Article 40(4) states in particular that the results of the evaluations are to be made available to the public on request, with the agreement of the Monitoring Committee in the case of the mid-term evaluation to be carried out no later than 31 December 2003.

- (7) Commission Decision 94/342/EC of 31 May 1994 concerning information and publicity measures to be carried out by the Member States concerning assistance from the Structural Funds and the Financial Instrument for Fisheries Guidance (FIFG) ⁽²⁾ continues to apply to assistance granted under Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments ⁽³⁾, as last amended by Regulation (EC) No 3193/94 ⁽⁴⁾, as well as the regulations adopted to implement that Regulation.
- (8) The Committee referred to in Article 147 of the Treaty, the Committee on Agricultural Structures and Rural Development and the Committee on Structures for Fisheries and Aquaculture have been consulted on this Regulation. The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Development and Conversion of Regions,

HAS ADOPTED THIS REGULATION:

Article 1

The detailed provisions applicable to information and publicity concerning assistance from the Structural Funds under Regulation (EC) No 1260/1999 shall be as set out in the Annex hereto.

Article 2

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

⁽¹⁾ OJ L 161, 26.6.1999, p. 1.

⁽²⁾ OJ L 152, 18.6.1994, p. 39.

⁽³⁾ OJ L 185, 15.7.1988, p. 9.

⁽⁴⁾ OJ L 337, 24.12.1994, p. 11.

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

Done at Brussels, 30 May 2000.

For the Commission
Michel BARNIER
Member of the Commission

ANNEX

IMPLEMENTING RULES FOR INFORMATION AND PUBLICITY ABOUT ASSISTANCE FROM THE STRUCTURAL FUNDS**1. General principles and scope**

Information and publicity about assistance from the Structural Funds is intended to increase public awareness and transparency regarding the activities of the European Union and create a coherent picture of the assistance concerned across all Member States. Such information and publicity shall cover operations assisted by the European Regional Development Fund, the European Social Fund, the European Agricultural Guidance and Guarantee Fund, Guidance Section or the Financial Instrument for Fisheries Guidance.

The information and publicity measures described below relate to the Community support frameworks (CSFs), operational programmes, single programming documents (SPDs) and Community initiative programmes defined in Regulation (EC) No 1260/1999.

The managing authority responsible for implementing the assistance shall be responsible for publicity on the spot. Publicity shall be carried out in cooperation with the European Commission, which shall be informed of measures taken for this purpose.

The competent national and regional authorities shall take all the appropriate administrative steps to ensure the effective application of these arrangements and to collaborate with the Commission.

2. The aims of information and publicity measures and the target groups

The aim of information and publicity measures shall be to:

- 2.1. inform potential and final beneficiaries, as well as
 - regional and local authorities and other competent public authorities,
 - trade organisations and business circles,
 - the economic and social partners,
 - non-governmental organisations, especially bodies to promote equality between men and women and bodies working to protect and improve the environment,
 - project operators and promoters,

about the opportunities offered by joint assistance from the European Union and the Member States in order to ensure the transparency of such assistance;
- 2.2. inform the general public about the role played by the European Union in cooperation with the Member States in the assistance concerned and its results.

3. Implementation of information and publicity measures**3.1. General provisions****3.1.1. Preparation of measures**

The information and publicity measures shall be presented in the form of a communications action plan covering each operational programme and each single programming document (SPD). Where appropriate, such a plan shall be submitted for the CSF. It shall be implemented under the responsibility of the managing authority.

Each communications action plan shall include:

- its aims and target groups,
- the content and strategy of the resulting communications and information measures, stating the measures to be taken under the different objectives under each Fund,
- its indicative budget,
- the administrative departments or bodies responsible for implementation,
- the criteria to be used to evaluate the measures carried out.

The communications action plan shall be set out in the programme complement in accordance with Article 18(3)(d) of Regulation (EC) No 1260/1999.

3.1.2. Finance

The amounts set aside for information and publicity shall appear in the financing plans for the Community support frameworks (CSFs), SPDs and operational programmes under the heading of technical assistance (the appropriations required to prepare, monitor and evaluate assistance under Articles 17(2)(e), 18(2)(b) and 19(3)(b) of Regulation (EC) No 1260/1999).

3.1.3. Identification of those responsible

Each managing authority shall designate one or more persons to be responsible for information and publicity. The managing authorities shall inform the Commission of those designated.

3.1.4. Accountability

The managing authority shall inform the Commission about the implementation of this Regulation at the annual meeting referred to in Article 34(2) of Regulation (EC) No 1260/1999.

3.2. *Content and strategy of information and publicity measures*

The measures to be implemented shall be designed to achieve the aims referred to in point 2 above. These are:

- ensuring transparency for potential and final beneficiaries,
- informing the public.

3.2.1. Ensuring transparency for potential and final beneficiaries and the groups referred to in 2.1

3.2.1.1. The managing authority designated for each assistance package shall in particular ensure:

- publication of the content of the package, including an indication of the involvement of the Structural Funds concerned, circulation of these documents and their availability to those who request them,
- the establishment of appropriate reporting on the progress of the assistance throughout the programming period,
- the implementation of information measures relating to the management, monitoring and evaluation of assistance from the Structural Funds, financed where appropriate from the appropriations for technical assistance under the assistance package concerned.

Managing authorities shall endeavour to ensure that information and publicity material is presented in a uniform fashion and in accordance with the rules on the means of information and publicity set out in point 6. In this context, it would be desirable to use the following descriptions of the tasks of each of the Funds.

ERDF: 'Helping reduce the gap between development levels and living standards among the regions and the extent to which least-favoured regions are lagging behind.

Helping redress the main regional imbalances in the Community by participating in the development and structural adjustment of regions whose development is lagging behind and the economic and social conversion of regions.'

ESF: 'Helping develop employment by promoting employability, the business spirit and equal opportunities and investing in human resources.'

EAGGF: 'Helping preserve the link between diversified farming and the land.

Improving and supporting the competitiveness of agriculture as a key activity in rural areas.

Ensuring the diversification of the economy in rural areas.

Helping to keep thriving communities in rural areas.

Preserving and improving the environment, the landscape and the rural heritage.'

FIFG: 'Helping achieve a sustainable balance between marine resources and their exploitation.

Modernising fishing structures to ensure the future of the industry.

Helping maintain a dynamic and competitive fishing industry and revitalise areas dependent on fishing.

Improving the supply and exploitation of fishery products.'

3.2.1.2. The managing authority designated to implement an assistance package shall ensure the existence of appropriate channels for circulating information in order to ensure transparency for the various potential partners and beneficiaries, particularly small and medium-sized businesses.

This information should include a clear outline of the administrative procedures to be followed, a description of the system for managing applications, information on the criteria used in selection procedures and on the mechanisms for evaluation and names of persons or contact points at national, regional or local level who can explain how the assistance packages operate and the criteria for eligibility.

In the case of support for local potential, public aid for businesses and global grants, this information shall be distributed principally through the intermediary bodies and organisations representing the firms concerned.

3.2.1.3. Managing authorities shall ensure the existence of appropriate channels for providing information to those persons who could benefit from schemes involving training, employment or the development of human resources. To this end, they shall secure the cooperation of vocational training bodies, bodies concerned with employment, businesses and groups of businesses, training centres and non-governmental organisations.

3.2.2. Informing the public

3.2.2.1. In order to make the public more aware of the part played by the European Union in the assistance packages concerned and the results they achieve, the designated managing authority shall inform the media in the most appropriate way about the structural assistance part-financed by the Union. This information shall include a balanced reference to the Union's contribution and the messages shall state the tasks of each Fund by setting out the specific priorities of the assistance packages concerned in accordance with 3.2.1.1.

Steps shall be taken, at the time of the original launch of assistance following approval by the Commission and of the main phases of implementation, to alert the national and regional media (press, radio and television) as appropriate; such steps may include press releases, the placing of articles, supplements in the most suitable newspapers and site visits. Other means of information and communication may also be used such as websites, publications describing successful projects and competitions to identify best practice.

Where use is made of advertising inserts, for example press briefings or publicity notices, the participation of the European Union shall be clearly indicated.

Appropriate collaboration with the Commission's office in the country concerned must be ensured.

3.2.2.2. Information and publicity measures for the general public shall include:

- in the case of infrastructure investments whose total cost exceeds EUR 500 000 for operations part-financed by the FIFG and EUR 3 million in the case of all other operations:
 - billboards erected on site,
 - permanent commemorative plaques for infrastructures accessible to the general public, to be installed in accordance with point 6;
- in the case of part-financed training and employment measures:
 - measures making beneficiaries of training schemes aware that they are participating in an operation part-financed by the European Union;
 - measures making the general public aware of the role played by the European Union in relation to operations financed in the field of vocational training, employment and the development of human resources;
- in the case of investments in business, measures to develop local potential and all other measures receiving financial assistance from the Community:
 - information for beneficiaries about their participation in an operation part-financed by the European Union in one of the ways described in point 6.

4. The work of Monitoring Committees

4.1. Monitoring Committees shall ensure that there is adequate information about their work. To this end, wherever possible they shall keep the media informed of the progress of the assistance packages for which they are responsible. Contacts with the press shall be under the responsibility of the chairman. The Commission representatives shall be involved in contacts with the press.

Appropriate arrangements shall also be made when important events are held in connection with the Monitoring Committee's meetings, such as high-level meetings or inaugural sessions. The Commission and its offices in the Member States shall be kept informed of these arrangements.

4.2. Monitoring Committees shall debate the annual implementing report referred to in Article 37 of Regulation (EC) No 1260/1999 which, in accordance with Article 35 of that Regulation, must contain a section on information and publicity. Information on the quality and effectiveness of the information and publicity measures and suitable evidence such as photographs shall be submitted to Monitoring Committees by the managing authority.

In accordance with Article 46 of Regulation (EC) No 1260/1999, the Member States shall send the Commission all the information which it needs to take into account for its annual report as provided for in Article 45 of that Regulation.

Such information must enable the Commission to ascertain that the provisions of this Regulation have been complied with.

5. Partnership and exchanges of experience

Managing authorities are at liberty to carry out any additional measures, including those which contribute to the proper implementation of the policy pursued under the Structural Funds.

They shall inform the Commission of the initiatives they take so that it may participate appropriately in their realisation.

In order to facilitate implementation of this Regulation, the Commission shall provide technical assistance where necessary. It shall make its expertise and material available to the authorities concerned in a spirit of partnership and in the common interest. It shall support exchanges of experience about the implementation of Article 46 of Regulation (EC) No 1260/1999 and promote informal networks among those responsible for providing information. To that end, it would be desirable for Member States to designate a national coordinator for each Fund.

6. Rules on the technical means of information and publicity

In order to ensure the visibility of measures part-financed by one of the Structural Funds, the appropriate managing authority shall be responsible for seeing that the following information and publicity measures are complied with:

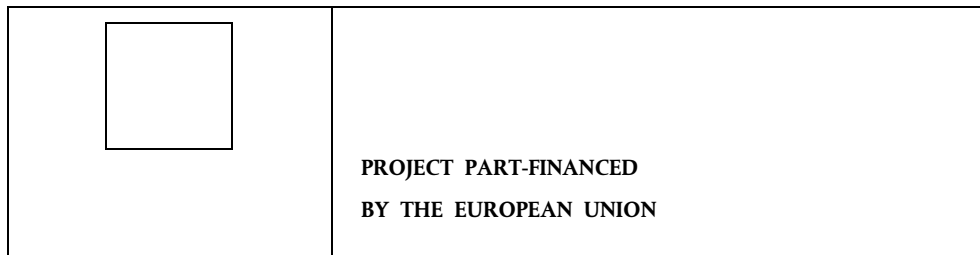
6.1. Billboards

Billboards shall be erected on the sites of projects involved in part-financed infrastructure investments whose volume exceeds the amounts given at 3.2.2.2. Such billboards shall include a space reserved for the indication of the European Union's contribution.

Billboards must be of a size which is appropriate to the scale of the operation.

The section of the billboard reserved for the Community contribution must meet the following criteria:

- it shall take up at least 25 % of the total area of the billboard;
- it shall bear the standardised Community emblem and the following text, to be set out as shown below:



- the emblem shall be presented in accordance with the current specifications;
- the lettering used to indicate the financial contribution of the European Union must be at least the same size as the lettering for the national indications, although the typeface may be different;
- the Fund concerned may be mentioned.

Where the competent authorities do not erect a billboard announcing their own involvement in the financing of a project, the assistance from the European Union shall be announced on a billboard specifically for that purpose. In such cases, the above provisions shall apply by analogy.

Billboards shall be removed not later than six months after completion of the work and replaced by a commemorative plaque in accordance with 6.2.

6.2. Commemorative plaques

Permanent commemorative plaques shall be placed at sites accessible to the general public (congress centres, airports, stations, etc.) which represent projects part-financed by the Structural Funds. In addition to the Community emblem, such plaques must indicate the Community's contribution and may mention the Fund concerned.

In the case of physical investments in commercial business premises, commemorative plaques shall be installed for a period of one year.

If a competent authority or final beneficiary decides to erect billboards or commemorative plaques, produce publications or undertake any other information measure regarding projects whose total volume is less than EUR 500 000 in the case of operations part-financed by the FIFG and EUR 3 million in the case of all other operations, the Community contribution shall likewise be indicated.

6.3. *Posters*

In order to inform beneficiaries and the general public of the role played by the European Union in the development of human resources, vocational training and employment, investment in firms and rural development, the managing authorities shall display posters indicating the Union's contribution and possibly the Fund concerned on the premises of bodies implementing or benefiting from measures financed by the Structural Funds (employment agencies, vocational training centres, chambers of commerce and industry, chambers of agriculture, regional development agencies, etc.).

6.4. *Notification to beneficiaries*

All notifications of aid to beneficiaries sent by the competent authorities shall mention the fact of part-financing by the European Union and may state the amount or percentage of the assistance funded by the Community instrument concerned.

6.5. *Information and communication material*

6.5.1. Publications (such as booklets, leaflets and newsletters) about regional assistance part-financed by the Structural Funds shall contain a clear indication on the title page of the European Union's participation and, where appropriate, that of the Fund concerned as well as the Community emblem if the national or regional emblem is also used.

Publications shall include references to the body responsible for the information content and to the managing authority designated to implement the assistance package in question.

6.5.2. In the case of information made available by electronic means (websites, databases for potential beneficiaries) or as audio-visual material, the principles set out above shall apply by analogy. In drawing up the communications action plan, due regard must be had to new technologies which permit the rapid and efficient distribution of information and facilitate a dialogue with the general public.

Websites concerning the Structural Funds should

- mention the contribution of the European Union and, if appropriate, that of the Fund concerned at least on the home page,
- include a hyperlink to the other Commission websites concerning the Structural Funds.

6.6. *Information events*

The organisers of information events such as conferences, seminars, fairs and exhibitions in connection with the implementation of operations part-financed by the Structural Funds shall make the Community contribution to these assistance packages explicit by displaying the European flag in meeting rooms and using the Community emblem on documents.

The Commission's offices in the Member States shall assist, as necessary, in the preparation and implementation of such events.

**COMMISSION REGULATION (EC) No 1160/2000
of 30 May 2000**

fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and in particular Article 5 (2) (a) thereof,

Whereas:

Pursuant to Article 2 (2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽³⁾, as last amended by Regulation (EC) No 2062/

97 ⁽⁴⁾, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. Whereas, to that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 31 May 2000.

It shall apply from 31 May to 13 June 2000.

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

Done at Brussels, 30 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁴⁾ OJ L 289, 22.10.1997, p. 1.

ANNEX

to the Commission Regulation of 30 May 2000 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

(EUR/100 pieces)

Period: from 31 May to 13 June 2000

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	15,04	11,30	32,58	17,86
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	11,39	8,71	15,89	14,79
Morocco	14,45	13,93	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

COMMISSION REGULATION (EC) No 1161/2000**of 30 May 2000****suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of small-flowered roses originating in Israel**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco and the West Bank and the Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and in particular Article 5(2)(b) thereof,

Whereas:

(1) Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers.

(2) Council Regulation (EC) No 1981/94 ⁽³⁾, as last amended by Commission Regulation (EC) No 563/2000 ⁽⁴⁾, opens and provides for the administration of Community tariff quotas for certain products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey and providing detailed rules for extending and adapting these tariff quotas.

(3) Commission Regulation (EC) No 1160/2000 ⁽⁵⁾ fixes the Community producer and import prices for carnations and roses for the application of the import arrangements.

(4) Commission Regulation (EEC) No 700/88 ⁽⁶⁾, as last amended by Regulation (EC) No 2062/97 ⁽⁷⁾, lays down the detailed rules for the application of the arrangements.

(5) On the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2(3) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for small-flowered roses originating in Israel. The Common Customs Tariff duty should be re-established.

(6) The quota for the products in question covers the period 1 January to 31 December 2000. As a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest.

(7) In between meetings of the Management Committee for Live Plants and Floriculture Products, the Commission must adopt such measures,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of small-flowered roses (CN code ex 0603 10 10) originating in Israel, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 1 June 2000.

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 199, 2.8.1994, p. 1.

⁽⁴⁾ OJ L 68, 16.3.2000, p. 46.

⁽⁵⁾ See page 37 of this Official Journal.

⁽⁶⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁷⁾ OJ L 289, 22.10.1997, p. 1.

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

Done at Brussels, 30 May 2000.

For the Commission
Franz FISCHLER
Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 March 2000

modifying Decision 2000/167/EC approving a Finnish national aid programme implementing in particular Article 141 of the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden

(notified under document number C(2000) 835)

(Only the Finnish and the Swedish texts are authentic)

(2000/364/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the first subparagraph of Article 88(2) thereof,

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 141 thereof,

Whereas:

- (1) On 25 October 1999, Finland notified the Commission, pursuant in particular to Article 143 of the Act of Accession and Article 88 of the EC Treaty, a national aid programme implementing in particular Article 141 and comprising other related measures for regions A and B and the Archipelago of regions A and B.
- (2) On 6 December 1999, Finland submitted an amended version of this programme.
- (3) Parts of this programme were approved by Commission Decision 2000/167/EC of 22 December 1999 approving a Finnish national aid programme implementing in particular Article 141 of the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden ⁽¹⁾.
- (4) On 31 January 2000 Finland notified to the Commission, pursuant to Article 143 of the Act of Accession, a request to modify that programme in three respects.
- (5) The first request concerns the milk sector: it would allow for the possibility of including in the quota eligible for aid unused reference quantities allocated to producers during the same marketing year. Since Commission Decision 95/196/EC of 4 May 1995 on the long-term national aid scheme for agriculture in the northern regions of Finland ⁽²⁾, as amended by Decision 97/279/EC ⁽³⁾, already provides for this possibility, the Commission considers this request to be justified, in particular in the interest of avoiding any discrimination between producers in different parts of Finland.

⁽¹⁾ OJ L 54, 26.2.2000, p. 44.

⁽²⁾ OJ L 126, 9.6.1995, p. 35.

⁽³⁾ OJ L 112, 29.4.1997, p. 34.

- (6) The second request concerns the bovine sector and would entail the deletion of the upper limit of 90 male bovine animals eligible for aid on each holding. Since, in accordance with Article 4(5) of Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, Finland has decided not to apply this upper limit under the common organisation of the market, it appears appropriate to remove the limit in respect of national aid as well. Furthermore, Finland has explained that such a limit is also contrary to the aim of improving production structures in southern Finland, which is one of the prerequisites for the full integration of Finnish agriculture into the common agricultural policy.
- (7) The third request also concerns the bovine sector and is intended to harmonise the terminology used to define the conversion factors for livestock units with that used in Decision 95/196/EC and Regulation (EC) No 1254/1999; this request appears justified in the interests of transparency and administrative simplification.
- (8) Decision 2000/167/EC should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2000/167/EC is hereby amended as follows:

1. Article 2(2) is amended as follows:

(a) The first indent is replaced by the following:

— cows milk: the reference quantity allocated pursuant to Article 4 of Council Regulation (EEC) No 3950/92 (*) after the reallocation of any unused reference quantities in accordance with the second subparagraph of Article 2(1) of that Regulation for the milk year which ends during the calendar year in question;

(*) OJ L 405, 31.12.1992, p. 1.

(b) The third indent is deleted.

2. In Annex I, note 1 is amended as follows:

(a) the entry 'Bovines six months to 24 months' is replaced by 'Male bovine animals and heifers from six months to 24 months';

(b) the entry 'Bovines over 24 months' is replaced by 'Male bovine animals and heifers older than 24 months, suckler cows, dairy cows'.

Article 2

This Decision is addressed to the Republic of Finland.

Done at Brussels, 14 March 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 45.