

English edition

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 1349/2000
of 19 June 2000**

establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Estonia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part ⁽¹⁾, provides for further concessions for certain agricultural products originating in Estonia.
- (2) Improvements to the preferential agreements of the Europe Agreement with Estonia were provided for in the Protocol adjusting trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part, to take into account of the accession of the Republic of Austria, of the Republic of Finland and of the Kingdom of Sweden to the European Union and the outcome of the Uruguay Round negotiations on agriculture including improvements to the existing preferential arrangements ⁽²⁾. The Council approved the abovementioned Protocol on behalf of the Community by Council Decision 1999/86/EC ⁽³⁾.
- (3) In accordance with the directives adopted by the Council on 30 March 1999, the Commission and the Republic of Estonia concluded on 22 November 1999 negotiations on a new Additional Protocol to the Europe Agreement.
- (4) The new Additional Protocol, which provides for additional agricultural concessions, will be based on Article 19(4) of the Europe Agreement, establishing that the Community and Estonia are to examine in the Association Council, product by product and on an orderly and

reciprocal basis, the possibility of granting each other further concessions.

- (5) The Republic of Estonia already applies zero-duties for imports of agricultural products originating in the Community. When Estonia on 1 January 2000 introduced tariffs on imports of agricultural products from other third countries, additional preferences were created for Community exports of agricultural products.
- (6) A swift implementation of the adjustments forms an essential part of the results of the negotiations for the conclusion of a new Additional Protocol to the Europe Agreement with Estonia.
- (7) It is therefore appropriate to provide for the adjustment, as an autonomous and transitional measure, of the agricultural concessions provided for in the Europe Agreement with Estonia.
- (8) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999, laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. The arrangements for import into the Community applicable to certain agricultural products originating in Estonia as set out in Annex A(a) and A(b) to this Regulation shall replace those set out in Annex Va to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part.

2. On the entry into force of the new Additional Protocol adjusting the Europe Agreement referred to in paragraph 1, the concessions provided for in that Protocol shall replace those referred to in Annex A(a) and A(b) to this Regulation.

⁽¹⁾ OJ L 68, 9.3.1998, p. 2.

⁽²⁾ OJ L 29, 3.2.1999, p. 11.

⁽³⁾ OJ L 29, 3.2.1999, p. 9.

⁽⁴⁾ OJ L 184, 17.7.1999, p. 23.

3. The Commission shall adopt detailed rules for the application of this Regulation in accordance with the procedure laid down in Article 2(2).

Article 2

1. The Commission shall be assisted by the committee instituted by Article 23 of Council Regulation (EC) No 1766/92 of 30 June 1992 on the common organisation of the market of cereals⁽¹⁾ or, where appropriate, the committee instituted by the relevant provisions of the other Regulations on the common organisation of agricultural markets, hereinafter referred to as 'the Committee'.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its rules of procedure.

Article 3

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

It shall apply from 1 July 2000.

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

Done at Luxembourg, 19 June 2000.

For the Council

The President

L. CAPOULAS SANTOS

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

ANNEX A(a)

The following products originating in Estonia shall benefit from a preferential zero-duty within unlimited quantities (applicable duty 0 % of MFN) when imported into the Community

| CN code (1) | CN code (1) | CN code (1) | CN code (1) | CN code (1) |
|-------------|-------------|-------------|-------------|-------------|
| 0101 20 10 | 0603 10 30 | 0810 40 30 | 1211 90 30 | 1513 29 91 |
| 0104 20 10 | 0603 10 40 | 0810 40 50 | 1212 10 10 | 1513 29 99 |
| 0106 00 10 | 0603 10 50 | 0810 40 90 | 1212 10 99 | 1514 10 10 |
| 0106 00 20 | 0603 10 80 | 0810 90 85 | 1212 90 10 | 1514 10 90 |
| 0205 00 11 | 0603 90 00 | 0811 90 70 | 1302 19 05 | 1514 90 10 |
| 0205 00 19 | 0604 10 90 | 0812 10 00 | 1502 00 90 | 1514 90 90 |
| 0205 00 90 | 0604 91 21 | 0812 90 40 | 1503 00 19 | 1515 11 00 |
| 0206 80 91 | 0604 91 29 | 0812 90 50 | 1503 00 90 | 1515 19 10 |
| 0206 90 91 | 0604 91 41 | 0812 90 60 | 1504 10 10 | 1515 19 90 |
| 0207 13 91 | 0604 91 49 | 0812 90 95 | 1504 10 99 | 1515 21 10 |
| 0207 14 91 | 0604 91 90 | 0813 10 00 | 1504 20 10 | 1515 21 90 |
| 0207 26 91 | 0604 99 90 | 0813 20 00 | 1504 30 10 | 1515 29 10 |
| 0207 27 91 | 0702 10 00 | 0813 30 00 | 1507 10 10 | 1515 29 90 |
| 0207 35 91 | 0701 90 10 | 0813 40 10 | 1507 10 90 | 1515 30 99 |
| 0207 36 89 | 0703 10 11 | 0813 40 30 | 1507 90 10 | 1515 50 11 |
| 0208 10 11 | 0703 10 19 | 0813 40 95 | 1507 90 90 | 1515 50 19 |
| 0208 10 19 | 0703 10 90 | 0813 50 15 | 1508 10 90 | 1515 50 91 |
| 0208 20 00 | 0703 20 00 | 0813 50 19 | 1508 90 10 | 1515 50 99 |
| 0208 90 10 | 0703 90 00 | 0813 50 91 | 1508 90 90 | 1515 90 29 |
| 0208 90 50 | 0708 10 00 | 0813 50 99 | 1511 10 90 | 1515 90 39 |
| 0208 90 60 | 0709 51 30 | 0901 12 00 | 1511 90 11 | 1515 90 40 |
| 0208 90 80 | 0709 51 50 | 0901 21 00 | 1511 90 19 | 1515 90 51 |
| 0210 90 10 | 0709 51 90 | 0901 22 00 | 1511 90 91 | 1515 90 59 |
| 0210 90 79 | 0709 52 00 | 0902 10 00 | 1511 90 99 | 1515 90 60 |
| 0407 00 90 | 0709 60 10 | 0904 12 00 | 1512 11 10 | 1515 90 91 |
| 0410 00 00 | 0709 60 99 | 0904 20 10 | 1512 11 91 | 1515 90 99 |
| 0601 10 10 | 0709 90 50 | 0904 20 90 | 1512 11 99 | 1516 20 95 |
| 0601 10 20 | 0710 80 59 | 0907 00 00 | 1512 19 10 | 1516 20 96 |
| 0601 10 30 | 0711 10 00 | 0910 40 13 | 1512 19 91 | 1516 20 98 |
| 0601 10 40 | 0711 90 10 | 0910 40 19 | 1512 19 99 | 1518 00 31 |
| 0601 10 90 | 0711 90 70 | 0910 40 90 | 1512 21 10 | 1518 00 39 |
| 0601 20 30 | 0713 50 00 | 0910 91 90 | 1512 21 90 | 1522 00 91 |
| 0601 20 90 | 0713 90 10 | 0910 99 99 | 1512 29 10 | 1602 31 11 |
| 0602 10 90 | 0713 90 90 | 1106 10 00 | 1512 29 90 | 1602 31 19 |
| 0602 20 90 | 0802 11 90 | 1106 30 90 | 1513 11 10 | 1602 31 30 |
| 0602 30 00 | 0802 12 90 | 1208 10 00 | 1513 11 91 | 1602 31 90 |
| 0602 40 10 | 0802 21 00 | 1209 11 00 | 1513 11 99 | 2001 90 20 |
| 0602 40 90 | 0802 22 00 | 1209 19 00 | 1513 19 11 | 2005 90 10 |
| 0602 90 10 | 0802 31 00 | 1209 21 00 | 1513 19 19 | 2302 50 00 |
| 0602 90 30 | 0802 32 00 | 1209 23 80 | 1513 19 30 | 2306 90 19 |
| 0602 90 41 | 0802 40 00 | 1209 29 50 | 1513 19 91 | 2308 90 90 |
| 0602 90 45 | 0802 90 50 | 1209 29 80 | 1513 19 99 | 2309 10 51 |
| 0602 90 49 | 0802 90 85 | 1209 30 00 | 1513 21 11 | 2309 10 90 |
| 0602 90 51 | 0806 20 11 | 1209 91 10 | 1513 21 19 | 2309 90 10 |
| 0602 90 59 | 0806 20 12 | 1209 91 90 | 1513 21 30 | 2309 90 31 |
| 0602 90 70 | 0806 20 91 | 1209 99 91 | 1513 21 90 | 2309 90 41 |
| 0602 90 91 | 0806 20 92 | 1209 99 99 | 1513 29 11 | 2309 90 51 |
| 0602 90 99 | 0806 20 98 | 1210 10 00 | 1513 29 19 | 2905 45 00 |
| 0603 10 10 | 0808 20 90 | 1210 20 10 | 1513 29 30 | |
| 0603 10 20 | 0809 40 90 | 1210 20 90 | 1513 29 50 | |

(1) As defined in Commission Regulation (EC) No 2204/1999 of 12 October 1999, amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 278, 28.10.1999, p. 1).

ANNEX A(b)

Imports into the Community of the following products originating in Estonia shall be subject to the concessions set out below (MFN = Most Favoured Nation duty)

| Order No | CN code | Description (1) | Applicable duty (% of MFN) (2) | Annual quantity from 1.7.2000 to 30.6.2001 (tonnes) | Yearly increase as from 1.7.2001 (tonnes) | Specific provisions |
|----------|--|--|--------------------------------|---|---|---------------------|
| | 0102 90 05 0102 90 21 0102 90 29 0102 90 41 0102 90 49 | Live bovine animals of a live weight not exceeding 80 kg Live bovine animals of a live weight exceeding 80 kg but not exceeding 300 kg | 20 | 178 000 heads 153 000 heads | 0 0 | (3) (3) |
| | ex 0102 90 | Heifers and cows, not for slaughter, of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau | 6 % <i>ad valorem</i> | 7 000 heads | 0 | (4) |
| | 0201 0202 | Meat of bovines, fresh, chilled or frozen | free | 1 875 | 75 | |
| | 0203 (6) | Meat of domestic swine, fresh, chilled or frozen | free | 1 250 | 375 | (7) |
| | 0204 | Meat of sheep or goats | free | 125 | 5 | (5) |
| | 0207 (8) | Meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen | free | 625 | 190 | |
| | 0401 30 | Cream, of a fat content, by weight, exceeding 6 % | free | 500 | 150 | |
| | 0402 10 19 0402 21 19 | Skimmed milk powder Whole milk powder | free | 10 000 | 3 000 | |
| | 0403 10 11 0403 10 13 0403 10 19 | Yoghurt, not flavoured nor containing added fruit, nuts or cocoa: not containing added sugar or other sweetening matter, with a fat content, by weight: not exceeding 3 % exceeding 3 % but not exceeding 6 % exceeding 6 % | free | 300 | 90 | |
| | 0403 90 59 0403 90 61 0403 90 63 0403 90 69 | Sour cream, of a fat content, by weight exceeding 6 % Sour cream, of a fat content, by weight not exceeding 3 % Sour cream, of a fat content, by weight exceeding 3 % but not 6 % Sour cream, of a fat content, by weight exceeding 6 % | free | 700 | 210 | |
| | 0405 10 11 0405 10 19 | Butter | free | 3 000 | 900 | |

| Order No | CN code | Description (1) | Applicable duty (% of MFN) (2) | Annual quantity from 1.7.2000 to 30.6.2001 (tonnes) | Yearly increase as from 1.7.2001 (tonnes) | Specific provisions |
|----------|-------------------------------|---|--------------------------------|---|---|---------------------|
| | 0406 ex 0406 10 | Cheese, except: Curd | free free | 2 000 700 | 600 210 | |
| | 0408 (9) | Birds' eggs, not in shell, and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter | free | 125 | 40 | |
| | 0409 00 00 | Natural honey | free | 30 | 0 | |
| | 0701 (10) | Potatoes, fresh or chilled | free | 2 300 | 100 | |
| | 0704 | Cabbages, etc.; fresh or chilled | free | 250 | 10 | |
| | 0707 00 05 0707 00 90 | Cucumbers, fresh or chilled | free | 190 | 8 | |
| | 0711 40 00 | Cucumbers and gherkins, provisionally preserved | free | 65 | 3 | |
| | 0712 90 05 | Dried potatoes | free | 75 | 3 | |
| | 0808 10 | Apples, fresh | free | 250 | 75 | |
| | 0810 10 00 | Strawberries, fresh | free | 150 | 45 | (11) |
| | 0810 30 | Black-, white- or redcurrants and gooseberries | free | 100 | 30 | (11) |
| | 0811 10 | Strawberries, frozen | free | 150 | 45 | (11) |
| | 0811 20 | Raspberries, blackberries, mulberries, loganberries, black-, white- or redcurrants and gooseberries, frozen | free | 400 | 120 | (11) |
| | 0811 90 50 | <i>Vaccinium myrtillus</i> , frozen | free | 4 000 | 1 200 | |
| | 1004 00 | Oats | free | 3 000 | 900 | |
| | 1601 00 1602 32 1602 39 | Sausages and similar products, of meat offal or blood Other prepared or preserved meat, meat offal or blood: of poultry of heading No 0105: of fowls of the species <i>Gallus domesticus</i> Other prepared or preserved meat, meat offal or blood: of poultry of heading No 0105: of fowls of the species <i>Gallus domesticus</i> | free | 700 | 210 | |

| Order No | CN code | Description ⁽¹⁾ | Applicable duty (% of MFN) ⁽²⁾ | Annual quantity from 1.7.2000 to 30.6.2001 (tonnes) | Yearly increase as from 1.7.2001 (tonnes) | Specific provisions |
|----------|--|---|--|--|--|------------------------|
| | 1602 41 | Other prepared or preserved meat, meat offal or blood: of swine: hams and cuts thereof | | | | |
| | 1602 42 | Other prepared or preserved meat, meat offal or blood: of swine: shoul- ders and cuts thereof | | | | |
| | 1602 49 | Other prepared or preserved meat, meat offal or blood: of swine: other, including mixtures | | | | |
| | 2005 90 75 | Preparations of vegetables: Sauerkraut | free | 100 | 30 | |
| | 2009 70 30 2009 80 50 | Apple juice and pear juice of a density not exceeding 1,33 g/cm ³ at 20 °C: of a value exceeding EUR 18 per 100 kg net weight, containing added sugar: apple juice pear juice | free | 65 | 3 | |
| | 2009 70 93 2009 70 99 2009 80 69 | of a value exceeding EUR 18 per 100 kg net weight, with an added sugar content not exceeding 30 % by weight: apple juice apple juice, not containing added sugar pear juice, not containing added sugar | | | | |
| | 2207 10 00 | Undenatured ethyl alcohol of an alco- holic strength by volume of 80 % vol. or higher | free | 65 | 3 | |

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

⁽²⁾ In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

⁽³⁾ The quota for this product is opened for the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania. In case imports into the Community of live bovine domestic animals may exceed 500 000 heads for any given year, the Community may take the management measures needed to protect its market, notwithstanding any other rights given under the Agreement.

⁽⁴⁾ The quota for this product is opened for the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania. The applied duty is 6 %.

⁽⁵⁾ The Community may take into account, in the framework of its legislation and when appropriate, the supply needs of its market and the need to maintain its market balance.

⁽⁶⁾ Except CN codes 0203 11 90, 0203 12 90, 0203 19 90, 0203 21 90, 0203 22 90, 0203 29 90.

⁽⁷⁾ Excluding tenderloin presented alone.

⁽⁸⁾ Except CN codes 0207 13 91, 0207 14 91, 0207 26 91, 0207 27 91, 0207 34 10, 0207 34 90, 0207 35 91, 0207 36 81, 0207 36 85, 0207 36 89.

⁽⁹⁾ Except CN codes 0408 11 20, 0408 19 20, 0408 91 20, 0408 99 20.

⁽¹⁰⁾ Except CN codes 0701 10 00, 0701 90 10.

⁽¹¹⁾ Subject to minimum import price arrangements contained in the Annex to this Annex.

Annex to Annex A(b)

Minimum import price arrangement for certain soft fruit for processing

1. Minimum import prices are fixed as follows for the following products for processing originating in Estonia:

| CN Code | Description | Minimum import price (EUR/100 kg net) |
|---------------|--|---------------------------------------|
| ex 0810 10 | Strawberries, fresh, intended for processing | 51,4 |
| ex 0810 30 10 | Blackcurrants, fresh, intended for processing | 38,5 |
| ex 0810 30 30 | Redcurrants, fresh, intended for processing | 23,3 |
| ex 0811 10 11 | Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content exceeding 13 % by weight: whole fruit | 75,0 |
| ex 0811 10 11 | Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content exceeding 13 % by weight: other | 57,6 |
| ex 0811 10 19 | Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: whole fruit | 75,0 |
| ex 0811 10 19 | Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: other | 57,6 |
| ex 0811 10 90 | Frozen strawberries, containing added sugar or other sweetening matter: whole fruit | 75,0 |
| ex 0811 10 90 | Frozen strawberries, containing no added sugar or other sweetening matter: other | 57,6 |
| ex 0811 20 19 | Frozen raspberries, containing additional sugar or other sweetening matter not exceeding 13 % by weight: whole fruit | 99,5 |
| ex 0811 20 19 | Frozen raspberries, containing additional sugar or other sweetening matter not exceeding 13 % by weight: other | 79,6 |
| ex 0811 20 31 | Frozen raspberries, containing no added sugar or other sweetening matter: whole fruit | 99,5 |
| ex 0811 20 31 | Frozen raspberries, containing no added sugar or other sweetening matter: other | 79,6 |
| ex 0811 20 39 | Frozen blackcurrants, containing no added sugar or other sweetening matter: without stalk | 62,8 |
| ex 0811 20 39 | Frozen blackcurrants, containing no added sugar or other sweetening matter: other | 44,8 |
| ex 0811 20 51 | Frozen redcurrants, containing no added sugar or other sweetening matter: without stalk | 39,0 |
| ex 0811 20 51 | Frozen redcurrants, containing no added sugar or other sweetening matter: other | 29,5 |

2. The minimum import prices, as set out in point 1, will be respected on a consignment by consignment basis. In the case of a customs declaration value being lower than the minimum import price, a countervailing duty will be charged equal to the difference between the minimum import price and the customs declaration value.

3. If the import prices of a given product covered by this Annex show a trend suggesting that the prices could go below the level of the minimum import prices in the immediate future, the European Commission will inform the Estonian authorities in order to enable them to correct the situation.
4. At the request of either the Community or Estonia, the Association Council shall examine the functioning of the system or the revision of the level of the minimum import prices. If appropriate, the Association Council shall take the necessary decisions.
5. To encourage and promote the development of trade and for the mutual benefit of all parties concerned, a consultation meeting will be organised three months before the beginning of each marketing year in the European Community. This consultation meeting will take place between the European Commission and the interested European producers' organisations for the products concerned, on the one part and the authorities', producers' and exporters' organisations of all the associated exporting countries, on the other part.

During this consultation meeting, the market situation for soft fruit including, in particular, forecasts for production, stock situation, price evolution and possible market development, as well as possibilities to adapt supply to demand, will be discussed.

COMMISSION REGULATION (EC) No 1350/2000
of 27 June 2000
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 June 2000.

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

Done at Brussels, 27 June 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 27 June 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 | |
|------------------------------------|-----------------------------------|-----------------------|-------|
| 0707 00 05 | 052 | 79,6 | |
| | 628 | 136,6 | |
| | 999 | 108,1 | |
| 0709 90 70 | 052 | 65,9 | |
| | 999 | 65,9 | |
| 0805 30 10 | 388 | 50,5 | |
| | 524 | 73,5 | |
| | 528 | 53,3 | |
| | 999 | 59,1 | |
| 0808 10 20, 0808 10 50, 0808 10 90 | 388 | 80,5 | |
| | 400 | 89,1 | |
| | 508 | 79,0 | |
| | 512 | 81,3 | |
| | 528 | 85,9 | |
| | 804 | 78,3 | |
| | 999 | 82,3 | |
| | 0809 10 00 | 052 | 242,1 |
| | | 064 | 122,1 |
| 999 | | 182,1 | |
| 0809 20 95 | 052 | 303,1 | |
| | 060 | 130,3 | |
| | 066 | 138,7 | |
| | 068 | 160,0 | |
| | 400 | 328,3 | |
| | 616 | 199,5 | |
| | 999 | 210,0 | |

⁽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 1351/2000

of 27 June 2000

amending Regulation (EC) No 2198/98 increasing to 7 049 791 tonnes the quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies.
- (2) Commission Regulation (EC) No 2198/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1192/2000 ⁽⁶⁾, opened a standing invitation to tender for the export of 6 550 051 tonnes of barley held by the German intervention agency. Germany informed the Commission of the intention of its intervention agency to increase by 499 740 tonnes the quantity for which a standing invitation to tender for export has been opened. The total quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 7 049 791 tonnes.
- (3) This increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in

store. Annex I to Regulation (EC) No 2198/98 must therefore be amended.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 7 049 791 tonnes of barley for export to third countries, with the exception of the United States of America, Canada and Mexico.

2. The regions in which the 7 049 791 tonnes of barley are stored are stated in Annex I to this Regulation.'

2. Annex I is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 27 June 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 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 277, 14.10.1998, p. 9.

⁽⁶⁾ OJ L 134, 7.6.2000, p. 25.

ANNEX

ANNEX I

(tonnes)

| Place of storage | Quantity |
|---|-----------|
| Schleswig-Holstein/Hamburg/Niedersachsen/ Bremen/Nordrhein-Westfalen | 2 232 359 |
| Hessen/Rheinland-Pfalz/Baden-Württemberg/ Saarland/Bayern | 483 029 |
| Berlin/Brandenburg/Mecklenburg-Vorpommern | 1 905 379 |
| Sachsen/Sachsen-Anhalt/Thüringen | 2 429 024 |

COMMISSION REGULATION (EC) No 1352/2000**of 27 June 2000****amending Regulation (EC) No 1758/98 increasing to 5 250 000 tonnes the quantity of wheat of breadmaking quality held by the French intervention agency for which a standing invitation to tender for export has been opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1253/1999 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 39/1999 ⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies.
- (2) Commission Regulation (EC) No 1758/98 ⁽⁵⁾, as last amended by Regulation (EC) No 1193/2000 ⁽⁶⁾, opened a standing invitation to tender for the export of 4 750 000 tonnes of wheat of breadmaking quality held by the French intervention agency. France informed the Commission of the intention of its intervention agency to increase by 500 000 tonnes the quantity for which a standing invitation to tender for export has been opened. The total quantity of wheat of breadmaking quality held by the French intervention agency for which a standing invitation to tender for export has been opened should be increased to 5 250 000 tonnes.
- (3) This increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in

store. Annex I to Regulation (EC) No 1758/98 must therefore be amended.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1758/98 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 5 250 000 tonnes of wheat of breadmaking quality to be exported to all third countries.
2. The regions in which the 5 250 000 tonnes of wheat of breadmaking quality are stored are stated in Annex I to this Regulation.'

2. Annex I is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 27 June 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 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 5, 9.1.1999, p. 64.

⁽⁵⁾ OJ L 221, 8.8.1998, p. 3.

⁽⁶⁾ OJ L 134, 7.6.2000, p. 27.

ANNEX

ANNEX I

(tonnes)

| Place of storage | Quantity |
|------------------|-----------|
| Amiens | 423 000 |
| Bordeaux | 17 000 |
| Châlons | 559 000 |
| Clermont-Ferrand | 10 000 |
| Dijon | 183 000 |
| Lille | 808 000 |
| Lyon | 75 000 |
| Nancy | 36 000 |
| Nantes | 127 000 |
| Orléans | 1 360 000 |
| Paris | 334 000 |
| Poitiers | 577 000 |
| Rennes | 111 000 |
| Rouen | 630 000 |

COMMISSION REGULATION (EC) No 1353/2000

of 26 June 2000

concerning the permanent authorisation of an additive and the provisional authorisation of new additives, new additive uses and new preparations in feedingstuffs

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾, as last amended by Directive 1999/20/CE ⁽²⁾ and in particular Article 3 thereof,

Whereas:

- (1) Directive 70/524/EEC provides that new additives or new uses of additives shall be authorised, taking account of advances in scientific and technical knowledge.
- (2) A permanent authorisation of a preparation belonging to the group of enzymes shall be given if all conditions laid down in Article 3(a) of Directive 70/524/EEC are met.
- (3) Data were submitted for the permanent authorisation of the 3-phytase (EC 3.1.3.8) produced by *Aspergillus niger* (CBS 114.94), which is described in the Annex.
- (4) A provisional authorisation of new additives, or new uses of additives shall be given if, at the level permitted in feedingstuffs, it does not adversely affect human or animal health or the environment, nor harm the consumer by altering the characteristics of livestock product, if its presence in feedingstuffs can be controlled, and it is reasonable to assume, in view of the available results, that it has favourable effect on the characteristics of those feedingstuffs or on livestock production when incorporated in such feedingstuffs.
- (5) Data were submitted for the provisional authorisations of new enzymes and micro-organisms, of new uses of enzymes and for the replacement of authorised preparations of enzymes by new preparations of the same enzymes.
- (6) Council Directive 89/391/EEC ⁽³⁾ on the introduction of measures to encourage improvements in the safety and health of workers at work and its relevant individual directives, in particular Council Directive 90/679/EC ⁽⁴⁾, as last amended by Commission Directive 97/65/EC ⁽⁵⁾ on the protection of workers from risks related to exposure to biological agents at work, are fully applic-

able to the use and manipulation by workers of the additives in feedingstuffs.

- (7) The Scientific Committee for Animal Nutrition has delivered a favourable opinion with regard to the harmlessness of these enzyme and micro-organism preparations and with regard to the favourable effect on animal production of the enzyme preparation for which an authorisation without a time limit is proposed.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation belonging to the group 'Enzymes' listed in Annex I to the present Regulation shall be authorised according to Directive 70/524/EEC as additive in animal nutrition under the conditions laid down in the said Annex.

Article 2

The conditions for the authorisation of the preparations No 16 and No 17 belonging to the group 'Enzymes' listed in Annex II to the present Regulation are hereby replaced by those set out in the said Annex according to Directive 70/524/EEC.

Article 3

The preparations belonging to the group 'Enzymes' listed in Annex III to the present Regulation shall be authorised according to Directive 70/524/EEC as additives in animal nutrition under the conditions laid down in the said Annex.

Article 4

The preparation belonging to the group 'Micro-organisms' listed in Annex IV to the present Regulation shall be authorised according to Directive 70/524/EEC as additives in animal nutrition under the conditions laid down in the said Annex.

Article 5

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

⁽¹⁾ OJ L 270, 14.12.1970, p. 1.

⁽²⁾ OJ L 80, 25.3.1999, p. 20.

⁽³⁾ OJ L 183, 29.6.1989, p. 1.

⁽⁴⁾ OJ L 374, 31.12.1990, p. 1.

⁽⁵⁾ OJ L 335, 6.12.1997, p. 17.

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

Done at Brussels, 26 June 2000.

For the Commission
David BYRNE
Member of the Commission

ANNEX I

| EC No | Additive | Chemical formula, description | Species or category of animal | Maximum age | Minimum content | | Maximum content | Other provisions | Period of authorisation |
|--------|-------------------------|--|-------------------------------|-------------|--|--|-----------------|--|-------------------------|
| | | | | | Units of activity/kg of complete feedstuff | Units of activity/kg of complete feedstuff | | | |
| E 1600 | 3-phytase EC 3.1.3.8 | Preparation of 3-phytase produced by <i>Aspergillus niger</i> (CBS 114.94) having a minimum activity of: Solid form: 5 000 FTU/g (!) Liquid form: 5 000 FTU/ml | Piglets | 2 months | 500 FTU | — | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dose per kilogram of complete feedstuff: 500 FTU. 3. For use in compound feed containing more than 0,23 % phytin bound phosphorus. | Without a time limit |
| | | | Pigs for fattening | — | 280 FTU | — | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dose per kilogram of complete feedstuff: 400-500 FTU. 3. For use in compound feed containing more than 0,23 % phytin bound phosphorus. | Without a time limit |
| | | | Sows | — | 500 FTU | — | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dose per kilogram of complete feedstuff: 500 FTU. 3. For use in compound feed containing more than 0,36 % phytin bound phosphorus. | Without a time limit |

| EC No | Additive | Chemical formula, description | Species or category of animal | Maximum age | Minimum content | | Maximum content | Other provisions | Period of authorisation |
|-------|----------|-------------------------------|-------------------------------|-------------|--|---|---|----------------------|-------------------------|
| | | | | | Units of activity/kg of complete feedingsstuff | | | | |
| | | | Chickens for fattening | — | 375 FTU | — | <ol style="list-style-type: none"> In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. Recommended dose per kilogram of complete feedingsstuff: 500-700 FTU. For use in compound feed containing more than 0,23 % phytin bound phosphorus. | Without a time limit | |
| | | | Laying hens | — | 250 FTU | — | <ol style="list-style-type: none"> In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. Recommended dose per kilogram of complete feedingsstuff: 300-400 FTU. For use in compound feed containing more than 0,23 % phytin bound phosphorus. | Without a time limit | |

(1) 1 FTU is the amount of enzyme which liberates 1 micromole of inorganic phosphate per minute sodium phytate at pH 5.5 and 37 °C.

ANNEX II

| No (or EC No) | Additive | Chemical formula, description | Species or category of animal | Maximum age | Minimum content | | Maximum content | Other provisions | Period of authorisation |
|---------------------|---------------------------------------|--|-------------------------------|-------------|--|---|--|------------------|-------------------------|
| | | | | | Units of activity/kg of complete feedingsstuff | — | | | |
| 16 | Endo-1,4-beta-glucanase EC 3.2.1.4 | Preparation of endo-1,4-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (IMI SD 142) having a minimum activity of: Solid form: 2 000 CU/g (°) Liquid form: 2 000 CU/ml | Chickens for fattening | — | 250 CU | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingsstuff: 500-1 000 CU. 3. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans), e.g. containing more than 40 % barley. | 30.9.2000 | |
| | | | Laying hens | — | 250 CU | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingsstuff: 500-1 000 CU. 3. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans), e.g. containing more than 40 % barley. | 30.9.2000 | |
| | | | Piglets | 4 months | 250 CU | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingsstuff: 500-1 000 CU. 3. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans), e.g. containing more than 40 % barley. | 30.9.2000 | |

| No (or EC No) | Additive | Chemical formula, description | Species or category of animal | Maximum age | Minimum content | | Maximum content | Other provisions | Period of authorisation |
|---------------------|--------------------------------------|---|-------------------------------|-------------|--|--|--|------------------|-------------------------|
| | | | | | Units of activity/kg of complete feedstuff | Units of activity/kg of complete feedstuff | | | |
| | | | Pigs for fattening | — | 250 CU | — | <ol style="list-style-type: none"> In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. Recommended dose per kg of complete feedstuff: 500-1 000 CU. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans), e.g. containing more than 40 % barley. | 30.9.2000 | |
| 17 | Endo-1,4-beta-xylanase EC 3.2.1.8 | Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (IMI SD 135) having a minimum activity of: Solid form: 6 000 EPU/g (?) Liquid form: 2 000 EPU/ml | Chickens for fattening | — | 750 EPU | — | <ol style="list-style-type: none"> In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. Recommended dose per kg of complete feedstuff: 1 500-3 000 EPU. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans), e.g. containing more than 40 % wheat. | 30.9.2000 | |
| | | | Laying hens | — | 750 EPU | — | <ol style="list-style-type: none"> In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. Recommended dose per kg of complete feedstuff: 1 500-3 000 EPU. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans), e.g. containing more than 40 % wheat. | 30.9.2000 | |

| No (or EC No) | Additive | Chemical formula, description | Species or category of animal | Maximum age | Minimum content | | Maximum content | Other provisions | Period of authorisation |
|---------------------|----------|-------------------------------|-------------------------------|-------------|--|--|-----------------|---|-------------------------|
| | | | | | Units of activity/kg of complete feedingsstuff | Units of activity/kg of complete feedingsstuff | | | |
| | | | Piglets | 4 months | 750 EPU | — | | <ol style="list-style-type: none"> 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingsstuff: 1 500-3 000 EPU. 3. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans), e.g. containing more than 40 % wheat. | 30.9.2000 |
| | | | Pigs for fattening | — | 750 EPU | — | | <ol style="list-style-type: none"> 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingsstuff: 1 500-3 000 EPU. 3. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans), e.g. containing more than 40 % wheat. | 30.9.2000 |

(¹) 1 CU is the amount of enzyme which liberates 0,128 micromoles of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 4,5 and 30 °C.

(²) 1 EPU is the amount of enzyme which liberates 0,0083 micromoles of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 4,7 and 30 °C.

ANNEX III

| No. (or EC No) | Additive | Chemical formula, description | Species or category of animal | Maximum age | Minimum content | Maximum content | Other provisions | Period of authorisation |
|----------------------|--|---|-------------------------------------|-------------|--|--------------------|---|----------------------------|
| | | | | | Units of activity/kg of complete feedingstuff | | | |
| 12 | Endo-1,4- beta-glucanase EC 3.2.1.4 | Preparation of endo-1,4-beta-glucanase, endo-1,3 (4)-beta-glucanase and endo-1,4- beta-xylanase produced by <i>Trichoderma</i> <i>viride</i> (FERM BP-4447) having a minimum activity | Turkeys for fattening | — | Endo-1,4- beta-glucanase 800 U | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: Endo-1,4-beta-glucanase: 800-1 200 U Endo-1,3(4)-beta-glucanase: 1 800-2 700 U Endo-1,4-beta-xylanase: 2 600-3 900 U. 3. For use in compound feed rich in non- starch polysaccharides (mainly arabi- nylans and beta-glucans), e.g. containing more than 20 % wheat and 20 % barley. | 30.9.2001 |
| | Endo-1,3(4)- beta-glucanase EC 3.2.1.6 | Endo-1,3(4)- beta-glucanase: 1 800 U | | | — | | | |
| | Endo-1,4-beta- xylanase EC 3.2.1.8 | Endo-1,4- beta-xylanase: 2 600 U | | | — | | | |
| 17 | Endo-1,4- beta-xylanase EC 3.2.1.8 | Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (IMI SD 1 35) having a minimum activity of: Solid form: 6 000 EPU/g (*) Liquid form: 6 000 EPU/ml | Turkeys for fattening | — | 750 EPU | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: 1 500-3 000 EPU. 3. For use in compound feed rich in non- starch polysaccharides (mainly arabi- noxylyans), e.g. containing more than 35 % wheat. | 30.9.2001 |

| No. (or EC No) | Additive | Chemical formula, description | Species or category of animal | Maximum age | Minimum content | | Maximum content | Other provisions | Period of authorisation |
|----------------------|--|--|-------------------------------------|-------------|--|---|---|------------------|----------------------------|
| | | | | | Units of activity/kg of complete feedingsstuff | | | | |
| 42 | Endo-1,4(4)-beta-xylanase EC 3.2.1.8 | Preparation of endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (IMI SD 135) having a minimum activity of: Solid form: 4 000 U/g (5) Characteristic of the authorised preparation: endo-1,4-beta-xylanase: 1,99 % wheat: 97,7 % calcium propionate: 0,3 % lecithin: 0,01 % | Pigs for fattening | — | 4 000 U | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: 4 000 U 3. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans), e.g. containing more than 60 % wheat. | 30.9.2001 | |
| 49 | Endo-1,3(4)-beta-glucanase EC 3.2.1.6 Endo-1,4-beta-xylanase EC 3.2.1.8 Alfa-amylase 3.2.1.1 Bacilolysin 3.4.24.28 Polygalacturonase C 3.2.1.15 | Preparation of endo-1,3(4)-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (ATCC 2106), endo-1,4-beta-xylanase produced by <i>Trichoderma longibrachiatum</i> (IMI SD 135) alpha-amylase produced by <i>Bacillus amyloliquefaciens</i> (DSM 9554) and polygalacturonase produced by <i>Aspergillus aculeatus</i> (CBS 589,94) having a minimum activity of: endo-1,3(4)-beta-glucanase: 150 U/g (6) endo-1,4-beta-xylanase: 1 500 U/g (7) alfa-amylase: 500 U/g (8) bacilolysin: 800 U/g (9) polygalacturonase: 50 U/g (10) | Chickens for fattening | — | Endo-1,3(4)-beta-glucanase: 150 U Endo-1,4-beta-xylanase: 1 500 U Alfa-amylase: 500 U Bacilolysin: 800 U Polygalacturonase: 50 U | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: endo-1,3(4)-beta-glucanase: 150 U endo-1,4-beta-xylanase: 1 500 U alpha-amylase: 800 U bacilolysin: 800 U polygalacturonase: 50 U 3. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans and betagalucans), e.g. containing more than 30 % wheat. | 30.9.2001 | |

| No. (or EC No) | Additive | Chemical formula, description | Species or category of animal | Maximum age | Minimum content | | Maximum content | Other provisions | Period of authorisation |
|----------------------|--------------------------|---|-------------------------------------|-------------|---|-----------------------|-----------------|--|----------------------------|
| | | | | | Units of activity/kg of complete feedingstuff | | | | |
| | | | Layinghens | — | endo-1,3(4)- beta-glucanase: 150 U endo-1,4- beta-xylanase: 1 500 U alpha- amylase: 1 000 U bacillolysin: 800 U polygalacturo- nase: 50 U | — — — — — | | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuffs: endo-1,3(4)-beta-glucanase: 150 U endo-1,4-beta-xylanase: 1 500 U alpha-amylase: 1 000 U polygalacturonase: 25 U. 3. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans and betaglucans), e.g. containing more than 30 % wheat. | 30.9.2001 |
| 50 | 6-phytase EC 3.1.3.26 | Preparation of 6-phytase produced by <i>Aspergillus oryzae</i> (DSM 11857) having a minimum activity of: Coated form: 2 500 FYT/g ⁽¹⁾ Liquid form: 5 000 FYT/g | Chickens for fattening | — | 250 FYT | — | | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: 500-1 000 FYT 3. For use in compound feed containing more than 0,25 % phytin bound phosphorus. | 30.9.2001 |

| No. (or EC No) | Additive | Chemical formula, description | Species or category of animal | Maximum age | Minimum content | | Maximum content | Other provisions | Period of authorisation |
|----------------------|----------|-------------------------------|-------------------------------------|-------------|--|---|-----------------|--|----------------------------|
| | | | | | Units of activity/kg of complete feedingstuff | | | | |
| | | | Laying hens | — | 250 FYT | — | | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: 500-1 000 FYT 3. For use in compound feed containing more than 0,25 % phytin bound phosphorus. | 30.9.2001 |
| | | | Turkeys for fattening | — | 250 FYT | — | | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: 500-1 000 FYT 3. For use in compound feed containing more than 0,25 % phytin bound phosphorus. | 30.9.2001 |
| | | | Piglets | 2 months | 500 FYT | — | | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingstuff: 500-1 000 FYT 3. For use in compound feed containing more than 0,25 % phytin bound phosphorus. | 30.9.2001 |

| No. (or EC No) | Additive | Chemical formula, description | Species or category of animal | Maximum age | Minimum content | Maximum content | Other provisions | Period of authorisation |
|----------------------|--|--|-------------------------------------|-------------|---|--------------------|---|----------------------------|
| | | | | | | | | |
| 51 | Endo-1,4-beta-xylanase EC 3.2.1.8 | Preparation of endo-1,4-beta-xylanase produced by <i>Bacillus subtilis</i> (LMG-S 15136) having a minimum activity of: 100 IU/g ^(1,2) | Pigs for fattening | — | 500 FYT | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingsstuff: 500-1 000 FYT 3. For use in compound feed containing more than 0,25 % phytin bound phosphorus. | 30.9.2001 |
| | Endo-1,3(4)-beta-glucanase: EC 3.2.1.6 Endo-1,4-beta-glucanase: EC 3.2.1.4 Alpha-amylase EC 3.2.2.1 | Preparation of endo-1,3(4)-beta-glucanase produced by <i>Aspergillus aculeatus</i> (CBS 589,94), endo-1,4-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (CBS 592,94) and alpha-amylase produced by <i>Bacillus amyloliquefaciens</i> (DSM 9553), having a minimum activity of: Liquid form: Endo-1,3(4)-beta-glucanase: 10 000 U/m ^(1,3) Endo-1,4-beta-glucanase: 120 000 U/m ^(1,4) Alpha-amylase: 400 U/ml ^(1,5) | Chickens for fattening | — | 10 IU | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingsstuff: 10- IU 3. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans), e.g. containing more than 40 % wheat. | 30.9.2001 |
| 52 | Endo-1,3(4)-beta-glucanase: EC 3.2.1.6 Endo-1,4-beta-glucanase: EC 3.2.1.4 Alpha-amylase EC 3.2.2.1 | Preparation of endo-1,3(4)-beta-glucanase produced by <i>Aspergillus aculeatus</i> (CBS 589,94), endo-1,4-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (CBS 592,94) and alpha-amylase produced by <i>Bacillus amyloliquefaciens</i> (DSM 9553), having a minimum activity of: Liquid form: Endo-1,3(4)-beta-glucanase: 10 000 U/m ^(1,3) Endo-1,4-beta-glucanase: 120 000 U/m ^(1,4) Alpha-amylase: 400 U/ml ^(1,5) | Chickens for fattening | — | Endo-1,3(4)-beta-glucanase: 1 000 U Endo-1,4-beta-glucanase: 12 000 U Alpha-amylase: 40 U | — | 1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. 2. Recommended dose per kg of complete feedingsstuff: endo-1,3(4)-beta-glucanase: 1 000-2 000 U endo-1,4-beta-glucanase: 12 000-24 000 U 3. For use in compound feed rich in non-starch polysaccharides (mainly arabinoxylans and betaglucans) e.g. containing more than 20 % wheat and 15 % sorghum and 5 % maize. | 30.9.2001 |

- (1) 1 U is the amount of enzyme which liberates 0,1 micromoles of glucose from carboxymethylcellulose per minute at pH 5,0 and 40 °C.
- (2) 1 U is the amount of enzyme which liberates 0,1 micromoles of glucose from barley beta-glucan per minute at pH 5,0 and 40 °C.
- (3) 1 U is the amount of enzyme which liberates 0,1 micromoles of glucose from oat spelt xylan per minute at pH 5,0 and 40 °C.
- (4) 1 EPU is the amount of enzyme which liberates 0,0083 micromoles of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 4,7 and 30 °C.
- (5) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 5,3 and 50 °C.
- (6) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 5,0 and 30 °C.
- (7) 1 U is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from oat spelt xylan per minute at pH 5,3 and 50 °C.
- (8) 1 U is the amount of enzyme which liberates 1 micromole of glucosidic linkages from water insoluble cross-linked starch polymer per minute at pH 6,5 and 37 °C.
- (9) 1 U is the amount of enzyme which liberates 1 microgram of phenolic compound (tyrosine equivalents) from casein substrate per minute at pH 7,5 and 40 °C.
- (10) 1 U is the amount of enzyme which liberates 1 micromole of reducing material (galacturonic acid equivalents) from poly D-galacturonic substrate per minute at pH 5,0 and 40 °C.
- (11) 1 FVT is the amount of enzyme which liberates 1 micromole of inorganic phosphate per minute from sodium phytate at pH 5,5 and 37 °C.
- (12) 1 IU is the amount of enzyme which liberates 1 micromole of reducing sugars (xylose equivalents) from birchwood xylan per minute at pH 4,5 and 30 °C.
- (13) 1 U is the amount of enzyme which liberates 0,0056 micromoles of reducing sugars (glucose equivalents) from barley-glucan per minute at pH 7,5 and 30 °C.
- (14) 1 U is the amount of enzyme which liberates 0,0056 micromoles of reducing sugars (glucose equivalents) from carboxymethylcellulose per minute at pH 7,5 and 30 °C.
- (15) 1 U is the amount of enzyme which liberates 1 micromole of glucose from a cross-linked starch polymer per minute at pH 7,4 and 37 °C.

ANNEX IV

| No. | Additive | Chemical formula, description | Species or category of animal | Maximum age | Minimum content | | Maximum content | Other provisions | Period of authorisation |
|-----|--|---|-------------------------------|-------------|--|--|-----------------|--|-------------------------|
| | | | | | CFU/kg of complete feedstuff | | | | |
| 19 | <i>Streptococcus infantarius</i> CNCM I-841 <i>Lactobacillus plantarum</i> CNCM I-840 | Mixture of: <i>Streptococcus infantarius</i> and <i>Lactobacillus plantarum</i> containing a minimum of: <i>Streptococcus infantarius</i> $0,5 \times 10^9$ CFU/g and: <i>Lactobacillus plantarum</i> 2×10^9 CFU/g | Calves | 6 months | <i>Streptococcus infantarius</i> 1×10^9 <i>Lactobacillus plantarum</i> : $0,5 \times 10^9$ | <i>Streptococcus infantarius</i> 1×10^9 <i>Lactobacillus plantarum</i> : $0,5 \times 10^9$ | | In the directions for use of the additive and premixture, indicate the storage temperature, storage life and stability to pelleting. | 30.9.2001 |

COMMISSION REGULATION (EC) No 1354/2000**of 27 June 2000****fixing the weighting coefficients to be used in calculating the Community market price for pig carcasses and repealing Regulation (EC) No 1466/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 4(6) thereof,

Whereas:

- (1) The Community market price for pig carcasses, as referred to in Article 4(2) of Regulation (EEC) No 2759/75, must be established by weighting the prices recorded in each Member State by coefficients expressing the relative size of the pig population of each Member State. These coefficients should be determined on the basis of the number of pigs counted at the beginning of December each year in accordance with Council Directive 93/23/EEC of 1 June 1993 concerning surveys of pig production to be made by the Member States ⁽³⁾, as amended by Directive 97/77/EC ⁽⁴⁾.

- (2) In view of the results of the census of December 1999 the weighting coefficients fixed by Commission Regulation (EC) No 1466/1999 ⁽⁵⁾ should be adjusted.

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

HAS ADOPTED THIS REGULATION:

Article 1

The weighting coefficients referred to in Article 4(2) of Regulation (EEC) No 2759/75 shall be as specified in the Annex hereto.

Article 2

Regulation (EC) No 1466/1999 is hereby repealed.

Article 3

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*. It shall apply from 1 July 2000.

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

Done at Brussels, 27 June 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 1.

⁽²⁾ OJ L 349, 31.12.1994, p. 105.

⁽³⁾ OJ L 149, 21.6.1993, p. 1.

⁽⁴⁾ OJ L 10, 16.1.1998, p. 28.

⁽⁵⁾ OJ L 170, 6.7.1999, p. 5.

ANNEX

Weighting coefficients to be used in calculating the Community market price for pig carcasses

| | |
|----------------|------|
| Belgium | 5,9 |
| Denmark | 9,6 |
| Germany | 20,8 |
| Greece | 0,7 |
| Spain | 18,1 |
| France | 12,8 |
| Ireland | 1,4 |
| Italy | 6,8 |
| Luxembourg | 0,1 |
| Netherlands | 10,6 |
| Austria | 2,8 |
| Portugal | 1,9 |
| Finland | 1,2 |
| Sweden | 1,6 |
| United Kingdom | 5,7 |

COMMISSION REGULATION (EC) No 1355/2000**of 26 June 2000****establishing administrative procedures for the 2001 quantitative quotas for certain products originating in the People's Republic of China**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas ⁽¹⁾, as last amended by Regulation (EC) No 138/96 ⁽²⁾, and in particular Article 2(3) and (4) and Articles 13 and 24 thereof,

Whereas:

- (1) Council Regulation (EC) No 519/94 of 7 March 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3420/83 ⁽³⁾, as last amended by Regulation (EC) No 1138/98 ⁽⁴⁾, introduced annual quantitative quotas for certain products originating in the People's Republic of China listed in Annex II to that Regulation. The provisions of Regulation (EC) No 520/94 are applicable to those quotas.
- (2) The Commission accordingly adopted Regulation (EC) No 738/94 ⁽⁵⁾, as last amended by Regulation (EC) No 983/96 ⁽⁶⁾, laying down general rules for the implementation of Regulation (EC) No 520/94. These provisions apply to the administration of the above quotas subject to the provisions of this Regulation.
- (3) Certain characteristics of China's economy, the seasonal nature of some of the products and the time needed for transport mean that orders for products subject to quota are generally placed before the beginning of the quota year. It is therefore important to ensure that administrative constraints do not impede the realisation of the planned imports. In order not to affect the continuity of trade flows, the arrangements for allocating and administering the 2001 quota should accordingly be adopted before the start of the quota year.
- (4) After examination of the different administrative methods provided for by Regulation (EC) No 520/94, the method based on traditional trade flows should be adopted. Under this method the quotas are divided into two portions, one of which is reserved for traditional importers and the other for other applicants.
- (5) This has proved to be the best way of ensuring the continuity of business for the Community importers concerned and avoiding any disturbance of trade flows.
- (6) The reference period used for allocating the portion of the quota set aside for traditional importers in earlier Regulations on the administration of these quotas should be updated to ensure open access to the quotas. In order to allow a greater flexibility to the benefit of traditional importers it is considered appropriate to allow them to set their reference period as either 1998 or 1999, which are the most recent years representative of the normal trend of trade flows in the products in question. Traditional importers must therefore prove that they have imported products originating in China and covered by the quotas in question in the years 1998 or 1999.
- (7) It has been found in the past that the method provided for in Article 10 of Regulation (EC) No 520/94, which is based on the order in which applications are received, may not be an appropriate way of allocating that portion of the quota reserved for non-traditional importers. Consequently, in accordance with Article 2(4) of Regulation (EC) No 520/94, it is appropriate to provide for allocation in proportion to the quantities requested, on the basis of a simultaneous examination of import licence applications actually lodged, in accordance with Article 13 of Regulation (EC) No 520/94.
- (8) In order to ensure that the quotas can be efficiently allocated and used, any speculative applications should be excluded, and it is furthermore necessary to allocate economically significant quantities. To this end the amount that any non-traditional importer may request should be restricted to a set volume.
- (9) For the purposes of quota allocation, a time limit must be set for the submission of licence applications by traditional and other importers.
- (10) The Member States must inform the Commission of the import licence applications received, in accordance with the procedure laid down in Article 8 of Regulation (EC) No 520/94. The information about traditional importers' previous imports must be expressed in the same units as the quota in question.

⁽¹⁾ OJ L 66, 10.3.1994, p. 1.

⁽²⁾ OJ L 21, 27.1.1996, p. 6.

⁽³⁾ OJ L 67, 10.3.1994, p. 89.

⁽⁴⁾ OJ L 159, 3.6.1998, p. 1.

⁽⁵⁾ OJ L 87, 31.3.1994, p. 47.

⁽⁶⁾ OJ L 131, 1.6.1996, p. 47.

- (11) In view of the special nature of transactions concerning products subject to quota, and in particular the time needed for transport, the import licences should expire on 31 December 2001.
- (12) These measures are in accordance with the opinion of the Committee for the administration of quotas set up under Article 22 of Regulation (EC) No 520/94,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down for 2001 specific provisions for the administration of the quantitative quotas referred to in Annex II to Council Regulation (EC) No 519/94.

Regulation (EC) No 738/94 laying down general rules for the implementation of Regulation (EC) No 520/94 shall apply, subject to the specific provisions of this Regulation.

Article 2

1. The quantitative quotas referred to in Article 1 shall be allocated using the method based on traditional trade flows, referred to in Article 2(2)(a) of Regulation (EC) No 520/94.
2. The portions of each quantitative quota set aside for traditional importers and other importers are set out in Annex I to this Regulation.
3. The portion set aside for non-traditional importers shall be apportioned using the method based on allocation in proportion to quantities requested; the volume requested by a single importer may not exceed that shown in Annex II.

Article 3

Applications for imports licences shall be lodged with the competent authorities listed in Annex III to this Regulation from the days following the day of publication of this Regulation in the *Official Journal of the European Communities* until 3 p.m., Brussels time, on 8 September 2000.

Article 4

1. For the purposes of allocating the portion of each quota set aside for traditional importers, 'traditional' importers shall

mean importers who can show that they have imported goods in the calendar years 1998 or 1999.

2. The supporting documents referred to in Article 7 of Regulation (EC) No 520/94 shall relate to the release for free circulation during either calendar year 1998 or 1999, as indicated by the importer, of products originating in the People's Republic of China which are covered by the quota in respect of which the application is made.

3. Instead of the documents referred to in the first indent of Article 7 of Regulation (EC) No 520/94 applicants may enclose with their licence applications documents drawn up and certified by the competent national authorities on the basis of available customs information as evidence of the imports of the product in question during the calendar years 1998 or 1999 carried out by themselves or, where applicable, by the operator whose activities they have taken over.

Article 5

Member States shall inform the Commission on later than 22 September 2000 at 10 a.m., Brussels time, of the number and aggregate quantity of import licence applications and, in the case of applications from traditional importers, of the volume of previous imports carried out by traditional importers during the reference period referred to in Article 4(1) of this Regulation.

Article 6

The Commission shall adopt the quantitative criteria to be used by the competent national authorities for the purpose of meeting importers' applications no later than 14 October 2000.

Article 7

Import licences shall be valid for one year, starting on 1 January 2001.

Article 8

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, 26 June 2000.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX I

ALLOCATION OF THE QUOTAS

| Product description | HS/CN Code | Portion reserved for traditional importers | Portion reserved for other importers |
|--|--|--|--------------------------------------|
| Footwear falling within HS/CN codes | ex 6402 99 ⁽¹⁾ | 27 406 037 pairs (70 %) | 11 745 444 pairs (30 %) |
| | 6403 51 6403 59 | 1 956 500 pairs (70 %) | 838 500 pairs (30 %) |
| | ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾ | 8 484 000 pairs (70 %) | 3 636 000 pairs (30 %) |
| | ex 6404 11 ⁽²⁾ | 12 760 146 pairs (70 %) | 5 468 634 pairs (30 %) |
| | 6404 19 10 | 22 328 402 pairs (70 %) | 9 569 314 pairs (30 %) |
| Tableware, kitchenware of porcelain or china | 6911 10 | 33 663 tonnes (70 %) | 14 427 tonnes (30 %) |
| Ceramic tableware or kitchenware | 6912 00 | 25 468 tonnes (70 %) | 10 915 tonnes (30 %) |

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

TARIC codes: 6402 99 10 10, 6402 99 91 10, 6402 99 93 10, 6402 99 96 10, 6402 99 98 11, 6403 91 11 10, 6403 91 13 10, 6403 91 16 10, 6403 91 18 10, 6403 91 91 10, 6403 91 93 10, 6403 91 96 10, 6403 91 98 10, 6403 99 91 10, 6403 99 93 11, 6403 99 96 11, 6403 99 98 11.

⁽²⁾ Excluding:

a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;

TARIC codes: 6404 11 00 10, 6404 11 00 20;

b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical feature such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX II

MAXIMUM QUANTITY WHICH MAY BE REQUESTED BY EACH IMPORTER OTHER THAN TRADITIONAL

| Product description | HS/CN Code | Predetermined maximum quantity |
|--|--|--------------------------------|
| Footwear falling within HS/CN codes | ex 6402 99 ⁽¹⁾ | 5 000 pairs |
| | 6403 51 6403 59 | 5 000 pairs |
| | ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾ | 5 000 pairs |
| | ex 6404 11 ⁽²⁾ | 5 000 pairs |
| | 6404 19 10 | 5 000 pairs |
| Tableware, kitchenware of porcelain or china | 6911 10 | 5 tonnes |
| Ceramic tableware or kitchenware | 6912 00 | 5 tonnes |

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

TARIC codes: 6402 99 10 10, 6402 99 91 10, 6402 99 93 10, 6402 99 96 10, 6402 99 98 11, 6403 91 11 10, 6403 91 13 10, 6403 91 16 10, 6403 91 18 10, 6403 91 91 10, 6403 91 93 10, 6403 91 96 10, 6403 91 98 10, 6403 99 91 10, 6403 99 93 11, 6403 99 96 11, 6403 99 98 11.

⁽²⁾ Excluding:

a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bats or the like, with a non-injected sole;

TARIC codes: 6404 11 00 10, 6404 11 00 20;

b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical feature such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX III

LIST OF THE COMPETENT NATIONAL AUTHORITIES

1. BELGIQUE/BELGIË

Ministère des affaires économiques
Administration des relations économiques
4^e division: Mise en oeuvre des politiques commerciales
Services des licences
Ministerie van Economische Zaken
Bestuur van de Economische betrekkingen
4^e afdeling: Toepassing van de handelspolitiek
Dienst Vergunningen
Generaal Lemanstraat 60, Rue Général-Leman 60,
B-1040 Brussel/Bruxelles
Tél./Tel. (32-2) 206 58 16
Télécopieur/Fax (32-2) 230 83 22/231 14 84
2. DANMARK

Erhvervsfremmestyrelsen
Vejløvej 29
DK-8600 Silkeborg
Tlf. (45) 35 46 60 00
Fax (45) 35 46 64 01
3. DEUTSCHLAND

Bundesamt für Wirtschaft
Frankfurter Straße 29-31
D-65760 Eschborn
Tel. (49) 619 64 04-0
Fax (49) 619 69 42 26
4. GREECE

Ministry of National Economy
General Secretariat of International Economic Relations
Directorate for Foreign Trade Issues
1, Kornarou Street
GR-Athens 105-63
Tel. (30-1) 328 60 31/328 60 32
Fax (30-1) 328 60 94/328 60 59
5. ESPAÑA

Ministerio de Economía y Hacienda
Dirección General de Comercio Exterior
Paseo de la Castellana, 162
E-28046 Madrid
Tel. (34) 913 49 38 94/913 49 37 78
Fax (34) 913 49 38 32
6. FRANCE

Service des titres du commerce extérieur
8, rue de la Tour-des-Dames
F-75436 Paris Cedex 09
Tél. (33-1) 55 07 46 69/95
Télécopieur (33-1) 55 07 46 59
7. IRELAND

Department of Enterprise, Trade and Employment
Licensing Unit
Kildare Street
Dublin 2
Ireland
Tel. (353-1) 631 21 21
Fax (353-1) 631 28 26
8. ITALIA

Ministero del Commercio con l'estero
Direzione generale per la Politica commerciale e per la gestione del
regime degli scambi - Divisione VII
Viale America 341
I-00144 Roma
Tel. (39) 06 599 31 - 59 93 24 19 - 59 93 24 00
Fax (39) 06 592 55 56
9. LUXEMBOURG

Ministère des affaires étrangères
Office des licences
Boîte postale 113
L-2011 Luxembourg
Tél. (352) 22 61 62
Télécopieur (352) 46 61 38
10. NEDERLAND

Belastingdienst/Douane
Engelse Kamp 2
Postbus 30003
9700 RD Groningen
Nederland
Tel. (31-50) 523 91 11
Fax (31-50) 526 06 98/523 92 37
11. ÖSTERREICH

Bundesministerium für Wirtschaft und Arbeit
Landstrasser Hauptstraße 55/57
A-1031 Wien
Tel. (43) 171 10 23 86
Fax (43) 17 11 02
12. PORTUGAL

Ministério da Economia
Direcção-Geral das Relações Económicas Internacionais
Avenida da República, 79
P-1069-059 Lisboa
Tel.: (351-21) 791 18 00/19 43
Fax: (351-21) 793 22 10, 796 37 23
Telex: 13 418
13. SUOMI

Tullihallitus
Erottajankatu 2
FIN-00101 Helsinki
P. (358) 9 6141
F. (358) 9 614 28 52
14. SVERIGE

Kommerskollegium
Box 6803
S-113 86 Stockholm
Tfn (46-8) 690 48 00
Fax (46-8) 30 67 59
15. UNITED KINGDOM

Department of Trade and Industry
Import Licensing Branch
Queensway House
West Precinct
Billingham
TS23 2NF
United Kingdom
Tel. (44 1642) 36 43 33, 36 43 34
Fax (44 1642) 53 35 57

COMMISSION REGULATION (EC) No 1356/2000
of 27 June 2000
amending Regulation (EC) No 1474/95 opening and providing for the administration of the tariff
quotas in the egg sector and for egg albumin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations⁽¹⁾, and in particular Article 1 thereof,

Whereas:

- (1) In the framework of the World Trade Organization, the Community has undertaken to open tariff quotas for certain products in the egg sector and for egg albumin. As a result, detailed rules for the application of those quotas from 1 July 2000 should be laid down.
- (2) Commission Regulation (EC) No 1474/95⁽²⁾, as last amended by Regulation (EC) No 1323/1999⁽³⁾, provides for the administration of those quotas for the period 1 July 1999 to 30 June 2000. Provision should be made for their administration from 1 July 2000.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1474/95 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

The import tariff quotas listed in Annex I are opened annually for the product groups and under the conditions indicated therein.'

2. Annex I is replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 2000.

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

Done at Brussels, 27 June 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.

⁽²⁾ OJ L 145, 29.6.1995, p. 19.

⁽³⁾ OJ L 157, 24.6.1999, p. 29.

ANNEX

'ANNEX I

(tonnes)

| Group number | CN code | Duty applicable, EUR/tonne product weight | Tariff quotas from 2000 |
|--------------|------------|---|-------------------------|
| E 1 | 0407 00 30 | 152 | 135 000 |
| E 2 | 0408 11 80 | 711 | 7 000 ⁽¹⁾ |
| | 0408 19 81 | 310 | |
| | 0408 19 89 | 331 | |
| | 0408 91 80 | 687 | |
| | 0408 99 80 | 176 | |
| E 3 | 3502 11 90 | 617 | 15 500 ⁽¹⁾ |
| | 3502 19 90 | 83 | |

⁽¹⁾ Shell egg equivalent. Conversion according to the rates of yield fixed in Annex 77 to Commission Regulation (EEC) No 2454/93 (OJ L 253, 11.10.1993, p. 1).'

COMMISSION REGULATION (EC) No 1357/2000
of 27 June 2000
amending Regulation (EC) No 1251/96 opening and providing for the administration of the tariff
quotas in the poultrymeat sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1095/96 of 18 June 1996 on the implementation of the concessions set out in Schedule CXL drawn up in the wake of the conclusion of the GATT XXIV.6 negotiations⁽¹⁾, and in particular Article 1 thereof,

Whereas:

- (1) In the framework of the World Trade Organisation, the Community has undertaken to open tariff quotas for certain products in the poultrymeat sector; whereas as a result, detailed rules for the application of those quotas from 1 July 2000 should be laid down;
- (2) Commission Regulation (EC) No 1251/96⁽²⁾, as last amended by Regulation (EC) No 1327/1999⁽³⁾, provides for the administration of those quotas for the period 1 July 1999 to 30 June 2000; whereas provision should be made for their administration from 1 July 2000;

- (3) Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1251/96 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

The import tariff quotas listed in Annex I are opened annually for the product groups and under the conditions indicated therein.'

2. Annex I is replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 2000.

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

Done at Brussels, 27 June 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 146, 20.6.1996, p. 1.
⁽²⁾ OJ L 161, 29.6.1996, p. 136.
⁽³⁾ OJ L 157, 24.6.1999, p. 37.

ANNEX

ANNEX I

(tonnes)

| Group No | CN code | Applicable duty (EUR/tonne) | Tariff quotas from 1.7.2000 |
|------------|------------|--------------------------------|--------------------------------|
| P 1 | 0207 11 10 | 131 | 6 200 |
| | 0207 11 30 | 149 | |
| | 0207 11 90 | 162 | |
| | 0207 12 10 | 149 | |
| | 0207 12 90 | 162 | |
| P 2 | 0207 13 10 | 512 | 4 000 |
| | 0207 13 20 | 179 | |
| | 0207 13 30 | 134 | |
| | 0207 13 40 | 93 | |
| | 0207 13 50 | 301 | |
| | 0207 13 60 | 231 | |
| | 0207 13 70 | 504 | |
| | 0207 14 20 | 179 | |
| | 0207 14 30 | 134 | |
| | 0207 14 40 | 93 | |
| | 0207 14 60 | 231 | |
| P 3 | 0207 14 10 | 795 | 700 |
| P 4 | 0207 24 10 | 170 | 1 000 |
| | 0207 24 90 | 186 | |
| | 0207 25 10 | 170 | |
| | 0207 25 90 | 186 | |
| | 0207 26 10 | 425 | |
| | 0207 26 20 | 205 | |
| | 0207 26 30 | 134 | |
| | 0207 26 40 | 93 | |
| | 0207 26 50 | 339 | |
| | 0207 26 60 | 127 | |
| | 0207 26 70 | 230 | |
| | 0207 26 80 | 415 | |
| | 0207 27 30 | 134 | |
| | 0207 27 40 | 93 | |
| | 0207 27 50 | 339 | |
| | 0207 27 60 | 127 | |
| 0207 27 70 | 230 | | |

COMMISSION REGULATION (EC) No 1358/2000
of 27 June 2000
determining the extent to which applications lodged in June 2000 for import rights in respect of
frozen beef intended for processing may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1174/2000 of 31 May 2000 opening and providing for the administration of an import tariff quota for frozen beef intended for processing (1 July 2000 to 30 June 2001) ⁽¹⁾, and in particular the second subparagraph of Article 3(3) thereof,

Whereas:

- (1) Article 1(2) of Regulation (EC) No 1174/2000 fixes the quantities of frozen beef intended for processing which may be imported under special terms in the period from 1 July 2000 to 30 June 2001.
- (2) Article 3(3) of Regulation (EC) No 1174/2000 lays down that the quantities applied for may be reduced. The applications lodged relate to total quantities which exceed the quantities available. Under these circumstances and taking care to ensure an equitable distribu-

tion of the available quantities, it is appropriate to reduce proportionally the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Every application for import rights lodged in accordance with Regulation (EC) No 1174/2000 for the period 1 July 2000 to 30 June 2001 shall be granted to the following extent, expressed as bone-in beef:

- (a) 0,5357 % of the quantity requested for beef imports intended for the manufacture of 'preserves' as defined by Article 1(2)(a) of Regulation (EC) No 1174/2000;
- (b) 2,2201 % of the quantity requested for beef imports intended for the manufacture of products as defined by Article 1(2)(b) of Regulation (EC) No 1174/2000.

Article 2

This Regulation shall enter into force on 28 June 2000.

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

Done at Brussels, 27 June 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 131, 1.6.2000, p. 30.

COMMISSION REGULATION (EC) No 1359/2000
of 27 June 2000
amending Regulation (EC) No 1443/98 establishing the supply balance for the Canary Islands in the
rice products sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 1305/2000 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Common detailed rules for the implementation of the specific arrangements for the supply of certain agricultural products to the Canary Islands are laid down in Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾.
- (2) For the purposes of applying Article 2 of Regulation (EEC) No 1601/92, the forecast supply balance for the Canary Islands should be established for rice-sector

products. That balance must be established on the basis of the requirements of the region. The Annex to Commission Regulation (EC) No 1443/98 ⁽⁵⁾, as amended by Regulation (EC) No 1516/1999 ⁽⁶⁾, should accordingly be replaced by the Annex hereto.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1443/98 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2000.

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

Done at Brussels, 27 June 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 148, 22.6.2000, p. 15.

⁽³⁾ OJ L 296, 17.11.1994, p. 23.

⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.

⁽⁵⁾ OJ L 191, 7.7.1998, p. 43.

⁽⁶⁾ OJ L 177, 13.7.1999, p. 3.

ANNEX

'ANNEX

Supply balance for rice for the Canary Islands for the marketing period 1 July 2000 to 30 June 2001

(tonnes)

| Product (CN code) | | Canary Islands |
|-------------------|---------|----------------|
| Milled rice | 1006 30 | 13 000 |
| Broken rice | 1006 40 | 2 600' |

COMMISSION REGULATION (EC) No 1360/2000
of 27 June 2000
amending Regulation (EC) No 1324/96 establishing the supply balance for the Azores and Madeira
in the rice products sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Common detailed rules for the implementation of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira are laid down in Commission Regulation (EEC) No 1696/92⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾.
- (2) For the purposes of applying Article 2 of Regulation (EEC) No 1600/92, the forecast supply balance for the Azores and Madeira should be drawn up for rice-sector

products on the basis of the islands' requirements. The Annex to Commission Regulation (EC) No 1324/96⁽⁵⁾, as last amended by Regulation (EC) No 1517/1999⁽⁶⁾, should accordingly be replaced by the Annex hereto.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1324/96 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2000.

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

Done at Brussels, 27 June 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 171, 10.7.1996, p. 3.

⁽⁶⁾ OJ L 177, 13.7.1999, p. 5.

ANNEX

'ANNEX

Supply balance for rice for the Azores and Madeira for the marketing period 1 July 2000 to 30 June 2001

(tonnes)

| Product (CN code) | Azores | Madeira |
|---------------------|--------|---------|
| Milled rice 1006 30 | 2 500 | 5 000' |

COMMISSION REGULATION (EC) No 1361/2000
of 27 June 2000
amending representative prices and additional duties for the import of certain products in the
sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽²⁾, as last amended by Regulation (EC) No 624/98 ⁽³⁾, and in particular the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation

(EC) No 1441/1999 ⁽⁴⁾, as last amended by Regulation (EC) No 1315/2000 ⁽⁵⁾.

- (2) It follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 June 2000.

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

Done at Brussels, 27 June 2000.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.
⁽²⁾ OJ L 141, 24.6.1995, p. 16.
⁽³⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁴⁾ OJ L 166, 1.7.1999, p. 77.
⁽⁵⁾ OJ L 148, 22.6.2000, p. 38.

ANNEX

to the Commission Regulation of 27 June 2000 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

| CN code | Amount of representative prices per 100 kg net of product concerned | Amount of additional duty per 100 kg net of product concerned |
|---------------------------|---|---|
| 1701 11 10 ⁽¹⁾ | 22,30 | 5,15 |
| 1701 11 90 ⁽¹⁾ | 22,30 | 10,38 |
| 1701 12 10 ⁽¹⁾ | 22,30 | 4,96 |
| 1701 12 90 ⁽¹⁾ | 22,30 | 9,95 |
| 1701 91 00 ⁽²⁾ | 24,88 | 12,99 |
| 1701 99 10 ⁽²⁾ | 24,88 | 8,27 |
| 1701 99 90 ⁽²⁾ | 24,88 | 8,27 |
| 1702 90 99 ⁽³⁾ | 0,25 | 0,40 |

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10.4.1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21.4.1972, p. 1).

⁽³⁾ By 1 % sucrose content.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 19 June 2000

on the signing and conclusion of Agreed Minutes between the European Community and the Government of the Republic of Korea relating to the world shipbuilding market

(2000/409/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with the first sentence of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The world shipbuilding industry is experiencing severe problems due mainly to overcapacity. Unlike the Community industry, which carried out a programme of restructuring and capacity cuts throughout the 1990s, Korean shipyards substantially increased their capacity from 1993 onwards.
- (2) A study of Korean contracts carried out for the Commission by an independent consultant showed that Korean shipyards were pricing well below cost. Such practices have enabled the Korean industry to increase its market share substantially, in particular at the expense of the Community industry, which is currently experiencing severe difficulties. With world prices extremely low, the Community industry saw its market share decline from 25 % in 1998 to 17 % in 1999.
- (3) On 9 November 1999 and on 18 May 2000 the Council, examining the first and the second reports on the situation in world shipbuilding presented by the

Commission under Article 12 of Council Regulation (EC) No 1540/98 of 29 June 1998 establishing new rules on aid to shipbuilding ⁽¹⁾, noted that the sector was facing a critical situation worldwide and expressed its serious concern at such practices which were severely damaging to the interests of shipyards within the Community. In their Conclusions, the industry ministers called on the Commission to pursue its efforts to establish a level playing field for the sector by immediately engaging the Republic of Korea in constructive consultations with a view to halting the unfair competition.

- (4) As instructed, the Commission accordingly held several rounds of intensive consultations with the Korean Government and negotiated draft Agreed Minutes. Once the Agreed Minutes are signed they will commit the Korean Government to refrain from any direct or indirect intervention to underwrite loss-making Korean shipyards, to apply internationally accepted financial and accounting principles and to ensure that Korean shipyards set prices that reflect market conditions. The Agreed Minutes also provide ad hoc consultation machinery to deal promptly with any issue raised by either of the parties.
- (5) The Agreed Minutes should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreed Minutes between the European Community and the Government of the Republic of Korea relating to the world shipbuilding market are hereby approved.

The text of the Agreed Minutes is attached to this Decision.

⁽¹⁾ OJ L 202, 18.7.1998, p. 1.

Article 2

The President of the Council is hereby authorised to designate the person empowered to sign the Agreed Minutes in order to bind the Community.

Done at Luxembourg, 19 June 2000.

For the Council
The President
L. CAPOULAS SANTOS

AGREED MINUTES

between the European Community and the Government of the Republic of Korea relating to the world shipbuilding market

1. The Commission of the European Communities and the Government of the Republic of Korea held talks on 15 March 2000 to address current problems relating to the world shipbuilding market and with a view to promoting stability and fair competition. Both sides recognised that the world shipbuilding market is characterised by significant overcapacity and steadily decreasing prices, not allowing a sustainable development of the industry.
2. The European Community and Korea being the main players in the shipbuilding market, their respective authorities have a special obligation to work together and with other shipbuilding nations to ensure that fair competition prevails on all markets.
3. Both sides expect that the achievement of the following objectives will contribute in a major way to restoring normal competitive conditions on the market, and to providing for an effective means of protection against sales of ships at price below cost.
4. Both sides will work together with a view to reducing the unsustainable prevailing imbalance between supply and demand. They will invite the other shipbuilding countries to support these efforts. By firmly committing themselves to fair competition, both parties will avoid financially non-viable over-investments and ruinous price undercutting. Both sides should make all efforts, either on an individual basis or jointly, to help improve and stabilise the market situation.
5. The aim of both sides is to promote fair and competitive market conditions in the world market and to work together to stabilise the market and thereby help raise the level of ship prices to ones that are commercially sustainable.

(1) Action by public authorities in respect of shipyards in financial difficulties

Both sides agree that all financial institutions shall conduct their business with shipbuilders in a commercially sound manner.

In that respect, the Korean Government will continue to supervise strictly the asset soundness of the financial institutions.

In line with the Korean Government's policy of non-intervention, and conscious of the imbalance in world shipbuilding markets, the Korean authorities will ensure, in the context of bank supervision, that banks in which the Korean Government has a shareholding or private banks acting on its behalf will only extend new loans, write off or roll over existing loans or provide any type of support on a commercial basis. The Korean Government confirms that it will not provide these financial institutions with public support for the purpose of covering losses resulting from their business relations with any specific enterprise or industry.

The Korean Government agrees that KAMCO should purchase bad loans related to shipyards at prices that reflect actual and expected recovery rates as well as funding costs, and at minimal prices for unsecured loans.

The Korean Government confirms that:

- It will not extend support to its shipbuilders which is inconsistent with Korea's international obligations,
- The management takeover of Samho by Hyundai will not be accompanied by publicly supported debt restructuring and/or moratoria operations.

While under government ownership Korean banks will, when dealing with shipbuilding companies, be operated on a fully commercial basis. The Korean Government will not be involved in the day-to-day management. Public banks will grant no favourable repayment guarantees for shipbuilding contracts entered into by shipyards in financial difficulties or under court receivership. Further to that, the conditions for repayment guarantees shall reflect the substantial commercial risk stemming from the shipyards' precarious situation.

(2) Transparency

Both sides consider that the application of internationally accepted accounting principles will ensure that sound financial management governs shipbuilding companies and their creditors.

Strict risk assessment and provisioning rules are to be enforced even if these transparency rules unveil further burdens to the corporate and the banking sectors.

In accordance with its transparency commitments to the IMF and the World Bank, the Korean Government revised its accounting standards in December 1998, which took effect beginning 1 January 1999. The Korean Government will make sure that internationally accepted accounting principles are and will continue to be fully applied to the shipbuilding companies.

(3) **The pursuit of commercially viable pricing practices**

Both sides recognise that injurious pricing of ships should be remedied or prevented to ensure normal competitive conditions in the world shipbuilding market.

In this regard, the Korean Government agrees that the level of ship prices shall reflect all the factors of costs according to the definition of a normal value under the WTO anti-dumping Agreement.

(4) **Cooperation between the two shipbuilding industries**

Both sides encourage their shipbuilding industries to cooperate closely with each other to ensure normal competitive conditions in the world shipbuilding market. Both sides will support their shipbuilders to strengthen their ties with each other in the field of technology, procurement and business activity as well as multilateral activities on shipbuilding.

(5) **Consultations**

Both sides agree to meet every six months at least to review the operation of these Agreed Minutes to discuss policies and measures relating to shipbuilding during this period. Such matters may include, but are not limited to supply

and demand, capacity, price levels, government support and ways and means to improve the current situation in the shipbuilding market. Both sides agree that, in order to review the operation of these Agreed Minutes, the first meeting shall be held no later than September 2000.

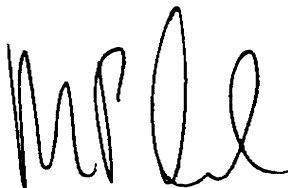
Both sides agree to have ad hoc consultations at the request of any party to discuss general and specific questions relating to the matters covered by the present Agreed Minutes, with a view to reaching a mutually acceptable solution to any issue. These ad hoc consultations will take place within four weeks of request of either party. The parties will, in general, aim to conclude these ad hoc consultations within 60 days.

Both sides agree on the necessity to have as complete as possible a view of the facts, both to reduce the risk of problems arising in the future and to increase the possibility of resolving problems through consultations. If proposed by either side, technical experts will be invited to seek all relevant information and provide an objective analysis thereof. The parties will appoint their respective experts within two weeks of a request to hold ad hoc consultations. The parties will, from the outset of such consultations, inform their respective industries and all interested parties of both sides, including, if relevant, financial institutions, of the problems identified by either party.

- (6) These Agreed Minutes are without prejudice to existing rights and obligations under the WTO Agreement.

These Agreed Minutes will enter into force on the date of signature.

On behalf of the Council of the European Union



For the Government of the Republic of Korea



Information relating to the entry into force of the Protocol adjusting trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, to take account of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the outcome of the Uruguay Round negotiations on agriculture, including of the improvements to the existing preferential arrangements

The Protocol adjusting the Europe Agreement with the Republic of Bulgaria further to enlargement and the Uruguay Round, which the Council decided to conclude on 9 March 1999 ⁽¹⁾, enters into force on 1 July 2000 since notification of the accomplishment of the procedures stipulated in Article 6 of that Protocol was completed on 16 June 2000.

⁽¹⁾ OJ L 12, 29.4.1999

COMMISSION

COMMISSION DECISION

of 22 December 1999

on the aid scheme which France is planning to implement in favour of the French port sector

(notified under document number C(1999) 5204)

(Only the French text is authentic)

(Text with EEA relevance)

(2000/410/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 Agreement on the European Economic Area, and in particular Article 62(1)(a) thereof,

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

Whereas:

I. PROCEDURE

- (1) By letter dated 25 May 1998, France notified the Commission of the aid scheme in favour of the French port sector. It furnished the Commission with supplementary information by letters dated 31 July 1998, 6 November 1998, 27 November 1998, 26 January 1999, 16 February 1999 and 20 April 1999.
- (2) By letter dated 14 June 1999, the Commission informed France of its decision to initiate the procedure laid down in Article 88(2) of the EC Treaty in respect of this aid scheme.
- (3) The Commission decision to initiate the procedure was published in the *Official Journal of the European Communities* ⁽²⁾. The Commission called on interested parties to submit their comments.

- (4) The Commission has received comments from interested parties. It has transmitted them to France, which has had the opportunity to react. Its comments were received by letter dated 13 October 1999.

II. DETAILED DESCRIPTION OF THE AID

- (5) The French port sector can at present be characterised by substantial public involvement in the financing and management particularly of the heavy port equipment, such as gantry cranes (hereinafter 'the equipment'), which is operated partly by personnel employed in the public sector. The aim of the proposed aid scheme is to render the provision of cargo handling services more efficient by completing the restructuring process started in 1992, through a reform whereby cargo handling companies will become fully responsible for the provision of these services in the ports concerned. The means to do so is by modernising and rationalising the organisation of these services, and to this end the notified scheme proposes a reduction of the tax base for the French 'taxe professionnelle' for the private cargo handling companies.
- (6) As notified by France, the proposed tax reduction would affect 23 French ports (see Annex to the present Decision), where currently some 99 private cargo handling (stevedoring) companies operate. The vast majority of these companies are SMEs. The French authorities also expressed their wish that the proposed scheme would attract foreign investments from non-French companies that may be interested in establishing themselves in these ports. The equipment is currently owned and financed by the public (port) authorities that

⁽¹⁾ OJ C 233, 14.8.1999, p. 25.

⁽²⁾ See footnote 1.

are not subject to the 'taxe professionnelle'. The equipment is usually rented to the private cargo handling companies that carry out the loading and unloading of cargo in the ports.

- (7) The 'taxe professionnelle' is a local tax payable to and fixed by the local authorities (thus the level of the tax may vary between different regions). The tax base is calculated on the basis of three factors, (i) the rental value of property (immeubles), (ii) 16 % of the new purchase value for equipment (valeur d'achat à neuf), and (iii) 18 % of the gross salaries. The proposed scheme for cargo handling companies would only concern (ii), i.e. the purchase of equipment, in that this factor would be excluded from the taxation base for the private cargo handling companies. The proposed scheme envisages a tax reduction on the one hand for the transfer and replacement of existing equipment, and on the other hand, for the acquisition of additional, new equipment in the ports of Le Havre and Dunkerque.
- (8) The proposed scheme takes place in the context of the reform started in 1992 whereby the dock workers, who used to be employed by the public sector, became employees of the private cargo handling companies. To this avail, a social plan had been elaborated at that time. Since the introduction of this reform, the number of dock workers in French ports has decreased by 50 %. According to the French authorities, the cargo handling companies have also contributed with over 1 000 million French francs (FRF) to the financing of 'social plans' for the dock workers, while approximately FRF 5 000 million still remains to be paid until year 2006. To complete this process concerning the workforce, the scheme currently under examination also entails the transfer of the responsibility for the remaining personnel, notably the crane-operators (grutiers) involved in cargo handling activities, from the public to the private companies. The objective is for the private cargo handling companies to take over full responsibility for the equipment and the human resources needed for cargo handling operations in French ports.
- (9) According to the French authorities, the reduction of the burden of the 'taxe professionnelle' is an incentive to progressively transfer the ownership and management of the existing equipment from public to private, and to encourage investments in renewing this equipment. The transfer to individual cargo handling companies would be carried out against payment, covering at least the net book value (valeur net comptable), and through public tender procedures. The tax reduction is thus linked to the cargo handling companies' willingness to invest in

the port equipment, which is at present primarily owned by the public.

- (10) The proposed tax reduction is linked to the new purchase value for equipment. For the port equipment concerned, the investment volume to be made over the period 2000 to 2004, amounts to FRF 2,800 million, of which FRF 2,100 million is destined for the replacement of existing equipment by more performant equipment, and FRF 700 million for the acquisition of new, additional cargo-handling equipment in the ports of Le Havre and Dunkerque. The total amount of tax reduction to be granted through the scheme is set, following the submissions made by the French authorities in their letter of 20 July 1999, at FRF 368,35 million, and will be disbursed during the period 2000 to 2006. In reference to the investment value, the French authorities conclude that the aid intensity of the scheme, expressed as a percentage of the first, is 13,15 %.

III. COMMENTS FROM INTERESTED PARTIES

- (11) By letter of 14 September 1999, the Government of the United Kingdom submitted its comments, which in essence expressed agreement to the Commission's decision to open the formal investigation procedure in this case. The concern of the United Kingdom relates to the proposed aid for the purchase of new, additional equipment in Le Havre and Dunkerque, as this would create excessive capacity that would distort competition with other European ports.

IV. COMMENTS FROM FRANCE

- (12) The Commission had forwarded the comments of the Government of the United Kingdom to France by letter of 22 September 1999, and by letter of 13 October 1999, the French authorities replied thereupon.

V. ASSESSMENT OF THE AID SCHEME

1. Legal base

- (13) Under Article 87(1) of the Treaty 'any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, in so far as it affects trade between Member States, be incompatible with the common market'. As had been stated in the decision to initiate the procedure, the notified aid scheme is to be considered State aid under Article 87(1) of the Treaty, as the scheme is financed through State resources, is attributable to the State budget and is selective in its application.

(14) While the proposed scheme concerns a specific sector, the public support would only benefit those cargo handling companies that are located in the 23 selected ports and who take over the responsibility for the existing equipment and its renewal. This selectivity is not justified by 'the nature or general scheme of the system', and the French authorities have not provided any evidence that this would be the case. (See paragraphs 12 and 23 of Commission notice on the application of the State aid rules to measures relating to direct business taxation ⁽¹⁾).

(15) Finally, in the cargo handling sector, companies compete with other cargo handling companies within the same port and in other ports for trade. Depending on the final destination of the cargo, there is often a choice between different ports for loading and unloading. In this particular case, as the cargo handling companies in the 23 ports concerned are in many cases actually or potentially competing for traffic with cargo handling undertakings in other French and Community ports, there may be an effect on trade between Member States.

(16) The French authorities also argued that the 'taxe professionnelle' exists only in France and that the aid is needed to compensate French cargo handling companies from the disadvantage of such a tax compared with their European counterparts. However, even if the scheme in question would bring the costs of the cargo handling companies concerned closer to those of its competitors in the other Member States, which has not been demonstrated, it does not change the fact that the financing has the character of aid.

2. Compatibility

(17) As to the compatibility of the State aid with the common market, aid is prohibited unless it can benefit from any of the specific exemptions laid down in the Treaty. In this particular case, the aid does not appear to be eligible for any of the exemptions laid down in Article 87(2) of the Treaty. Article 86 of the Treaty is not applicable either as cargo handling services cannot be considered as services of general economic interest. See the Judgement of the European Court of Justice in case C-179/90 *Merci, convenzionali porto di Genova* of 10 December 1991 ⁽²⁾. When examining Article 87(3) of

the Treaty, the aid does not appear to be eligible under the exemptions under Article 87(3)(a) and (b). Nor does the proposed scheme aim to facilitate the development of certain economic areas as set out in subparagraph (c), but concerns rather a particular sector. However, the exemption under Article 87(3)(c) concerning 'aid to facilitate the development of certain economic activities, where such aid does not adversely affect trading conditions to an extent contrary to the common interest...' may be applicable in this case.

(18) As to the applicability of existing horizontal guidelines to the proposed aid scheme, the Commission has examined those that might be applied, i.e. the guidelines for regional ⁽³⁾ and restructuring ⁽⁴⁾ aid. The regional guidelines, however, would only cover cargo handling companies located in eligible regions and, moreover, these guidelines explicitly exclude aid for initial investment in mobile assets in the transport sector. The application of the restructuring guidelines is not an option either, since, within the understanding of these guidelines, the private cargo handling companies, as the beneficiaries of the aid, are not in financial difficulties. As a result, none of the above guidelines seem to cover as such the proposed aid scheme.

(19) Following the above analysis, the Commission has decided to examine the compatibility of the proposed aid scheme under Article 87(3)(c) of the EC Treaty.

(20) The proposed scheme entails a tax reduction for the transfer and replacement of existing equipment to modernise and rationalise cargo handling, as well as the acquisition of additional, new equipment in the ports of Le Havre and Dunkerque to extend the capacity. The Commission considers that a distinction should be made between these two types of investments, given their different purpose.

With regard to the existing equipment, the French authorities argue that the proposed aid scheme will facilitate the transfer of the ownership and management responsibilities of the equipment from public to private. The aid scheme envisages giving an impetus to modernise and rationalise the provision of cargo handling services which affects the overall performance of the

⁽¹⁾ OJ C 384, 10.12.1998, p. 3.

⁽²⁾ Rec. 1991 I, p. 5889.

⁽³⁾ OJ C 74, 10.3.1998, p. 4.

⁽⁴⁾ OJ C 283, 19.9.1997, p. 2.

ports. The emphasis on equipment is due to the fact that the aid is linked to investments in the equipment, which is one of the three factors determining the tax base. Further, the expected transfer of the existing equipment will be carried out in a transparent and non-discriminatory manner on the basis of public tender procedures, to which also competitors will be able to bid for the equipment. The price paid for the transfer of the existing equipment from the public to the private is, therefore, likely to reflect the market price.

- (21) Such a transfer is in line with policy developments for the Community port sector, as explained in the Green Paper on sea ports and maritime infrastructure ⁽¹⁾. The trend has been to shift the provision of commercial cargo handling services from the public to private service providers notably to increase efficiency. To this end, reforms have taken place in a number of Member States to adjust the ports to the new requirements as a result of the technological development and intensified competition in the sector. The Commission has considered State aid to support such reforms and the restructuring of the port sector compatible with the common market in the past. This was the case for example in 1986 concerning aid granted to certain ports for the reduction of labour in the context of restructuring and privatisation of the cargo handling sector. Public authorities are still involved in carrying out cargo handling services in some Community ports as the cargo handling market has not yet been fully opened up to competition through Community legislation. The proposed scheme will help the private cargo handling companies to adapt to a market that is opening up to competition without, however, unnecessarily causing distortions, and to this end contribute to the economic development of the sector. In view of the above, the objective of the scheme can be considered to be in the Community interest.
- (22) As to the necessity of the proposed scheme to gradually change the ownership and management responsibilities of the existing equipment, it can be argued that the market forces alone would not secure this objective. The private cargo handling companies are reluctant to take over the responsibility for the equipment mainly because they would become subject to the 'taxe professionnelle'. Noting that the existing equipment, which in many cases is rather old and out-of-date, would need to be renewed through heavy investments, the Commission considers that the 'taxe professionnelle', being calculated on the basis of the new purchase value of the equipment,

would be overly burdensome for the cargo handling companies. This is notably because these companies are mainly SMEs with limited financial resources, that moreover need to continue to provide funding for the 'social plans' of the dock workers.

- (23) The transfer of the existing equipment and its subsequent replacement is part of a modernisation and rationalisation exercise and needs to be seen together as part of one coherent investment endeavour, as a mere transfer of mostly obsolete equipment alone would not be meaningful. In this context, it may be recalled that the cost of a gantry-crane, as notified by the French authorities, is around FRF 40 million and its amortisation period is on average 20 years. Together with the required straddle-carriers and spreaders whose utilisation and amortisation period is some 10 years, the total investment to be made by the companies amounts to some FRF 50 to 60 million per crane. The cargo handling business is capital-intensive with long-term investments, including interest payments, that needs to be spread out in time. A tax reduction, linked to such heavy investments seems justified in this particular case to encourage the cargo handling companies to invest, as the replacement of the existing equipment is not expected to take place simultaneously with the transfer, but within a near future, for example, depending on the financial situation of each company.
- (24) It should also be noted that the economic impact of the aid is limited because the proposed tax reduction only affects one element out of three used for establishing the taxation basis. This factor amounts to 16 % of the new purchase value for equipment, whereas the private cargo handling companies would be fully subject to the tax calculated on the basis of the other two factors, i.e. the rental value of property and the gross salaries. As notified by the French authorities, the aid intensity expressed as a percentage of the investment value is limited to approximately 13 %. Furthermore, in view of the fact that crane-operators (grutiers) will become employees of the private cargo handling companies undertaking the investments, the amount of the tax to be paid on the basis of the salaries provided will in fact increase.
- (25) However, it is necessary for the Commission to ensure that the aid does not have a noticeable adverse effect on trade and that it is proportionate to the aims that it is supposed to achieve. Following the initiation of the procedure explaining the Commission's doubts about the compatibility of the aid, the French authorities

⁽¹⁾ COM(97) 678 final of 10.12.1997, paragraphs 81 and 82.

amended the originally envisaged scheme and reduced the amount from FRF 623,6 million to FRF 368,35 million and the duration from 10 years to 7 years, i.e. almost by half. In practice, however, not all companies that will actually invest in the existing equipment will benefit from the aid during the entire duration of the scheme. Depending on the financial situation, each company will start making the investments at different times, and will only benefit from the aid from the time of the investment. The aid will also put the private cargo handling undertakings on a more equal footing with the public entities operating in the ports. The Commission considers that the aid will help the French port system to adapt to a market, which is increasingly opening up to competition, without unnecessarily distorting competition. Moreover, a mere transfer of existing equipment is not bound to affect the balance in supply and demand for the port services in question. The situation is rather that the private cargo handling companies will replace the public authorities as owner and manager of the existing equipment, including taking over the responsibility to make the necessary investments. The upgrading of the equipment following the transfer is necessary to ensure the continuous operation of the ports.

- (26) Most of the cargo handling companies concerned are small enterprises with less than 50 employees and therefore, a parallel may be drawn here to the Guidelines for SMEs ⁽¹⁾, which apply to different forms of aid granted to SMEs. The Commission has traditionally taken a favourable attitude towards aid granted to SMEs, provided that such aid does not affect trade to a disproportionate extent in relation to its contributions to the achievement of Community objectives. The aid scheme in question has the character of an incentive and is necessary in order to secure the socio-economic benefits and achieve the objectives which market forces alone would not secure, which are, moreover, desirable on grounds of Community interest. The aid will cease once the take-over of the existing equipment and the subsequent replacement of this equipment has been completed, and consequently bears resemblance to start-up aid. Such aid for the existing equipment and its replacement may be considered proportionate to the aim of transferring the financial responsibility from the public sector to the private cargo handling companies.
- (27) In view of the above, the affect on trade is marginal in that the level and form of investment in replacing the existing equipment is not likely to be substantially different from investments that the public sector would have undertaken. This is supported by the fact that the economic impact of the tax reduction is limited, as explained under recital 24. At the same time, the proposed aid is important in order to increase productivity and efficiency in the French port sector through a better organisation of the work. To this end, the aid for the transfer of existing equipment and its replacement may be considered to be in line with the common transport policy and the policy on SMEs. Such aid is not expected to distort competition in a manner that will palpably alter the trading conditions between port undertakings to an extent contrary to the common interest. It should also be noted that no objections were made by third parties with regard to the aid for the transfer of existing equipment following the decision to open the procedure. The aid can, therefore, be considered to facilitate the development of certain economic activities and consequently compatible with the common market.
- (28) The Commission considers, however, that this is not the case for the investments in new, additional equipment in the ports of Le Havre and Dunkerque for the extension of capacity in these ports. In the decision to initiate the formal investigation period, the Commission expressed doubts particularly with regard to the proposed aid for the purchase of new, additional equipment because of the possible build-up of additional cargo handling capacity, which may distort the demand and supply balance of the port services concerned. As explained under recitals 22 and 23, the aid should be limited, in terms of volume and duration, to what is absolutely necessary and be proportionate to the aim of transferring the financial responsibility from the public sector to the private cargo handling companies.
- (29) Data as submitted by the French authorities confirmed information available through other independent sources, as to which utilisation ratios for the existing equipment in the two ports mentioned are considerably below those of their competitors. Moreover, the information submitted by the French authorities following the opening of the procedure, shows an increase in traffic in the ports of Le Havre and Dunkerque which is indeed significantly inferior to the one recorded for the

⁽¹⁾ OJ C 213, 23.7.1996, p. 4.

other competing ports in the North Sea range. It should also be noted that the growing container traffic renders the competition increasingly fierce between ports in the North Sea range where the largest European ports are located. To this end, aid granted specifically to extend capacity of cargo handling companies in any port in this range to the detriment of the others, would undoubtedly distort competition.

VI. CONCLUSIONS

- (30) Against this background it is emphasised, as already stated, that public support cannot be justified to respond to alleged changes in the supply and demand for the provision of commercial port services, which is up to the market forces alone. The proposed aid would put the cargo handling companies in the two ports concerned on a competitive footing which is more favourable than that of their French and Community competitors in other ports. According to the French authorities, the transfer of the ownership and management responsibility for the equipment would be based on open tender procedures, which would enable any interested firm to apply. Particularly with regard to the major ports of Le Havre and Dunkerque there may well be an interest among other firms in the Community to take over such responsibility. Further, the need to grant aid specifically to cargo handling companies in these two ports for the purchase of additional, new equipment in order to transfer the responsibility for the equipment from the public to the private has not been demonstrated by the French authorities. Such aid is likely to affect the balance in supply and demand due to build up of additional cargo handling capacity, thus distorting competition in a way that may affect trade flows between Member States to an extent contrary to the common interest.
- (31) As mentioned under recital 11, the Government of the United Kingdom supported the doubts expressed by the Commission with regard to aid for the purchase of new, additional equipment in the ports of Le Havre and Dunkerque as this would seriously distort competition among the major ports in the North Sea range.
- (32) In view of the foregoing, the Commission takes the view that the aid for new, additional equipment can not be considered compatible with the common market under Article 87(3)(c).
- (33) The assessment by the Commission led to the conclusion that aid for the transfer of existing equipment and its replacement, where necessary, facilitates the development of an economic activity and that trading conditions are not affected to an extent contrary to the common interest. Subject to certain conditions specified below, this aid is, therefore, considered compatible with the common market and eligible for the derogation under Article 87(3)(c) of the EC Treaty.
- (34) However, the application of this decision has to be monitored by the Commission and will be a condition of the approval of the aid. As stated by the French authorities, the transfer of the existing equipment shall take place on the basis of open, transparent and non-discriminatory procedures (public tender), enabling any undertaking to participate. The aid shall not take the form of a permanent, automatic reduction of the 'taxe professionnelle', and shall be linked to the investments which will be made at different times during the aid scheme. Each cargo handling company will benefit from the aid only from the time of the investment. Aid may be granted only once per investment. However, the payment of these heavy investments is spread out during several years and the amortisation periods are long. Compared with these, the duration of the aid scheme may be considered limited. Aid may, therefore, be provided the fiscal year(s) when a private cargo handling company in any of the 23 ports concerned takes over an existing equipment and/or replaces this specific equipment and during the subsequent amortisation of this equipment until the expiry of the aid scheme in 2006. Aid for investments in new, additional equipment is not authorised.
- (35) In view of the above, the French authorities shall during the applicability of the aid scheme provide the Commission with annual reports about the transfer of the existing equipment from the public to the private and its replacement, including information about the public tender procedure applied. This report shall notably provide details about the individual cargo handling companies that take over the existing equipment, the type and price of this equipment and the corresponding aid granted. Data is also needed about the investments made to replace the existing equipment and the amount of aid granted on the basis of such investments. The first report is to be submitted within one year from the adoption of this decision.

- (36) The Commission does not consider aid for purchasing new, additional equipment in the ports of Le Havre and Dunkerque as necessary or proportional to achieve the objective of the scheme, i.e. the transfer of responsibility for the equipment from the public to the private sector. Such aid is moreover bound to affect supply and demand of cargo handling services and its damaging effect on competition and trade is likely to outweigh the positive effects.
- (37) As to the amounts, the total investment value for the port equipment was estimated at FRF 2,800 million in the notification by the French government. According to the most accurate available data, the total amount of tax reduction envisaged is FRF 368,05 million. As a result, the aid intensity expressed as a percentage of the investment value, is 13,14 %. When applying this percentage to investments for replacement of existing equipment only, i.e. FRF 2,100 million, the amount of tax reduction that may be granted through the aid scheme is FRF 275,94 million (13,14 % × FRF 2,100 million), to be disbursed during the period 2000 to 2006,

HAS ADOPTED THIS DECISION:

Article 1

1. Aid for the transfer of existing equipment on the basis of open and non-discriminatory procedures and the replacement of this equipment which France is planning to implement in favour of private cargo handling companies in the 23 French ports specified in the Annex in an amount of FRF 275,94 million during the period 2000 to 2006 is compatible with the common market.

The aid is compatible provided it is linked to the investment(s) in that aid may only be granted for the fiscal year(s) when the investments in such equipment are made and during the subsequent amortisation of this equipment until the expiry of the scheme.

2. Aid for the purpose of purchasing new, additional equipment in favour of cargo handling companies in the ports of Le Havre and Dunkerque in an amount of FRF 91,98 million is incompatible with the common market.

As a result, this aid may not be put into effect.

Article 2

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

The French authorities shall provide the Commission with appropriate annual reports about the implementation of the aid scheme, notably the public tenders, the investments, the amount of aid granted and its intensity. The first report is to be submitted within one year from the notification of this decision.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 22 December 1999.

For the Commission
Loyola DE PALACIO
Vice-President

ANNEX

The 23 French ports covered by the decisionI. *Nord-Pas-de-Calais coastal area:*

1. Port of Calais
2. Port of Boulogne sur Mer
3. Port of Dunkirk

II. *Normandy coastal area:*

4. Autonomous port of Le Havre
5. Port of Dieppe
6. Port of Rouen
7. Port of Honfleur
8. Port of Fécamp
9. Port of Caen

III. *Channel coastal area:*

10. Port of Cherbourg
11. Port of Granville

IV. *Brittany coastal area:*

12. Port of Saint-Malo
13. Port of Brest
14. Port of Lorient

V. *Atlantic coastal area:*

15. Port of Nantes-Saint-Nazaire
16. Port of La Rochelle
17. Port of Bordeaux
18. Port of Bayonne

VI. *Mediterranean coastal area:*

19. Port of Port-Vendres
 20. Port of Port La Nouvelle
 21. Port of Sète
 22. Port of Marseille
 23. Port of Toulon
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COMMISSION DECISION
of 9 June 2000
amending Decision 96/228/EC on a long-term national aid scheme to assist farmers in northern
areas of Sweden

(notified under document number C(2000) 1404)

(Only the Swedish text is authentic)

(2000/411/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 142 thereof,

Whereas:

- (1) Sweden, acting in accordance with Article 143 of the Act of Accession, notified the Commission on 11 May 1995 of the aid scheme proposed under Article 142.
- (2) The aid scheme was approved by Commission Decision 96/228/EC ⁽¹⁾, as amended by Decision 97/557/EC ⁽²⁾.
- (3) Sweden requested the Commission on 28 September 1998, 17 June 1999 and 25 January 2000 to amend certain aspects of Decision 96/228/EC and subsequently presented additional information in support of its requests.
- (4) In the abovementioned letters Sweden asked that it be allowed to combine livestock units in pigmeat and egg sectors considering the number of production factors eligible for aid. This takes into account the annual fluctuations in the sectors concerned and would not lead to any increase in production.
- (5) Sweden has requested that the maximum amount admissible for transport aid for cow's milk should be increased to correspond to the total amount of milk produced in the areas concerned by transferring a corresponding amount from the aid for cow's milk. This is in conformity with the principles of the aid scheme.
- (6) The national authorities should have the necessary time to prepare the annual information to be supplied to the Commission.
- (7) Decision 96/228/EC should be amended accordingly.
- (8) In view of the nature and scope of the amendments, and at the request of Sweden, this Decision should apply from 1 January 2000, with the exception of the amend-

ments referred to in recitals 4 and 5, which should apply from 1 January 1998,

HAS ADOPTED THIS DECISION:

Article 1

Decision 96/228/EC is amended as follows:

1. The first paragraph of Article 4 is replaced by the following:
'Sweden shall submit to the Commission, before 1 June each year, as part of the information provided pursuant to Article 143(2) of the Act of Accession, information on the impact of the aid granted and in particular on production trends and the development of the means of production benefiting from the aid and of the economy of the regions concerned, as well as the impact on the protection of the environment and the preservation of the countryside referred to in the third subparagraph of Article 142(3) of the Act of Accession'.
2. Annexes III and IV are replaced by the text in the Annex to this Decision.

Article 2

This Decision shall apply from 1 January 2000, with the exception of Article 1, point (2), which shall apply from 1 January 1998.

Article 3

This Decision is addressed to the Kingdom of Sweden.

Done at Brussels, 9 June 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 76, 26.3.1996, p. 29.

⁽²⁾ OJ L 230, 21.8.1997, p. 13.

ANNEX

'ANNEX III

Provided for in the first subparagraph of Article 3(1)

| | Unit aid authorised in SEK/unit | | | | National aid authorised per sub-region in SEK million/year | | | | |
|--|---------------------------------|-------|-------|-------|--|--------|-------|-------|--------|
| | Sub-region | | | | Sub-region | | | | Total |
| | 1 | 2A | 2B | 3 | 1 | 2A | 2B | 3 | |
| Cow's milk (SEK/kg) | 1,05 | 0,71 | 0,47 | 0,09 | 53,00 | 158,00 | 56,37 | 7,50 | 274,87 |
| Goats (SEK/head) ⁽¹⁾ | 430 | 430 | 430 | 430 | 0,51 | 0,40 | | 0,20 | 1,11 |
| Pigs (SEK/head) | | | | | | | | | |
| — pigs for slaughter | 222 | 143 | 143 | 23 | 0,46 | 13,05 | | 0,66 | 14,17 |
| — sows | 843 | 437 | 437 | 101 | 0,18 | 2,60 | | 0,13 | 2,91 |
| Laying hens (SEK/head) | 13,45 | 13,45 | 13,45 | 4,9 | 0,67 | 1,69 | | 0,048 | 2,40 |
| Soft fruit and vegetables (SEK/ha) ⁽²⁾ | 2 850 | 2 850 | 2 850 | 1 850 | 1,84 | | | 0,19 | 2,03 |
| Transport aid for cow's milk (SEK/kg) ⁽³⁾ | 0,043 | 0,039 | 0,039 | 0,03 | 2,2 | 8,7 | 4,9 | 2,8 | 18,6 |
| | | | | | | | | Total | 316,09 |

⁽¹⁾ Only goats used for milk production.

⁽²⁾ Excluding potatoes.

⁽³⁾ Between the farm and the collection centre or first processing centre.

ANNEX IV

Provided for in the second subparagraph of Article 3(1)

(Quantities expressed in production factors)

| | Number of production factors eligible for aid (heads, livestock units or hectares) | | | | |
|--|--|--------|--------|--------|--------|
| | northern sub-region | | | | Total |
| | 1 | 2A | 2B | 3 | |
| Dairy cows (heads) | 8 919 | 34 057 | 19 465 | 14 559 | 77 000 |
| Goats (heads) | 1 173 | 936 | | 468 | 2 577 |
| Laying hens and pigs (LU) ⁽¹⁾ | 778 | 12 349 | | 3 405 | 16 532 |
| Soft fruit and vegetables ⁽²⁾ | | 646 | | 104 | 750 |

⁽¹⁾ Where 1 laying hen is 0,01 LU, sow is 0,33 LU and 1 pig for slaughter is 0,10 LU.

⁽²⁾ Excluding potatoes.

COMMISSION DECISION

of 15 June 2000

recognising in principle the completeness of the dossier submitted for detailed examination with a view to the possible inclusion of IKF 916 (cyazofamid) in Annex I to Council Directive 91/414/EEC concerning the placing of plant protection products on the market

(notified under document number C(2000) 1547)

(2000/412/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant-protection products on the market ⁽¹⁾, as last amended by Commission Directive 1999/80/EC ⁽²⁾, and in particular Article 6(3) thereof,

Whereas:

- (1) Directive 91/414/EEC (hereinafter referred to as 'the Directive') provides for the compilation of a Community list of active substance authorised for use in plant protection products.
- (2) Ishira Sangyo Kaisha Ltd submitted a dossier on the active substance IKF 916 (cyazofamid) to the French authorities on 16 December 1999.
- (3) The said authorities informed the Commission of the results of an initial examination of the dossier to ensure that it provides all the information laid down in Annex II and, for at least one plant protection product containing the active substance concerned, in Annex III to the Directive. Subsequently, in accordance with Article 6(2), the applicant submitted the dossier to the Commission and other Member States.
- (4) The dossier on IKF 916 (cyazofamid) was referred to the Standing Committee on Plant Health on 20 March 2000.
- (5) Article 6(3) of the Directive requires official confirmation at Community level that each dossier fulfils the requirements on information laid down in Annex II and, for at least one plant protection product containing the active substance concerned, in Annex III to the Directive.
- (6) Such confirmation is necessary to permit a detailed examination of the dossier and to allow Member States to grant provisional authorisation for plant protection products containing the active substance concerned while complying with the conditions laid down in Article 8(1) of the Directive and, in particular, the condition relating to the detailed assessment of the active substance and the plant protection product in the light of the requirements laid down by the Directive.
- (7) Such decision does not prejudice that further data or information may be requested from the applicant in order to clarify certain points in the dossier. The request by the rapporteur Member State for the submission of further data necessary to clarify the dossier shall not affect the time limit for the submission of the report referred to under recital 9.
- (8) The Member States and the Commission agree that France will carry out a detailed examination of the dossier on IKF 916 (cyazofamid).
- (9) France will report the conclusions of their examinations accompanied by any recommendations on the inclusion or non-inclusion and any conditions relating thereto as soon as possible and at the latest within a period of one year from the date of publication of this Decision.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

The following dossier satisfies in principle the information requirements laid down in Annex II and, for at least one plant protection product containing the active substance concerned, in Annex III to the Directive, taking account of the intended uses:

the dossier submitted by Ishira Sangyo Kaisha Ltd to the Commission and the Member States with a view to the inclusion of IKF 916 (cyazofamid) as an active substance in Annex I to Directive 91/414/EEC and referred to the Standing Committee on Plant Health on 20 March 2000.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 June 2000.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 210, 10.8.1999, p. 13.

COMMISSION DECISION
of 15 June 2000
modifying Decision 98/94/EC establishing the ecological criteria for the award of the Community
eco-label to tissue paper products

(notified under document number C(2000) 1593)

(Text with EEA relevance)

(2000/413/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 880/92 of 23 March 1992 on a Community eco-label award scheme ⁽¹⁾ and in particular the second subparagraph of Article 5(1) thereof,

Whereas:

- (1) The first subparagraph of Article 5(1) of Regulation (EEC) No 880/92 provides that the conditions for the award of the Community eco-label shall be defined by product group.
- (2) Article 10(2) of Regulation (EEC) No 880/92 states that the environmental performance of a product shall be assessed by reference to the specific criteria for product groups.
- (3) By Decision 98/94/EC ⁽²⁾, the Commission established ecological criteria for the award of the Community eco-label to tissue paper products, which, according to Article 3 thereof, expire on 31 December 2000.
- (4) Several awards for the use of the Community eco-label have been made for this product group.
- (5) It is appropriate to prolong the period of validity of the definition of the product group and the ecological criteria without change, for a period of one year, in order to allow for the finalisation of the revision of the product group.

(6) In accordance with Article 6 of Regulation (EEC) No 880/92 the Commission has consulted the principal interest groups within a consultation forum.

(7) The measures set out in this Decision are in accordance with the opinion of the Committee set up under Article 7 of Regulation (EEC) No 880/92,

HAS ADOPTED THIS DECISION:

Article 1

Article 3 of Decision 98/94/EC shall be replaced by the following text:

'Article 3

The product group definition and the criteria for the product group shall be valid from 1 January 1998 until 31 December 2001'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 June 2000.

For the Commission

Margot WALLSTRÖM

Member of the Commission

⁽¹⁾ OJ L 99, 11.4.1992, p. 1.

⁽²⁾ OJ L 19, 24.1.1998, p. 77.