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Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 87/2000 of 14 January 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
Commission Regulation (EC) No 88/2000 of 14 January 2000 amending Regulation (EC) No 2799/1999 laying down detailed rules for applying Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder	3
Commission Regulation (EC) No 89/2000 of 14 January 2000 fixing the minimum selling price for skimmed-milk powder for the first individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999	4
Commission Regulation (EC) No 90/2000 of 14 January 2000 fixing the maximum aid for concentrated butter for the 217th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90	5
Commission Regulation (EC) No 91/2000 of 14 January 2000 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 45th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97	6
Commission Regulation (EC) No 92/2000 of 14 January 2000 fixing the maximum purchasing price for butter for the first invitation to tender carried out under the standing invitation to tender governed by Regulation (EEC) No 2771/1999	8
Commission Regulation (EC) No 93/2000 of 14 January 2000 fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2176/1999	9

Commission Regulation (EC) No 94/2000 of 14 January 2000 fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2178/1999	10
Commission Regulation (EC) No 95/2000 of 14 January 2000 fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2179/1999	11
Commission Regulation (EC) No 96/2000 of 14 January 2000 fixing the maximum export refund on wholly milled round grain rice in connection with the invitation to tender issued in Regulation (EC) No 2180/1999	12
Commission Regulation (EC) No 97/2000 of 14 January 2000 on the issue of system B export licences in the fruit and vegetables sector	13
Commission Regulation (EC) No 98/2000 of 14 January 2000 fixing the import duties in the cereals sector	14
* Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material	17

II Acts whose publication is not obligatory

Commission

2000/30/EC:

- * Commission Decision of 13 December 1999 concerning funding of implementing measures for the harmonised indices of consumer prices (notified under document number C(1999) 4428)**

41

2000/31/EC:

- * Commission Decision of 16 December 1999 amending Decision 93/693/EC establishing a list of semen collection centres approved for the export to the Community of semen of domestic animals of the bovine species from third countries ⁽¹⁾ (notified under document number C(1999) 4515)**

48

2000/32/EC:

- * Commission Decision of 16 December 1999 adopting the plan allocating to the Member States resources to be charged to the 2000 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community (notified under document number C(1999) 4591)**

51

Corrigenda

- * Corrigendum to Commission Regulation (EC) No 1702/1999 of 23 July 1999 amending Regulation (EC) No 1222/94 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds and repealing Regulation (EC) No 1223/94 laying down special detailed rules for the application of the system of advanced-fixing certificates for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty (OJ L 201 of 31.7.1999)**

54

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 87/2000
of 14 January 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 15 January 2000.

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

Done at Brussels, 14 January 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 14 January 2000 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	94,2
	204	58,3
	624	99,6
	999	84,0
0707 00 05	052	116,8
	628	152,7
	999	134,8
0709 90 70	052	130,0
	204	108,2
	999	119,1
0805 10 10, 0805 10 30, 0805 10 50	052	46,8
	204	40,0
	212	48,0
	220	24,3
	624	38,0
	999	39,4
0805 20 10	052	74,1
	204	60,0
	999	67,0
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	70,4
	204	54,4
	464	100,4
	624	58,9
	999	71,0
	052	62,2
0805 30 10	600	63,5
	999	62,9
0808 10 20, 0808 10 50, 0808 10 90	400	85,9
	404	80,2
	720	71,3
	728	66,1
	999	75,9
	052	142,9
0808 20 50	064	56,6
	400	103,1
	720	111,3
	999	103,5

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2645/98 (OJ L 335, 10.12.1998, p. 22). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 88/2000**of 14 January 2000****amending Regulation (EC) No 2799/1999 laying down detailed rules for applying Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) in accordance with Article 26 of Commission Regulation (EC) No 2799/1999 ⁽²⁾, intervention agencies have organised a standing invitation to tender for skimmed milk powder taken into storage before 31 December 1997;
- (2) in view of the quantity still available and the market situation, that date should be amended to 1 May 1998;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 26(2) of Regulation (EC) No 2799/1999, '1 December 1997' is hereby replaced by '1 May 1998'.

Article 2

This Regulation shall enter into force on 15 January 2000.

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

Done at Brussels, 14 January 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 340, 31.12.1999, p. 3.

COMMISSION REGULATION (EC) No 89/2000**of 14 January 2000****fixing the minimum selling price for skimmed-milk powder for the first individual invitation to tender issued under the standing invitation to tender referred to in Regulation (EC) No 2799/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) pursuant to Article 26 of Commission Regulation (EC) No 2799/1999 of 17 December 1999 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder ⁽²⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them;
- (2) according to Article 30 of the said Regulation, in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed or a decision shall be taken to make no award; whereas the amount of the processing security shall also be fixed taking account of the difference between the

market price of skimmed-milk powder and the minimum selling price;

- (3) in the light of the tenders received, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;
- (4) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the first individual invitation to tender pursuant to Regulation (EC) No 2799/1999, in respect of which the time limit for the submission of tenders expired on 11 January 2000, the minimum selling price and the processing security are fixed as follows:

- | | |
|--------------------------|--------------------|
| — minimum selling price: | EUR 201,52/100 kg, |
| — processing security: | EUR 40,00/100 kg. |

Article 2

This Regulation shall enter into force on 15 January 2000.

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

Done at Brussels, 14 January 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 340, 31.12.1999, p. 3.

COMMISSION REGULATION (EC) No 90/2000**of 14 January 2000****fixing the maximum aid for concentrated butter for the 217th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) in accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽²⁾, as last amended by Regulation (EC) No 124/1999 ⁽³⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; whereas the end-use security must be fixed accordingly;

- (2) in the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly;
- (3) the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 217th special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

- | | |
|---------------------|-----------------|
| — maximum aid: | 117 EUR/100 kg |
| — end-use security: | 129 EUR/100 kg. |

Article 2

This Regulation shall enter into force on 15 January 2000.

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

Done at Brussels, 14 January 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 45, 21.2.1990, p. 8.

⁽³⁾ OJ L 16, 21.1.1999, p. 19.

COMMISSION REGULATION (EC) No 91/2000**of 14 January 2000****fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 45th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) the intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽²⁾, as last amended by Regulation (EC) No 494/1999 ⁽³⁾, to sell by invitation to tender certain quantities of butter that they hold and to grant aid for cream, butter and concentrated butter; whereas Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter; whereas it is further stipulated

that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted; the amount(s) of the processing securities must be fixed accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum aid and processing securities applying for the 45th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 January 2000.

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

Done at Brussels, 14 January 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 350, 20.12.1997, p. 3.

⁽³⁾ OJ L 59, 6.3.1999, p. 17.

ANNEX

to the Commission Regulation of 14 January 2000 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 45th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Processing security		Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Maximum aid	Butter ≥ 82 %		95	91	—	91
	Butter < 82 %		92	88	—	88
	Concentrated butter		117	113	117	113
	Cream		—	—	40	38
Processing security	Butter		105	—	—	—
	Concentrated butter		129	—	129	—
	Cream		—	—	44	—

COMMISSION REGULATION (EC) No 92/2000**of 14 January 2000****fixing the maximum purchasing price for butter for the first invitation to tender carried out under the standing invitation to tender governed by Regulation (EEC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 13 of Commission Regulation (EEC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽²⁾ provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed in relation to the intervention price applicable and that it may also be decided not to proceed with the invitation to tender;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the first invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 11 January 2000, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 15 January 2000.

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

Done at Brussels, 14 January 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 333, 24.12.1999, p. 11.

COMMISSION REGULATION (EC) No 93/2000
of 14 January 2000
fixing the maximum export refund on wholly milled long grain rice in connection with the
invitation to tender issued in Regulation (EC) No 2176/1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13 (3) thereof,

- (1) Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2176/1999 ⁽³⁾;
- (2) Whereas, Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

(3) Whereas the application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled long grain rice falling within CN code 1006 30 67 to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2176/1999 is hereby fixed on the basis of the tenders submitted from 7 to 13 January 2000 at 250,00 EUR/t.

Article 2

This Regulation shall enter into force on 15 January 2000.

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

Done at Brussels, 14 January 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 267, 15.10.1999, p. 4.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 94/2000**of 14 January 2000****fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2178/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13 ⁽³⁾ thereof,

(1) Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2178/1999 ⁽³⁾;

(2) Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

(3) Whereas the application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in European Regulation (EC) No 2178/1999 is hereby fixed on the basis of the tenders submitted from 7 to 13 January 2000 at 168,00 EUR/t.

Article 2

This Regulation shall enter into force on 15 January 2000.

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

Done at Brussels, 14 January 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 267, 15.10.1999, p. 10.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 95/2000**of 14 January 2000****fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2179/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13(3) thereof,

(1) Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2179/1999 ⁽³⁾;

(2) Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

(3) Whereas the application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2179/1999 is hereby fixed on the basis of the tenders submitted from 7 to 13 January 2000 at 149,00 EUR/t.

Article 2

This Regulation shall enter into force on 15 January 2000.

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

Done at Brussels, 14 January 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 267, 15.10.1999, p. 13.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 96/2000
of 14 January 2000
fixing the maximum export refund on wholly milled round grain rice in connection with the
invitation to tender issued in Regulation (EC) No 2180/1999

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13 (3) thereof,

- (1) Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2180/1999 ⁽³⁾;
- (2) Whereas Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund; whereas in fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

(3) Whereas the application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2180/1999 is hereby fixed on the basis of the tenders submitted from 7 to 13 January 2000 at 147,00 EUR/t.

Article 2

This Regulation shall enter into force on 15 January 2000.

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

Done at Brussels, 14 January 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 265, 30.9.1998, p. 4.

⁽³⁾ OJ L 267, 15.10.1999, p. 16.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 97/2000
of 14 January 2000
on the issue of system B export licences in the fruit and vegetables sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1303/1999 ⁽²⁾, and in particular Article 5(5) thereof,

- (1) Whereas Commission Regulation (EC) No 2331/1999 ⁽³⁾, fixes the indicative quantities for system B export licences other than those sought in the context of food aid;
- (2) Whereas, in the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for lemons will shortly be exceeded; whereas this overrun

will prejudice the proper working of the export refund scheme in the fruit and vegetables sector;

- (3) Whereas, to avoid this situation, applications for system B licences for lemons exported after 14 January 2000 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for lemons submitted pursuant to Article 1 of Regulation (EC) No 2331/1999, export declarations for which are accepted after 14 January 2000 and before 24 January 2000, are hereby rejected.

Article 2

This Regulation shall enter into force on 15 January 2000.

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

Done at Brussels, 14 January 2000.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 155, 22.6.1999, p. 29.

⁽³⁾ OJ L 281, 4.11.1999, p. 3.

COMMISSION REGULATION (EC) No 98/2000
of 14 January 2000
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 2519/98 ⁽⁴⁾, and in particular Article 2 (1) thereof,

- (1) Whereas Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question; however, that duty may not exceed the rate of duty in the Common Customs Tariff;
- (2) Whereas, pursuant to Article 10 (3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market;

- (3) Whereas Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector;
- (4) Whereas the import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing;
- (5) Whereas, in order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties;
- (6) Whereas application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10 (2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 16 January 2000.

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

Done at Brussels, 14 January 2000.

For the Commission

Margot WALLSTRÖM

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 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 315, 25.11.1998, p. 7.

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	35,06	25,06
	medium quality ⁽¹⁾	45,06	35,06
1001 90 91	Common wheat seed	34,70	24,70
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	34,70	24,70
	medium quality	78,22	68,22
	low quality	91,18	81,18
1002 00 00	Rye	85,34	75,34
1003 00 10	Barley, seed	85,34	75,34
1003 00 90	Barley, other ⁽³⁾	85,34	75,34
1005 10 90	Maize seed other than hybrid	96,07	86,07
1005 90 00	Maize other than seed ⁽³⁾	96,07	86,07
1007 00 90	Grain sorghum other than hybrids for sowing	85,34	75,34

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements for durum wheat of medium quality, referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

- EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or
- EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 14 or 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 30 December 1999 to 13 January 2000)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas-City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	114,18	99,94	90,39	79,63	149,21 (**)	139,21 (**)	98,93 (**)
Gulf premium (EUR/t)	35,39	6,12	2,70	8,58	—	—	—
Great Lakes premium (EUR/t)	—	—	—	—	—	—	—

(*) A discount of EUR 10/t (Article 4(1) of Regulation (EC) No 1249/96).

(**) Fob Gulf.

2. Freight/cost: Gulf of Mexico — Rotterdam: 15,12 EUR/t; Great Lakes — Rotterdam: 27,55 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: EUR 0,00/t (HRW2)
EUR 0,00/t (SRW2).

COUNCIL DIRECTIVE 1999/105/EC
of 22 December 1999
on the marketing of forest reproductive material

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

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

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

Having regard to the Opinion of the Economic and Social Committee ⁽³⁾,

Whereas:

- (1) Council Directive 66/404/EEC of 14 June 1966 on the marketing of forest reproductive material ⁽⁴⁾ and Council Directive 71/161/EEC of 30 March 1971 on external quality standards for forest reproductive material marketed within the Community ⁽⁵⁾ have been substantially amended several times; since further substantial amendments are to be made, the Directives should be combined and recast in the interests of clarity;
- (2) Forests cover a large area of the Community and fulfil a multifunctional role based on their social, economic, environmental, ecological and cultural functions; there is a need for specific approaches and actions for the different types of forests, recognising the wide range of natural, social, economic and cultural conditions of the forests in the Community; both the restocking of these forests and new afforestation require a sustainable forest management in relation to the Forestry Strategy for the European Union as set out in the Council Resolution of 15 December 1998 ⁽⁶⁾;
- (3) Forest reproductive material of tree species and artificial hybrids which are important for forestry purposes should be genetically suited to the various site conditions and of high quality; the conservation and enhancement of biodiversity of the forests including the genetic diversity of the trees is essential to sustainable forest management;
- (4) So far as they relate to plant health, harmonised conditions must be consistent with Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products and against their spread in the Community ⁽⁷⁾;

- (5) Research on forestry has shown that, if forests are to be of increased value including the aspects of stability, adaptation, resistance, productivity and diversity, it is necessary to use reproductive material which is genetically and phenotypically suited to the site and of high quality; forestry seeds should meet, where appropriate, certain external quality standards;
- (6) In the context of the consolidation of the internal market, it is necessary to remove any actual or potential barriers to trade which may hinder the free movement of forest reproductive material within the Community; it is in the interests of all the Member States that Community rules imposing the highest possible standards should be established;
- (7) Community rules should refer to the phenotypic and genetic characteristics of seeds and plants and to the external quality of forest reproductive material;
- (8) Such rules should apply to marketing both in other Member States and on domestic markets;
- (9) Such rules should take account of practical needs and should apply only to those species and artificial hybrids which are important for forestry purposes in all or part of the Community;
- (10) In some Member States the use of forest reproductive material of the category 'source-identified', which was not approved for marketing by Directive 66/404/EEC, is traditional, compatible with the climate and indispensable for forestry purposes and it is therefore appropriate to approve for marketing such material in Member States wishing to do so; however it is inappropriate to impose the marketing to the end-user of such material in all Member States;
- (11) Certain regions of the Community, such as the Alpine, Mediterranean or Nordic regions, have specific climatic conditions or vulnerable site conditions which justify particular requirements for the external quality of forest reproductive material of certain species;
- (12) According to the General Declaration of the Third Ministerial Conference on the Protection of Forest in Europe in Lisbon, for reforestation and afforestation, origins of native species and local provenances that are well adapted to site conditions should be preferred;
- (13) Reproductive material intended for export or re-export to third countries should not be covered by the measures set out in this Directive;

⁽¹⁾ OJ C 199, 14.7.1999, p. 1.

⁽²⁾ Opinion delivered on 1 December 1999 (not yet published in the Official Journal).

⁽³⁾ OJ C 329, 17.11.1999, p. 15.

⁽⁴⁾ OJ L 125, 11.7.1966, p. 2326/66. Directive as last amended by the 1994 Act of Accession.

⁽⁵⁾ OJ L 87, 17.4.1971, p. 14. Directive as last amended by the 1994 Act of Accession.

⁽⁶⁾ OJ C 56, 26.2.1999, p. 1.

⁽⁷⁾ OJ L 26, 31.1.1977, p. 20. Directive as last amended by Commission Directive 1999/53/EC (OJ L 142, 5.6.1999, p. 29).

- (14) As regards Community reproductive material, approval of basic material and, consequently, demarcations of regions of provenance are fundamental to selection; the Member States should apply uniform rules imposing the highest possible standards for the approval of basic material; only reproductive material derived from such material should be placed on the market;
- (15) Genetically modified forest reproductive material should not be placed on the market unless it is safe for human health and the environment;
- (16) An environmental risk assessment should be carried out on forest reproductive material consisting of genetically modified organisms; the Commission should then submit to the Council a proposal for a Regulation ensuring that the procedures for such environmental risk assessment and other relevant elements, including the authorisation procedure, are equivalent to those laid down in Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms⁽¹⁾; until such a Regulation enters into force, Directive 90/220/EEC should apply;
- (17) Reproductive material satisfying the requirements of this Directive should be subject to no marketing restrictions other than those provided for in this Directive;
- (18) Member States should, however, be authorised to provide that only such parts of plants and planting stock as conform to the standards laid down should be placed on the market in their territories;
- (19) Member States should be permitted to impose additional or more stringent requirements for the approval of basic material produced in their own territory;
- (20) The Member States should establish lists of regions of provenance specifying, where known, the origin of basic material; Member States should draw up maps showing the demarcations of the regions of provenance;
- (21) Member States should draw up national registers of the basic material approved on their territory; a summary of the national register in the form of a national list should also be drawn up by each Member State;
- (22) On the basis of such a national list, the Commission should ensure a Community publication;
- (23) After harvesting, a master certificate should be issued by the official bodies for all reproductive material derived from approved basic material;
- (24) It is necessary to ensure that, in addition to possessing the required phenotypic or genetic quality, reproductive material which is intended for marketing or which is placed on the market is properly identified from collection to delivery to the end user;
- (25) Moreover, separate Community quality standards for stem cuttings and where appropriate for sets of poplar should be introduced;
- (26) Seed should be marketed only if it conforms to certain quality standards and is contained in sealed packages;
- (27) In order to ensure that requirements as to the phenotypic or genetic quality, proper identification and external quality standards are satisfied at the time of marketing, the Member States must make provision for appropriate control arrangements;
- (28) Reproductive material satisfying those requirements must be subject only to such marketing restrictions as are provided for in Community rules; Member States should in certain circumstances be allowed to prohibit the marketing to the end user of forest reproductive material which is unsuitable for use in their territory;
- (29) During periods in which there are temporary difficulties in obtaining supplies of certain species of reproductive material complying with the principles of this Directive, reproductive material satisfying less stringent requirements should, subject to certain conditions, be temporarily approved;
- (30) Forest reproductive material coming from third countries should not be marketed within the Community unless it affords, as regards the approval of its basic material and the measures taken for its production, the same assurances as Community forest reproductive material; a master certificate or an official certificate issued by the country of origin as well as records which shall contain details of all consignments to be exported should accompany imported forest reproductive material when it is placed on the market within the Community;
- (31) Under certain conditions, a Member State should be released wholly or partially from the provisions of this Directive in respect of certain tree species;
- (32) It is desirable to organise temporary experiments for the purpose of seeking improved alternatives to certain provisions set out in this Directive;
- (33) Community control measures should be introduced to ensure uniform application in all Member States of the requirements and conditions laid down in this Directive;

⁽¹⁾ OJ L 117, 8.5.1990, p. 15. Directive as last amended by Commission Directive 97/35/EC (OJ L 169, 27.6.1997, p. 72).

- (34) Basically technical adjustments to the Annexes should be facilitated by an expeditious procedure;
- (35) The measures necessary for the implementation of this instrument should be adopted in accordance with Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾;
- (36) In the 1994 Treaty of Accession the Republic of Finland and the Kingdom of Sweden were granted a transitional period until 31 December 1999 for applying the Directive 66/404/EEC and the Republic of Finland also for applying Directive 71/161/EEC; this transitional period should be extended in order to allow the above mentioned countries to maintain their national schemes until the implementation date of this Directive at the latest,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive shall apply to the production with a view to marketing and to the marketing of forest reproductive material within the Community.

Article 2

For the purposes of this Directive the following definitions and/or classifications shall apply:

- (a) Forest reproductive material:
reproductive material of those tree species and artificial hybrids thereof which are important for forestry purposes in all or part of the Community and in particular those which are listed in Annex I;
- (b) Reproductive material means any of the following:
 - (i) Seed unit:
cones, infructescences, fruits and seeds intended for the production of planting stock;
 - (ii) parts of plants:
stem cuttings, leaf cuttings and root cuttings, explants or embryos for micropropagation, buds, layers, roots, scions, sets and any parts of a plant intended for the production of planting stock;
 - (iii) planting stock:
plants raised from seed units, from parts of plants, or from plants from natural regeneration;
- (c) Basic material means any of the following:
 - (i) Seed Source:
Trees within an area from which seed is collected;
 - (ii) Stand:
A delineated population of trees possessing sufficient uniformity in composition;

(iii) Seed Orchard:

A plantation of selected clones or families which is isolated or managed so as to avoid or reduce pollination from outside sources, and managed to produce frequent, abundant and easily harvested crops of seed;

(iv) Parents of Family:

Trees used to obtain progeny by controlled or open pollination of one identified parent used as a female, with the pollen of one parent (full-sibling) or a number of identified or unidentified parents (half sibling);

(v) Clone:

Group of individuals (ramets) derived originally from a single individual (ortet) by vegetative propagation, for example by cuttings, micropropagation, grafts, layers or divisions;

(vi) Clonal Mixture:

A mixture of identified clones in defined proportions.

(d) Autochthonous and indigenous means either of the following:

(i) Autochthonous stand or seed source:

An autochthonous stand or seed source is one which normally has been continuously regenerated by natural regeneration. The stand or seed source may be regenerated artificially from reproductive material collected in the same stand or seed source or autochthonous stands or seed sources within the close proximity;

(ii) Indigenous stand or seed source:

An indigenous stand or seed source is an autochthonous stand or seed source or is a stand or seed source raised artificially from seed, the origin of which is situated in the same region of provenance.

(e) Origin:

For an autochthonous stand or seed source, the origin is the place in which the trees are growing. For a non-autochthonous stand or seed source, the origin is the place from which the seed or plants were originally introduced. The origin of a stand or seed source may be unknown.

(f) Provenance:

The place in which any stand of trees is growing.

(g) Region of Provenance:

For a species or sub-species, the region of provenance is the area or group of areas subject to sufficiently uniform ecological conditions in which stands or seed sources showing similar phenotypic or genetic characters are found, taking into account altitudinal boundaries where appropriate.

(h) Production:

Production includes all stages in the generation of the seed unit, the conversion from seed unit to seed and the raising of planting stock from seed and parts of plants.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

(i) Marketing:

Display with a view to sale, offering for sale, sale or delivery to another person including delivery under a service contract.

(j) Supplier:

Any natural or legal person engaged professionally in marketing or importing of forest reproductive material.

(k) Official body:

(i) an authority, established or designated by the Member State under the supervision of the national government and responsible for questions concerning the control of marketing and/or the quality of forest reproductive material;

(ii) any State authority established:

- either at national level, or
- at regional level, under the supervision of national authorities, within the limits set by the constitution of the Member State concerned.

The bodies referred to above may, in accordance with their national legislation, delegate the tasks provided for in this Directive to be accomplished under their authority and supervision to any legal person, whether governed by public or by private law, which, under its officially approved constitution, is charged exclusively with specific public functions, provided that such person, and its members, has no personal interest in the outcome of the measures it takes.

Moreover, in accordance with the procedure referred to in Article 26(2), other legal persons established on behalf of the body referred to in point (i) and acting under the authority and supervision of such body may be approved, provided that such person has no personal interest in the outcome of the measures it takes.

Member States shall notify the Commission of their responsible official bodies. The Commission shall forward that information to the other Member States.

(l) Forest reproductive material is divided into the following categories:

(i) 'Source-identified'

Reproductive material derived from basic material which may be either a seed source or stand located within a single region of provenance and which meets the requirements set out in Annex II;

(ii) 'Selected'

Reproductive material derived from basic material which shall be a stand located within a single region of provenance, which has been phenotypically selected at the population level and which meets the requirements set out in Annex III;

(iii) 'Qualified'

Reproductive material derived from basic material which shall be seed orchards, parents of families, clones or clonal mixtures, the components of which

have been phenotypically selected at the individual level, and which meets the requirements set out in Annex IV. Testing need not necessarily have been undertaken or completed;

(iv) 'Tested'

Reproductive material derived from basic material which shall consist of stands, seed orchards, parents of families, clones or clonal mixtures. The superiority of the reproductive material must have been demonstrated by comparative testing or an estimate of the superiority of the reproductive material calculated from the genetic evaluation of the components of the basic material. The material shall meet the requirements set out in Annex V.

Article 3

1. The list of species and artificial hybrids in Annex I may be amended in accordance with the procedure referred to in Article 26(3).

2. Insofar as certain species and artificial hybrids are not subject to the measures contained in this Directive, Member States may take such measures, or less stringent measures, in respect of their own territory.

3. The measures contained in this Directive shall not apply to forest reproductive material in the form of planting stock or parts of plants, which is shown to be intended for purposes other than forestry.

In such cases, the material shall be accompanied by a label or other document required by other Community or national provisions which are applicable to such material for the intended purpose. In the absence of any such provisions, where a supplier handles both material intended for forestry purposes and material which is shown to be intended for purposes other than forestry, the latter shall be accompanied by a label or other document bearing the following statement: 'Not for forestry purposes'.

4. The measures contained in this Directive shall not apply to forest reproductive material which is shown to be intended for export or re-export to third countries.

Article 4

1. Member States shall provide that only approved basic material is used for the production of forest reproductive material which is to be marketed.

2. Basic material may only be approved by:

(a) the official bodies if it meets the requirements set out in Annexes II, III, IV or V hereto, as appropriate;

(b) reference to a unit known as 'the unit of approval'. Each unit of approval shall be identified by a unique register reference.

3. Member States shall provide that:

- (a) approval shall be withdrawn if the requirements of this Directive are no longer met;
- (b) after approval, the basic material for the production of reproductive material under the selected, qualified and tested categories shall be re-inspected at regular intervals.

4. In the interest of conserving plant genetic resources used in forestry as specified in specific conditions which shall be established in accordance with the procedure laid down in Article 26(3) to take account of developments in relation to the conservation *in situ* and the sustainable use of plant genetic resources through growing and marketing of forestry reproductive material of origin which are naturally adapted to the local and regional conditions and threatened by genetic erosion, the Member States may depart from the requirements as laid down in paragraph 2 and Annexes II, III, IV and V insofar as specific conditions are established in accordance with the procedure referred to in Article 26(3).

5. Member States may approve, for a maximum period of ten years, in all or part of their territory, basic material for the production of tested reproductive material where, from the provisional results of the genetic evaluation or comparative tests referred to in Annex V, it can be assumed that the basic material will, when tests have been completed, satisfy the requirements for approval under this Directive.

Article 5

1. If the basic material referred to in Article 4(1) consists of a genetically modified organism within the meaning of points 1 and 2 of Article 2 of Directive 90/220/EEC, such material shall only be accepted if it is safe for human health and the environment.

2. In the case of genetically modified basic material referred to in paragraph 1:

- (a) an environmental risk assessment equivalent to that laid down in Directive 90/220/EEC shall be carried out;
- (b) the procedures ensuring that the environmental risk assessment and other relevant elements are equivalent to those laid down in Directive 90/220/EEC shall be introduced on a proposal from the Commission, in a Regulation of the European Parliament and of the Council based on the appropriate legal basis in the Treaty. Until such Regulation enters into force, genetically modified basic material shall only be accepted for inclusion in the National Register under Article 10 of this Directive after having been authorised in accordance with Directive 90/220/EEC;

(c) Articles 11 to 18 of Directive 90/220/EEC shall no longer apply to genetically modified basic material authorised in conformity with the Regulation referred to in subparagraph (b);

(d) the technical and scientific details of the implementation of the environmental risk assessment shall be adopted in accordance with the procedure referred to in Article 26(3).

Article 6

1. Member States shall provide for forest reproductive material derived from approved basic material in the manner set out in points (a) to (d):

- (a) Material of the species listed in Annex I shall not be marketed unless it is of the categories 'source-identified', 'selected', 'qualified' or 'tested' and meets the requirements of Annexes II, III, IV and V respectively,
- (b) Material of the artificial hybrids listed in Annex I shall not be marketed unless it is of the 'selected', 'qualified' or 'tested' categories and meets the requirements of Annexes III, IV and V respectively,
- (c) Material of the species and artificial hybrids listed in Annex I which are vegetatively reproduced shall not be marketed unless it is of the 'selected', 'qualified' or 'tested' categories and meets the requirements of Annexes III, IV and V respectively. In the case of reproductive material of the 'selected' category, it may only be marketed if it has been mass propagated from seeds,
- (d) Material of the species and artificial hybrids listed in Annex I, which consists wholly or partly of genetically modified organisms, shall not be marketed unless it is of the 'tested' category and meets the requirements of Annex V.

2. The categories under which reproductive material from the different types of basic material may be marketed are as set out in the table in Annex VI.

3. Forest reproductive material of the species and artificial hybrids listed in Annex I shall not be marketed unless it meets the relevant requirements in Annex VII.

Parts of plants and planting stock may not be marketed unless they meet the requirements of prevailing international standards, once those standards are approved in accordance with the procedure referred to in Article 26(3).

4. Member States shall provide that suppliers of forest reproductive material are officially registered. The responsible official body may deem suppliers, who are already registered under Directive 77/93/EEC, to be registered for the purposes of this Directive. Such suppliers shall nonetheless comply with the requirements of this Directive.

5. Notwithstanding the provisions of paragraph 1, Member States may authorise suppliers on their own territory to place on the market appropriate quantities of:

- (a) forest reproductive material for tests, scientific purposes, selection work or genetic conservation purposes; and
- (b) seed units which are clearly shown not to be intended for forestry purposes.

6. The conditions under which Member States may grant the authorisations referred to in paragraph 5 may be determined in accordance with the procedure referred to in Article 26(3).

7. Without prejudice to paragraph 1 and in the case of reproductive material derived from basic material which does not meet all the requirements of the appropriate category mentioned in paragraph 1, Member States may authorise the marketing of such material subject to conditions to be drawn up in accordance with the procedure referred to in Article 26(3).

8. Specific provisions may be established in accordance with the procedure referred to in Article 26(3) to take account of developments under which forest reproductive material suitable for organic production may be marketed.

Article 7

Member States may, as regards the conditions laid down in Annexes II to V and VII, impose additional or more stringent requirements for the approval of basic material and production of reproductive material in their own territory.

Article 8

Member States may, in their territories, restrict the approval of basic material intended for the production of forest reproductive material of the category 'source-identified'.

Article 9

1. In the case of basic material intended for the production of reproductive material of the 'source-identified' and 'selected' categories, the Member States shall, for the relevant species, demarcate the regions of provenance.

2. Member States shall draw up and publish maps showing the demarcations of the regions of provenance. The maps shall be sent to the Commission and other Member States.

Article 10

1. Each Member State shall draw up a national register of the basic material of the various species approved on its territory. Full details of each unit of approval shall be recorded, together with its unique register reference, in the national register.

2. A summary of the national register in the form of a national list shall be drawn up by each Member State and shall be available on request to the Commission and the other Member States. The national list shall be presented in a common form for each unit of approval. For the categories 'source-identified' and 'selected', a summarisation of basic material based on regions of provenance is permitted. The following details shall be provided:

- (a) botanical name;
- (b) category;
- (c) purpose;
- (d) type of basic material;
- (e) register reference or, where appropriate, summary thereof, or identity code for region of provenance;
- (f) location: a short name, if appropriate, and any one of the following sets of particulars:
 - (i) for the 'source-identified' category, region of provenance and the latitudinal and longitudinal range,
 - (ii) for the 'selected' category, region of provenance and the geographical position defined by latitude and longitude or the latitudinal and longitudinal range,
 - (iii) for the 'qualified' category, the exact geographical position(s) where the basic material is maintained,
 - (iv) for the 'tested' category, the exact geographical position(s) where the basic material is maintained;
- (g) altitude or altitudinal range;
- (h) area: the size of a seed source(s), stand(s) or seed orchard(s);
- (i) origin: it shall be stated whether the basic material is autochthonous/indigenous, non-autochthonous/non-indigenous or if the origin is unknown. For non-autochthonous/nonindigenous basic material, the origin shall be stated if known;
- (j) in the case of material of the 'tested' category, whether it is genetically modified.

3. The form in which such national lists shall be drawn up may be determined in accordance with the procedure referred to in Article 26(2).

Article 11

1. On the basis of the national list provided by each Member State, the Commission may publish a list entitled 'Community List of Approved Basic Material for the Production of Forest Reproductive Material'.

2. The Community list shall reflect the details given in the national lists referred to in Article 10(2) and show the area of utilisation and any authorisations or restrictions under Articles 8, 17 or 20.

Article 12

1. After harvesting, a master certificate showing the unique register reference shall be issued by the official bodies for all reproductive material derived from approved basic material, giving the relevant information set out in Annex VIII.
2. Where a Member State provides for subsequent vegetative propagation in accordance with Article 13(2), a new master certificate shall be issued.
3. Where mixing takes place in accordance with subparagraphs (a), (b), (c) or (e) of Article 13(3), Member States shall ensure that the register references of the components of the mixtures are identifiable, and a new master certificate or other document identifying the mixture shall be issued.

Article 13

1. Reproductive material shall, during all stages of production, be kept separated by reference to individual units of approval. Each lot of reproductive material shall be identified by the following:

- (a) master certificate code and number;
- (b) botanical name;
- (c) category;
- (d) purpose;
- (e) type of basic material;
- (f) register reference or identity code for region of provenance;
- (g) region of provenance — for reproductive material of the 'source-identified' and 'selected' categories or other reproductive material if appropriate;
- (h) if appropriate, whether the origin of the material is autochthonous or indigenous, non-autochthonous or non-indigenous, or unknown;
- (i) in the case of seed units, the year of ripening;
- (j) age and type of planting stock of seedlings or cuttings, whether undercuts, transplants or containerised;
- (k) whether it is genetically modified.

2. Without prejudice to the provisions of paragraph 1 of this Article and of Article 6(1), point (c), Member States may provide for subsequent vegetative propagation of a single unit of approval in the 'selected', 'qualified' and 'tested' categories. In such cases the material shall be kept separate and identified as such.

3. Without prejudice to the provisions of paragraph 1, Member States may provide:

- (a) within a single region of provenance, for mixing of reproductive material derived from two or more units of approval within the 'source-identified' category or within the 'selected' category;

- (b) when mixing of reproductive material within a single region of provenance, from seed sources and stands in the 'source-identified' category takes place, that the new combined lot will be certified as 'reproductive material derived from a seed source';
- (c) when mixing of reproductive material derived from non-autochthonous or non-indigenous basic material with that from basic material of unknown origin takes place, that the new combined lot will be certified as being 'of unknown origin';
- (d) when mixing takes place in accordance with subparagraphs (a), (b) or (c) that the identity code for the region of provenance may be substituted for the register reference as in paragraph 1(f);
- (e) for mixing of reproductive material derived from a single unit of approval from different years of ripening;
- (f) when mixing takes place in accordance with subparagraph (e) that the actual years of ripening and proportion of material from each year shall be recorded.

Article 14

1. Reproductive material may be marketed only in lots which comply with Article 13 and are accompanied by a label or other document from the supplier ('the supplier's label or document') giving, in addition to the information required under Article 13, the following information:

- (a) master certificate number(s) issued under Article 12 or reference to the other document available according to Article 12(3);
- (b) name of supplier;
- (c) quantity supplied;
- (d) in the case of reproductive material of the 'tested' category whose basic material is approved under Article 4(5), the words 'provisionally approved';
- (e) whether the material has been vegetatively propagated.

2. In the case of seeds, the supplier's label or document referred to in paragraph 1 shall also include the following additional information, assessed, as far as possible, by internationally accepted techniques:

- (a) purity: the percentage by weight of pure seed, other seed and inert matter of the product marketed as a seed lot;
- (b) the germination percentage of the pure seed, or, where germination percentage is impossible or impractical to assess, the viability percentage assessed by reference to a specified method;
- (c) the weight of 1 000 pure seeds;
- (d) the number of germinable seeds per kilogram of product marketed as seed, or, where the number of germinable seeds is impossible or impractical to assess, the number of viable seeds per kilogram.

3. In order to make seed of the current seasons crop rapidly available, notwithstanding the fact that the examination in respect of germination as laid down in paragraph 2(b) has not been concluded, Member States may authorise marketing as far as to the first buyer. The respect of the conditions as laid down in paragraph 2(b) and (d) shall be stated by the supplier as soon as possible.

4. In the case of small quantities of seed, the requirements as laid down in paragraph 2(b) and (d) above do not apply. The quantities and conditions may be determined in accordance with the procedure referred to in Article 26(2).

5. In the case of *Populus* spp., parts of plants shall only be marketed if the EC classification number according to point 2(b) of Annex VII, Part C is given on the supplier's label or document.

6. If a coloured label or document is used in respect of any category of forest reproductive material, the colour of the supplier's label or document shall be yellow in the case of 'source-identified' reproductive material, green in the case of 'selected' reproductive material, pink in the case of 'qualified' reproductive material and blue in the case of 'tested' reproductive material.

7. In the case of forest reproductive material derived from basic material which consists of a genetically modified organism, any label or document, official or otherwise, for the lot shall clearly indicate that fact.

Article 15

Seed units shall be marketed only in sealed packages. The sealing device shall be such as will become unserviceable when the package is opened.

Article 16

1. The Member States shall, by an official control system set up or approved by them, ensure that reproductive material from individual units of approval or lots remains clearly identifiable through the entire process from collection to delivery to the end user. Official inspections of registered suppliers shall be carried out regularly.

2. Member States shall ensure that the respective official bodies assist each other administratively in order to obtain appropriate information necessary to ensure the proper functioning of this Directive, particularly where forest reproductive material moves from one Member State to another.

3. Suppliers shall provide official bodies with records, which shall contain details of all consignments detained and marketed.

4. Detailed rules for the application of paragraph 2 shall be drawn up in accordance with the procedure referred to in Article 26(2) no later than 30 June 2002.

5. Member States shall take all measures to ensure compliance with the provisions of this Directive by making suitable arrangements for forest reproductive material to be officially controlled during production with a view to marketing and marketing.

6. Experts from the Commission may, in cooperation with the official bodies of the Member States, make on-the-spot checks so far as this is necessary to ensure uniform application of this Directive. They may in particular verify whether forest reproductive material is complying with the requirements of this Directive. A Member State in whose territory a check is being carried out shall give all necessary assistance to the experts in carrying out their duties. The Commission shall inform the Member States of the results of the investigation.

Article 17

1. Member States shall ensure that reproductive material which is placed on the market in accordance with the provisions of this Directive shall not be subject to any marketing restrictions as regards its characteristics, examination and inspection requirements, labelling and sealing other than those laid down in this Directive.

2. Upon its application, a Member State may be authorised, pursuant to the procedure referred to in Article 26(3), to prohibit the marketing to the end user with a view to seeding or planting in all or part of its territory of specified reproductive material.

Such authorisation shall be granted only where there is reason to believe:

- (a) that the use of the said reproductive material would, on account of its phenotypic or genetic characteristics, have an adverse effect on forestry, environment, genetic resources or biodiversity in all or part of that Member State on the basis of
 - evidence relating to the region of provenance or the origin of the material or,
 - results of trials or scientific research carried out in appropriate locations, either within or outside the Community.
- (b) on the basis of known results of trials, scientific research, or the results obtained from forestry practice concerning survival and development of planting stock in relation to morphological and physiological characteristics that the use of the said reproductive material would, on account of its characteristics have an adverse effect on forestry, environment, genetic resources or biodiversity in all or part of that Member State.

3. Detailed rules for the application of paragraph 2 shall be drawn up in accordance with the procedure referred to in Article 26(3).

4. Without prejudice to paragraph 1, Member States which have implemented Article 8 in respect of the forest reproductive material of the category source identified may prohibit the marketing to the end user of such material.

Article 18

1. In order to remove any temporary difficulties in the general supply to the end user of forest reproductive material satisfying the requirements of this Directive that occur in one or more Member States and cannot be overcome within the Community, the Commission shall, at the request of at least one Member State affected and in accordance with the procedure referred to in Article 26(2), authorise one or more Member States to approve for marketing, for a period to be set by the Commission, forest reproductive material of one or more species which satisfies less stringent requirements.

Where such action is taken, the suppliers' labels or documents required under Article 14(1) shall state that the material in question satisfies less stringent requirements.

2. Detailed rules for the application of paragraph 1 may be drawn up in accordance with the procedure referred to in Article 26(2).

Article 19

1. The Council, acting by a qualified majority on a proposal from the Commission, shall determine whether forest reproductive material produced in a third country affords the same assurances as regards the approval of its basic material and the measures taken for its production with a view to marketing as does forest reproductive material produced within the Community and complying with the provisions of this Directive.

2. In addition to the matters referred to in paragraph 1, the Council shall determine the species, type of basic material and categories of forest reproductive material, together with its region of provenance, which may be permitted to be marketed under paragraph 1 within the Community.

3. Until such time as the Council has taken a decision under paragraph 1, the Member States may, in accordance with the procedure referred to in Article 26(3), be authorised to take such decisions. Such authorisation shall aim at ensuring that the material to be imported affords equivalent guarantees in all respects to forest reproductive material produced in the Community in accordance with this Directive. In particular such imported material shall be accompanied by a master certificate or an official certificate issued by the country of origin and records which shall contain details of all consign-

ments to be exported, to be provided by the supplier in the third country.

Article 20

Upon application by a Member State, the Commission, acting in accordance with the procedure referred to in Article 26(3), may release a Member State wholly or partially from the provisions of this Directive in respect of certain tree species which are not important for forestry purposes in that Member State, save where this would run counter to the provisions of Article 17(1).

Article 21

For the purpose of seeking improved alternatives to certain provisions set out in this Directive, it may be decided to organise temporary experiments under specified conditions at Community level in accordance with the procedure referred to in Article 26(3).

The duration of an experiment shall not exceed seven years.

In the context of such experiments, Member States may be released from certain obligations laid down in this Directive. The extent of that release shall be defined with reference to the provisions to which it applies.

Article 22

Forest reproductive material shall, where applicable, comply with the relevant plant health conditions laid down in Directive 77/93/EEC.

Article 23

Any amendments to be made to the Annexes in the light of the development of scientific or technical knowledge shall be adopted according to the procedure referred to in Article 26(3).

Article 24

The measures necessary for the implementation of this Directive relating to the matters contained in the Articles referred to below shall be adopted in accordance with the management procedure referred to in Article 26(2).

— Articles 2, 10, 14, 16, 18, 27.

Article 25

The measures necessary for the implementation of this Directive relating to the matters contained in the Articles referred to below shall be adopted in accordance with the regulatory procedure referred to in Article 26(3).

— Articles 3, 4, 5, 6, 17, 19, 20, 21 and 23.

Article 26

1. The Commission shall be assisted by the Standing Committee on Seeds (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. When reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at two months.

4. The Committee shall adopt its rules of procedure.

Article 27

1. For a transitional period not exceeding 10 years from 1 January 2003, Member States may use, for the purpose of approving basic material for the production of tested reproductive material — not previously covered by Directive 66/404/EEC — the results of comparative tests which do not satisfy the requirements laid down in Annex V.

Such tests shall have begun before 1 January 2003, and must have shown that the reproductive material derived from the basic material is superior.

2. For a transitional period not exceeding 10 years from 1 January 2003, Member States may use, for the purpose of approving basic material for the production of tested reproductive material of all species and artificial hybrids covered by this Directive, the results of genetic evaluation tests which do not satisfy the requirements laid down in Annex V.

Such tests shall have begun before 1 January 2003, and must have shown that the reproductive material derived from the basic material is superior.

3. In the case of new species and artificial hybrids which may be added to Annex I at a later date, the transitional period referred to in paragraphs 1 and 2 shall be fixed in accordance with the procedure referred to in Article 26(2).

4. Member States may, in accordance with the procedure referred to in Article 26(2), be authorised to use the results of comparative tests and genetic evaluation tests after expiry of the transitional period.

Article 28

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive with effect from 1 January 2003. They shall forthwith inform the Commission thereof.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

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

3. The Member States shall be allowed to market until exhaustion stocks of forest reproductive material accumulated before 1 January 2003.

Article 29

Directive 66/404/EEC and Directive 71/161/EEC are hereby repealed with effect from 1 January 2003.

Directive 66/404/EEC shall not apply to the Republic of Finland and the Kingdom of Sweden and Directive 71/161/EEC shall not apply to the Republic of Finland.

References to the repealed Directives shall be construed as references to this Directive and should be read in accordance with the correlation table set out in Annex IX.

Article 30

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

Article 31

This Directive is addressed to the Member States.

Done at Brussels, 22 December 1999.

For the Council

The President

K. HEMILÄ

ANNEX I

LIST OF TREE SPECIES AND ARTIFICIAL HYBRIDS

<i>Abies alba</i> Mill.	<i>Pinus canariensis</i> C. Smith
<i>Abies cephalonica</i> Loud.	<i>Pinus cembra</i> L.
<i>Abies grandis</i> Lindl.	<i>Pinus contorta</i> Loud.
<i>Abies pinsapo</i> Boiss.	<i>Pinus halepensis</i> Mill.
<i>Acer platanoides</i> L.	<i>Pinus leucodermis</i> Antoine
<i>Acer pseudoplatanus</i> L.	<i>Pinus nigra</i> Arnold
<i>Alnus glutinosa</i> Gaertn.	<i>Pinus pinaster</i> Ait.
<i>Alnus incana</i> Moench.	<i>Pinus pinea</i> L.
<i>Betula pendula</i> Roth.	<i>Pinus radiata</i> D. Don
<i>Betula pubescens</i> Ehrh.	<i>Pinus sylvestris</i> L.
<i>Carpinus betulus</i> L.	<i>Populus</i> spp. and artificial hybrids between those species
<i>Castanea sativa</i> Mill.	<i>Prunus avium</i> L.
<i>Cedrus atlantica</i> Carr.	<i>Pseudotsuga menziesii</i> Franco
<i>Cedrus libani</i> A. Richard	<i>Quercus cerris</i> L.
<i>Fagus sylvatica</i> L.	<i>Quercus ilex</i> L.
<i>Fraxinus angustifolia</i> Vahl.	<i>Quercus petraea</i> Liebl.
<i>Fraxinus excelsior</i> L.	<i>Quercus pubescens</i> Willd.
<i>Larix decidua</i> Mill.	<i>Quercus robur</i> L.
<i>Larix x eurolepis</i> Henry	<i>Quercus rubra</i> L.
<i>Larix kaempferi</i> Carr.	<i>Quercus suber</i> L.
<i>Larix sibirica</i> Ledeb.	<i>Robinia pseudoacacia</i> L.
<i>Picea abies</i> Karst.	<i>Tilia cordata</i> Mill.
<i>Picea sitchensis</i> Carr.	<i>Tilia platyphyllos</i> Scop.
<i>Pinus brutia</i> Ten.	

ANNEX II

MINIMUM REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF REPRODUCTIVE MATERIAL TO BE CERTIFIED AS 'SOURCE-IDENTIFIED'

1. The basic material shall be as seed source or stand located within a single Region of Provenance. It shall be at the discretion of the Member State in each individual case as to whether a formal inspection is required except that, a formal inspection must be made where the material is destined for a specific forestry purpose.
2. The seed source or stand shall meet criteria set by the Member States.
3. — The Region of Provenance and the location and the altitude or altitudinal range of the place(s) where the reproductive material is collected must be stated.
— It must be stated whether the basic material is:
 - (a) autochthonous or non-autochthonous or the origin is unknown or
 - (b) indigenous or non-indigenous or the origin is unknown.

In the case of non-autochthonous or non-indigenous basic material the origin must be stated if known.

ANNEXE III

MINIMUM REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF REPRODUCTIVE MATERIAL TO BE CERTIFIED AS 'SELECTED'

General: The stand will be judged with respect to the specific stated purpose for which the reproductive material will be intended and due weight shall be given to requirements 1-10, depending on the specific purpose. The criteria for selection shall be determined by the Member State and the purpose shall be indicated in the National Register.

1. **Origin:** It must be determined either by historical evidence or other appropriate means whether the stand is autochthonous/indigenous, non-autochthonous/non-indigenous or the origin is unknown and for non-autochthonous/non-indigenous basic material the origin must be stated if known.
 2. **Isolation:** Stands must be situated at a sufficient distance from poor stands of the same species or from stands of a related species or variety which can form hybrids with the species in question. Particular attention shall be paid to this requirement when the stands surrounding autochthonous/indigenous stands are non-autochthonous/non-indigenous or of unknown origin.
 3. **Effective Size of the Population:** Stands must consist of one or more groups of trees well distributed and sufficiently numerous to ensure adequate inter-pollination. To avoid the unfavourable effects of inbreeding, selected stands shall consist of a sufficient number and density of individuals on a given area.
 4. **Age and Development:** Stands must consist of trees of such an age or stage of development that the criteria given for the selection can be clearly judged.
 5. **Uniformity:** Stands must show a normal degree of individual variation in morphological characters. When necessary, inferior trees should be removed.
 6. **Adaptedness:** Adaptation to the ecological conditions prevailing in the Region of Provenance must be evident.
 7. **Health and Resistance:** Trees in stands must in general be free from attacks by damaging organisms and show resistance to the adverse climatic and site conditions, except for damage by pollution, in the place where they are growing.
 8. **Volume production:** For the approval of selected stands volume production of wood must normally be superior to the accepted mean under similar ecological and management conditions.
 9. **Wood Quality:** The quality of the wood shall be taken into account and, in some cases, it may be an essential criterion.
 10. **Form or Growth Habit:** Trees in stands must show particularly good morphological features, especially straightness and circularity of stem, favourable branching habit, small size of branches and good natural pruning. In addition, the proportion of forked trees and those showing spiral grain should be low.
-

ANNEX IV

MINIMUM REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF REPRODUCTIVE MATERIAL TO BE CERTIFIED AS 'QUALIFIED'**1. Seed Orchards**

- (a) The type, objective, crossing design and field layout, components, isolation and location and any changes of these must be approved and registered with the official body;
- (b) The component clones or families shall be selected for their outstanding characters and special consideration shall be given to the requirements 4, 6, 7, 8, 9 and 10 of Annex III;
- (c) The component clones or families shall be planted or shall have been planted according to a plan which has been approved by the official body and established in such a way that each component can be identified;
- (d) Thinning carried out in seed orchards shall be described together with the selection criteria used for such thinnings and registered with the official body;
- (e) The seed orchards shall be managed and seed harvested in such a way that the objectives of the orchards are attained. In the case of a seed orchard intended for the production of an artificial hybrid, the percentage of hybrids in the reproductive material must be determined by a verification test.

2. Parents of Family(ies)

- (a) The parents shall be selected for their outstanding characters and special consideration will be given to the requirements 4, 6, 7, 8, 9 and 10 of Annex III, or selected for their combining ability;
- (b) The objective, crossing design and pollination system, components, isolation and location and any significant changes of these must be approved and registered with the official body;
- (c) The identity, number and proportion of the parents in a mixture must be approved and registered with the official body;
- (d) In the case of parents intended for the production of an artificial hybrid, the percentage of hybrids in the reproductive material must be determined by a verification test.

3. Clones

- (a) Clones shall be identifiable by distinctive characters which have been approved and registered with the official body;
- (b) The value of individual clones shall be established by experience or have been demonstrated by sufficiently prolonged experimentation;
- (c) Ortets used for the production of clones shall be selected for their outstanding characters and special consideration should be given to the requirements 4, 6, 7, 8, 9 and 10 of Annex III;
- (d) Approval shall be restricted by the Member State to a maximum number of years or a maximum number of ramets produced.

4. Clonal Mixtures

- (a) Clonal mixture shall meet the requirements in points 3(a), 3(b) and 3(c);
 - (b) the identity, number and proportion of the component clones of a mixture, and the selection method and foundation stock must be approved and registered with the official body. Each mixture must contain sufficient genetic diversity;
 - (c) Approval shall be restricted by the Member State to a maximum number of years or a maximum number of ramets produced.
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ANNEX V

MINIMUM REQUIREMENTS FOR THE APPROVAL OF BASIC MATERIAL INTENDED FOR THE PRODUCTION OF REPRODUCTIVE MATERIAL TO BE CERTIFIED AS 'TESTED'**1. REQUIREMENTS FOR ALL TESTS****(a) General**

The basic material must satisfy the appropriate requirements in Annex III or IV.

Tests set up for the approval of basic material are to be prepared, laid out, conducted and their results interpreted in accordance with internationally recognised procedures. For comparative tests, the reproductive material under test must be compared with one or preferably several approved or pre-chosen standards.

(b) Characters to be examined

- (i) Tests must be designed to assess specified characters and these must be indicated for each test;
- (ii) Weight shall be given to adaptation, growth, biotic and abiotic factors of importance. In addition, other characters, considered important in view of the intended specific purpose, shall be evaluated in relation to the ecological conditions of the region in which the test is carried out.

(c) Documentation

Records must describe the test sites, including location, climate, soil, past use, establishment, management and any damage due to abiotic/biotic factors, and be available to the official body. Age of the material and results at the time of the evaluation must be recorded with the official body.

(d) Setting up the tests

- (i) Each sample of reproductive material shall be raised, planted and managed in an identical way as far as the types of plant material permit;
- (ii) Each experiment must be established in a valid statistical design with a sufficient number of trees in order that the individual characteristics of each component under examination can be evaluated.

(e) Analysis and validity of results

- (i) The data from experiments must be analysed using internationally recognised statistical methods and the results presented for each character examined;
- (ii) The methodology used for the test and the detailed results obtained shall be made freely available;
- (iii) A statement of the suggested region of probable adaptation within the country in which the test was carried out and characteristics which might limit its usefulness must also be given;
- (iv) If during tests it is proved that the reproductive material does not possess at least the characteristics:
 - of the basic material or
 - of similar resistance of the basic material to harmful organisms of economic importance,then such reproductive material shall be eliminated.

2. REQUIREMENTS FOR GENETIC EVALUATION OF COMPONENTS OF BASIC MATERIAL

- (a) The components of the following basic material may be genetically evaluated: seed orchards, parents of family(ies), clones and clonal mixtures;

(b) Documentation

The following additional documentation is required for approval of the basic material:

- (i) The identity, origin and pedigree of the evaluated components;
- (ii) The crossing design used to produce the reproductive material used in the evaluation tests.

(c) Test procedures

The following requirements must be met:

- (i) The genetic value of each component must be estimated in two or more evaluation test-sites, at least one of which must be in an environment relevant to the suggested use of the reproductive material;
- (ii) The estimated superiority of the reproductive material to be marketed shall be calculated on the basis of these genetic values and the specific crossing design;
- (iii) Evaluation tests and genetic calculations must be approved by the official body.

(d) **Interpretation**

- (i) The estimated superiority of the reproductive material shall be calculated against a reference population for a character or set of characters;
- (ii) It shall be stated whether the estimated genetic value of the reproductive material is inferior to the reference population for any important character.

3. REQUIREMENTS FOR COMPARATIVE TESTING OF REPRODUCTIVE MATERIAL

(a) **Sampling of the reproductive material**

- (i) The sample of the reproductive material for comparative testing must be truly representative of the reproductive material derived from the basic material to be approved;
- (ii) Sexually produced reproductive material for comparative testing shall be:
 - harvested in years of good flowering and good fruit/seed production; artificial pollination may be utilised,
 - harvested by methods that ensure that the samples obtained are representative.

(b) **Standards**

- (i) The performance of standards used for comparative purposes in the tests should if possible have been known over a sufficiently long period in the region in which the test is to be carried out. The standards represent, in principle, material that has been shown useful for forestry at the time that the test starts, and in ecological conditions for which it is proposed to certify the material. They should come as far as possible from stands selected according to the criteria in Annex III or from basic material officially approved for production of tested material;
- (ii) For comparative testing of artificial hybrids, both parent species must, if possible, be included among the standards;
- (iii) Whenever possible several standards are to be used. When necessary and justified, standards may be replaced by the most suitable of the material under test or the mean of the components of the test;
- (iv) The same standards will be used in all tests over as wide a range of site conditions as possible.

(c) **Interpretation**

- (i) A statistically significant superiority as compared with the standards must be demonstrated for at least one important character;
- (ii) It will be clearly reported if there are any characters of economic or environmental importance which show significantly inferior results to the standards and their effects must be compensated for by favourable characters.

4. CONDITIONAL APPROVAL

Preliminary assessment of young trials may be the basis for conditional approval. Claims of superiority based on an early assessment must be re-examined at a maximum interval of ten years.

5. EARLY TESTS

Nursery, greenhouse and laboratory tests may be accepted by the official body for conditional approval or for final approval if it can be shown that there is a close correlation between the measured trait and the characters which would normally be assessed in foreststage tests. Other characters to be tested must meet the requirements set out in paragraph 3.

ANNEX VI

CATEGORIES UNDER WHICH REPRODUCTIVE MATERIAL FROM THE DIFFERENT TYPES OF BASIC MATERIAL MAY BE MARKETED

Type of basic material	Category of forest reproductive material (Label colour if coloured label or document used)			
	Source identified (Yellow)	Selected (Green)	Qualified (Pink)	Tested (Blue)
Seed Source	x			
Stand	x	x		x
Seed Orchard			x	x
Parents of Family(ies)			x	x
Clone			x	x
Clonal Mixture			x	x

ANNEX VII

PART A

Requirements to be met by fruit and seed lots of the species listed in Annex I

1. Fruit and seed lots of the species listed in Annex I may not be marketed unless the fruit or seed lot reaches a minimum species purity level of 99 %.
2. Notwithstanding the provisions of paragraph 1, in the case of closely related species in Annex I, excluding artificial hybrids, the species purity of the fruit or seed lot if it does not reach 99 % shall be stated.

PART B

Requirements to be met by parts of plants of the species and artificial hybrids listed in Annex I

Parts of plants of the species and artificial hybrids listed in Annex I, shall be of fair marketable quality. Fair marketable quality shall be determined by reference to general characteristics, health and appropriate size. In the case of *Populus* spp. it may be stated that the additional requirements set out in Part C are met.

PART C

Requirements for external quality standards for *Populus* spp. propagated by stem cuttings or sets

1. *Stem cuttings*
 - (a) Stem cuttings shall not be considered to be of fair marketable quality if any of the following defects exist:
 - (i) their wood is more than two years old;
 - (ii) they have less than two well formed buds;
 - (iii) they are affected by necroses or show damage by harmful organisms;
 - (iv) they show signs of desiccation, overheating, mould or decay.
 - (b) Minimum dimensions for stem cuttings
 - minimum length: 20 cm,
 - minimum top diameter: Class EC 1: 8 mm
 Class EC 2: 10 mm.
2. *Sets*
 - (a) Sets shall not be considered to be of fair marketable quality if any of the following defects exist:
 - their wood is more than three years old,
 - they have less than five well formed buds,
 - they are affected by necroses or show damage by harmful organisms,
 - they show signs of desiccation, overheating, mould or decay,
 - they have injuries other than pruning cuts,
 - they have multiple stems,
 - they have excessive stem curvature.
 - (b) Size classes for sets

Class	Minimum diameter (mm) at mid-length	Minimum height (m)
Non-Mediterranean regions		
N1	6	1,5
N2	15	3,00
Mediterranean regions		
S1	25	3,00
S2	30	4,00

PART D

Requirements to be met by planting stock of the species and artificial hybrids listed in Annex I

The planting stock shall be of fair marketable quality. Fair marketable quality shall be determined by reference to general characteristics, health, vitality and physiological quality.

PART E

Requirements to be met by planting stock to be marketed to the end-user in regions having a Mediterranean climate

Planting stock shall not be marketed unless 95 % of each lot is of fair marketable quality.

1. Planting stock shall not be considered to be of fair marketable quality if any of the following deficits exist:

- (a) injuries other than pruning cuts or injuries due to damage when lifting;
- (b) lack of buds with the potential to form a leading shoot;
- (c) multiple stems;
- (d) deformed root system;
- (e) signs of desiccation, overheating, mould, decay or other harmful organisms;
- (f) the plants are not well balanced.

2. Size of the plants

Species	Maximum age (years)	Minimum height (cm)	Maximum height (cm)	Minimum root collar diameter (mm)
Pinus halepensis	1	8	25	2
	2	12	40	3
Pinus leucodermis	1	8	25	2
	2	10	35	3
Pinus nigra	1	8	15	2
	2	10	20	3
Pinus pinaster	1	7	30	2
	2	15	45	3
Pinus pinea	1	10	30	3
	2	15	40	4
Quercus ilex	1	8	30	2
	2	15	50	3
Quercus suber	1	13	60	3

3. Size of the container, where used

Species	Minimum volume of the container (cm ³)
<i>Pinus pinaster</i>	120
Other species	200

ANNEX VIII

PART A

MODEL MASTER CERTIFICATE OF IDENTITY FOR REPRODUCTIVE MATERIAL DERIVED FROM SEED SOURCES AND STANDS

(Certificate must contain all the information outlined below, and in the exact format)

ISSUED IN ACCORDANCE WITH DIRECTIVE 1999/105/EC

MEMBER STATE:	CERTIFICATE No EC:/(MEMBER STATE CODE)/(No)
----------------------------	--

It is certified that the forest reproductive material described below has been produced:

in accordance with the EC Directive ☐
 reproductive material under transitional arrangements ☐

1. Botanical name:

2. Nature of reproductive material:

Seed unit ☐
 Part of plants ☐
 Planting stock ☐

4. Type of basic material:

Seed source ☐
 Stand ☐

3. Category of reproductive material

Source-identified ☐
 Selected ☐
 Tested ☐

5. Purpose:

6. Country register reference or identity of basic material in National register:

..... / Mixture:

7. Autochthonous ☐ Non-autochthonous ☐ Unknown ☐
 Indigenous ☐ Non-indigenous ☐

8. Origin of basic material (for non-autochthonous/non-indigenous material, if known):

9. Country and Region of provenance of basic material:

Provenance (Short title, if appropriate):

10. Altitude or altitudinal range of site of basic material:

11. Year in which seeds ripened:

12. Quantity of reproductive material:

13. Is the material covered by this certificate the result of a subdivision of a larger lot covered by a previous EC Certificate? Yes ☐ No ☐

Previous certificate number Quantity in initial lot

14. Length of time in nursery:

15. Has there been subsequent vegetative propagation of material derived from seed? Yes ☐ No ☐

Method of propagation Number of cycles of propagation

16. Other relevant information:

17. Name and address of supplier

Name and Address of Official Body:

Stamp of Official Body:

Name of Responsible Officer:

Date:

Signature:

PART B

MODEL MASTER CERTIFICATE OF IDENTITY FOR REPRODUCTIVE MATERIAL DERIVED FROM SEED ORCHARDS OR PARENTS OF FAMILY(IES)

(Certificate must contain all the information outlined below, and in the exact format)

ISSUED IN ACCORDANCE WITH DIRECTIVE 1999/105/EC

MEMBER STATE:	CERTIFICATE No EC/(MEMBER STATE CODE)/(No)
----------------------------	---

It is certified that the forest reproductive material described below has been produced:

in accordance with the EC Directive ☐
under transitional arrangements ☐

1. a) **Botanical name:**
b) **Name of basic material (as mentioned in the catalogue):**

2. Nature of reproductive material:

Seed unit ☐
Part of plants ☐
Planting stock ☐

4. Type of basic material:

Seed orchard ☐
Parents of family(ies) ☐

3. Category of reproductive material:

Qualified ☐
Tested ☐

5. **Purpose:**

6. **Country register reference or identity of basic material in National register:**

7. (If appropriate) Autochthonous ☐ Non-autochthonous ☐ Unknown ☐
 Indigenous ☐ Non-indigenous ☐

8. **Origin of basic material (for non-autochthonous/non-indigenous material, if known):**

9. **Country and Region of provenance or location of basic material:**
Provenance (Short title):

10. **Seed derived from:** open pollination ☐
 supplemental pollination ☐
 controlled pollination ☐

11. **Year in which seeds ripened:**

12. **Quantity of reproductive material:**

13. **Is the material covered by this certificate the result of a subdivision of a larger lot covered by a previous EC Certificate?** Yes ☐ No ☐
Previous certificate number..... Quantity in initial lot

14. **Length of time in nursery:**

15. Number of components represented:

Families

Clones

16. **Altitude or altitudinal range of site of basic material:**

17. **Has genetic modification been used in the production of the basic material?** Yes ☐ No ☐

18. **For reproductive material derived from parents of family(ies):**
Crossing design Range of percentage composition of component families

19. **Has there been subsequent vegetative propagation of material derived from seed?** Yes ☐ No ☐
Method of propagation Number of cycles of propagation.....

20. **Other relevant information:**

21. **Name and address of supplier**

Name and address of Official Body:

Stamp of Official Body:

Date:

Name of Responsible Officer:

Signature:

PART C

MODEL MASTER CERTIFICATE OF IDENTITY FOR REPRODUCTIVE MATERIAL DERIVED FROM CLONES AND CLONAL MIXTURES

(Certificate must contain all the information outlined below, and in the exact format)

ISSUED IN ACCORDANCE WITH DIRECTIVE 1999/105/EC

MEMBER STATE:	CERTIFICATE No EC:/(MEMBER STATE CODE)/(No)
----------------------------	--

It is certified that the forest reproductive material described below has been produced:

in accordance with the EC Directive
 under transitional arrangements

☐
☐

1. a) **Botanical name:**
 b) **Name of clone or clonal mixture:**

2. **Nature of reproductive material:**

Part of plants ☐

Planting stock ☐

4. **Type of basic material:**

Clones ☐

Clonal mixture ☐

3. **Category of reproductive material:**

Qualified ☐

Tested ☐

5. **Purpose:**

6. **Country register reference or identity of basic material in National register:**

7. (If appropriate) Autochthonous ☐ Non-autochthonous ☐ Unknown ☐
 Indigenous ☐ Non-indigenous ☐

8. **Origin of basic material (for non-autochthonous/non-indigenous material, if known):**

9. **Country and Region of provenance or location of basic material:**
 Provenance (Short title):

10. **Has genetic modification been used in the production of the basic material?** Yes ☐ No ☐

11. a) **Method of propagation:**

 c) **Number of cycles of propagation:**

12. **Quantity of reproductive material:**

13. **Is the material covered by this certificate the result of a subdivision of a larger lot covered by a previous EC Certificate?**

Previous certificate number..... Quantity in initial lot

Yes ☐ No ☐

14. **Lenght of time in nursery:**

15. **For clonal mixtures:**

Number of clones in mixture: Range of percentage composition of component clones:

16. **Other relevant information:**

17. **Name and address of supplier**

Name and address of Official Body: 	Stamp of Official Authority: Date:	Name of Responsible Officer: Signature:
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ANNEX IX

CORRELATION TABLE

A.

Directive 66/404/EEC	This Directive	Directive 66/404/EEC	This Directive
Article 1	Article 1	—	Article 21
Article 3	Article 2	—	Article 22
Articles 2, 16 and 16b	Article 3	Article 16a	Article 23
Articles 5, 5b and 5d	Article 4	—	Article 24
—	Article 5	—	Article 25
Article 4	Article 6	Article 17	Article 26
—	Article 7	Article 5 e	Article 27
—	Article 8	Article 18	Article 28
Article 5a	Article 9	—	Article 29
Article 6	Article 10	—	Article 30
Article 13a	Article 11	Article 19	Article 31
—	Article 12	Article 2	Annex I
Article 8	Article 13	—	Annex II
Article 9	Article 14	Annex I	Annex III
Article 10	Article 15	—	Annex IV
Article 11	Article 16	Annex II	Annex V
Article 13	Article 17	—	Annex VI
Article 15	Article 18	—	Annex VII
Article 14	Article 19	Annex III (part)	Annex VIII
—	Article 20	—	Annex IX

B.

Directive 71/161/CEE	This Directive	Directive 71/161/CEE	This Directive
Article 1	Article 1	Article 12	Article 16
Article 4	Article 2	Article 14	Article 17
Articles 3(2), 16 and 17	Article 3	Article 15	Article 18
—	Article 4	—	Article 19
—	Article 5	—	Article 20
Articles 5, 6(1) and 8	Article 6	—	Article 21
—	Article 7	—	Article 22
—	Article 8	Article 9	Article 23
—	Article 9	—	Article 24
—	Article 10	—	Article 25
—	Article 11	Article 18	Article 26
—	Article 12	—	Article 27
—	Article 13	Article 19	Article 28
Articles 10 and 11	Article 14	—	Article 29
—	Article 15	—	Article 30

Directive 71/161/CEE	This Directive	Directive 71/161/CEE	This Directive
Article 20	Article 31	—	Annex V
Article 2	Annex I	—	Annex VI
—	Annex II	Annexes 2 and 3	Annex VII
—	Annex III	—	Annex VIII
—	Annex IV	—	Annex IX

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 December 1999

concerning funding of implementing measures for the harmonised indices of consumer prices

(notified under document number C(1999) 4428)

(2000/30/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Commission should bear two thirds of the additional costs in accordance with Article 13 of Regulation (EC) No 2494/95,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS DECISION:

Having regard to Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonised indices of consumer prices ⁽¹⁾, and in particular Article 13 thereof,

Whereas:

- (1) Each Member State is required to produce a harmonised index of consumer prices (HICPs) starting with the index for January 1997 and implementing measures are adopted for ensuring the comparability of HICP and for maintaining their reliability and relevance in accordance with Article 5 of Regulation (EC) No 2494/95.
- (2) The initial implementing measures required additional resources in Member States at a cost estimated at EUR 4,5 million up to the end of the second year of implementation of those measures and whereas the Commission bore two thirds of the additional costs in accordance with Article 13 of Regulation (EC) No 2494/95.
- (3) Further implementing measures require additional resources in Member States at a cost estimated at EUR 1 012 500 until the end of the second year of implementation of these measures and whereas the

⁽¹⁾ OJ L 257, 27.10.1995, p. 1.

Article 1

The aim of this Decision is to allocate funds to Member States for the budget year 1999 in order to meet two thirds of the additional costs of implementing measures arising directly from Regulation (EC) No 2494/95. These measures are to be implemented with the index for January 2000 and the index for January 2001. Funding shall cover additional costs until the end of the year 2001.

Article 2

The Member States shall use the financial contribution exclusively for carrying out the following actions arising from implementing Regulation (EC) No 2494/95 and in particular:

- (a) Commission Regulation (EC) No 1749/96 of 9 September 1996 on initial implementing measures for Council Regulation (EC) No 2494/95 concerning harmonised indices of consumer prices ⁽²⁾, as amended by Council Regulations (EC) No 1687/98 ⁽³⁾ and (EC) No 1688/98 ⁽⁴⁾ concerning in particular the coverage of goods and services and the geographic and population coverage of the HICP;
- (b) Commission Regulation (EC) No 1749/1999 ⁽⁵⁾ amending Regulation (EC) No 2214/96, concerning the transmission and dissemination of sub-indices of the HICP, and
- (c) Council Regulation (EC) No 2166/1999 ⁽⁶⁾, concerning the treatment of products in the health, education and social protection sectors in the HICP.

⁽²⁾ OJ L 229, 10.9.1996, p. 3.

⁽³⁾ OJ L 214, 31.7.1998, p. 12.

⁽⁴⁾ OJ L 214, 31.7.1998, p. 23.

⁽⁵⁾ OJ L 214, 13.8.1999, p. 1.

⁽⁶⁾ OJ L 266, 14.10.1999, p. 1.

Article 3

1. The allocation of funds as concerns the two thirds of expenses to be borne by the Commission, is as follows:

(EUR)	
Member State	Amount (EUR)
Belgium	44 000
Denmark	23 000
Germany	70 000
Greece	35 000
Spain	47 000
France	102 000
Ireland	37 000
Italy	44 000
Luxembourg	26 000
Netherlands	56 000
Austria	27 000
Portugal	46 000
Finland	35 000
Sweden	29 000
United Kingdom	54 000
Total	675 000

2. The financial contribution allocated to Member States under paragraph 1 shall be awarded to the organisations and institutions responsible for compiling the harmonised indices of consumer prices at national level, the registered offices of which are listed at Annex I to this Decision.

Article 4

1. Allowable costs are those costs which are necessary and additional in the sense of Article 13 of Regulation (EC) No 2494/95 and calculated in accordance with the provisions of Annex II to this Decision.

2. Total payments to each Member State shall not exceed its allocation according to Article 3.

3. In the case of costs lower than estimated, the Commission contribution shall be limited to two thirds of the Member State's actual allowable costs according to Article 13 of Regulation (EC) No 2494/95.

4. Where accounting records do not justify the use made of the financial contribution, Member States shall refund to the Commission, at its request, all sums already paid in excess of that justified by the records.

Article 5

1. In consideration of the progress of work done under this financial contribution, the Commission undertakes to pay according to the following procedure:

- 50 % on the notification of this Decision,
- by instalments, each paid after receipt and acceptance by the Commission of the respective periodic progress reports and corresponding costs statements. The advance and instalments shall not cumulatively exceed 90 % of the maximum Commission contribution allocated to each Member State under Article 3(1),
- the outstanding balance after receipt and acceptance by the Commission of final cost statements and final reports.

2. Final cost statements and final reports shall be submitted to the Commission by the end of the second year of implementation of the measures referred to in Article 2.

3. Payments shall be made within 60 days of request for payment by Member States and acceptance of reports by the Commission. The payments shall be deemed to have been made on the date on which they are debited to the Commission's account.

Article 6

1. Member States shall provide the Commission at its request with further information sufficient to evaluate compliance with the provisions of the present Decision.

2. The original of all supporting documents shall be kept for verification purposes for five years after full payment. During this period, monitoring and audits may be carried out by the Commission Services. The utilisation of the amounts allocated under this Decision shall also be subject to audit by the European Court of Auditors.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 13 December 1999.

For the Commission

Pedro SOLBES MIRA

Member of the Commission

ANNEX I

Organisations and institutions responsible for compiling the harmonised indices of consumer prices (HICPs)**BELGIQUE/BELGIË**

Ministry of Economic Affairs
Administration de la politique commerciale
M. Lucien VAN BOXSTAEL
Director-General
North Gate III
Boulevard du Roi Albert II 16
B-1000 Bruxelles
Bank account: 679-2005871-08, Banque de la Poste/Bank van de Post

DANMARK

Danmarks Statistik
Mr Jan PLOVSING
Director-General
Sejrøgade 11
Postboks 2550
DK-2100 København Ø
Bank account: 1005-8611-8, Danmarks Nationalbank, Havnegade 5, DK-1093 København K

DEUTSCHLAND

Statistisches Bundesamt
Mr Johann HAHLEN
Präsident
Gustav-Stresemann-Ring 11
Postfach 5528
D-65189 Wiesbaden
Bank account: 500 010 20, Bundeskasse Frankfurt/Main (BLZ 500 000 00)

ΕΛΛΑΔΑ

National Statistical Service of Greece
Mr Nikos KARAVITIS
General Secretary
14-16, Lycourgou Street
GR-Athens 101 66
Bank account: 234-186/5, Bank of Greece, Athens

ESPAÑA

Instituto Nacional de Estadística
Mrs Pilar MARTÍN-GUZMÁN
Presidenta
Paseo de la Castellana, 183
E-28046 Madrid
Bank account: 9000-0001-20-0253107033, Banco de España

FRANCE

Institut National de la Statistique et des Etudes Economiques
Mr Paul CHAMPSAUR
Directeur Général
18, boulevard Adolphe-Pinard
F-75675 Paris Cedex 14
Bank account: 30081 75000-00001005585-39, RGFIN Paris siège

IRELAND

Central Statistics Office
Mr Donal MURPHY
Director
Ardee Road
Ireland Dublin 6
Bank account: The Central Bank, Dublin 2, Ireland, Paymaster General's supply A/C, Credit of Central Statistics Office

ITALIA

ISTAT

Egr. Prof. A. ZULIANI

Presidente

Via Cesare Balbo, 16

I-00100 Roma

Bank account: 10058 033829 218050, Tesoria della Banca Nazionale del Lavoro, Roma**LUXEMBOURG**

Service Central de la Statistique et des études économiques (STATEC)

Mr Robert WEIDES

Directeur

6, boulevard Royal

L-2449 Luxembourg

Bank account: CCP Luxembourg 25034-08, Service central de la statistique et des études économiques (STATEC)**NEDERLAND**

Centraal Bureau voor de Statistiek

Mr Ir. Drs. R.B.J.C. VAN NOORT

Directeur-Generaal van de Statistiek

Prinses Beatrixlaan 428

Postbus 959

2273 XZ Voorburg

Nederland

Bank account: 19 23 24 209, Rabo Bank NL, Croeselaan 18, 3500 HG Utrecht, The Netherlands**ÖSTERREICH**

Österreichisches Statistisches Zentralamt

represented by Mr Erich BADER, Präsident

Hintere Zollamtsstraße 2b

Postfach 9000

A-1033 Wien

Bank account: 60000 05010002, Österreichische Postsparkasse**PORTUGAL**

Instituto Nacional de Estatística

Mr Carlos CORREA GAGO

Presidente

Avenida António José de Almeida, 2

P-1000-043 Lisboa

Bank account: 00 17 0507 000 1238697 84, Banco Português do Atlântico, Lisboa**SUOMI/FINLAND**

Statistics Finland

Mr Timo RELANDER

Director-General

Työpajakatu 13

FIN-00022 Helsinki

Bank account: 800014-11772, Leonia Bank plc**SVERIGE**

Statistics Sweden

Mr Svante ÖBERG

Director-General

Box 24 300

S-104 51 Stockholm

Bank account: Postal Giro Sweden, SWIFT: PGSI SE SS, account No 15700-8**UNITED KINGDOM**

Office for National Statistics

Dr Tim HOLT

Director

1 Drummond Gate

London SW1V 2 QQ

United Kingdom

Bank account: Bank of England, Threadneedle Street, London, EC2R 8AH; Sort code: 10-16-16; Destination account name: 55000 ONS; Account No: 26666626

ANNEX II

1. **Allowable costs**

- 1.1. Allowable costs according to Article 4 of the decision are those additional actual costs, which are necessary for the construction and development of the HICP, hereinafter referred to as 'the project', can be substantiated, and are incurred by organisations and institutions, hereinafter referred to as 'the Institutions', during the period specified in Article 1 of this Decision.
- 1.2. These costs are (i) those direct costs specified in point 2 of this Annex incurred for the HICP project and to which the Institution is not otherwise committed, and (ii) indirect costs in accordance with point 3 of this Annex.
- 1.3. Costs shall exclude profit and be determined in accordance with generally accepted accounting principles relating to historic costs, and the internal rules of the Institution.
- 1.4. No costs may be charged in respect of marketing, sales, distribution costs for products and services, interest, return on capital employed, provisions for future losses or liabilities, and any costs related to other projects.
- 1.5. Pursuant to the provisions of Articles 3 and 4 of the Protocol on the Privileges and Immunities of the European Communities, the Commission is exempt from all taxes and duties, including value added tax, on its financial contribution under the provisions of this Decision. As regards the application of Articles 3 and 4 of the said Protocol, third parties involved shall comply with the instructions of the Commission. Third parties involved shall not be subject to VAT.

2. **Direct costs**2.1. *Personnel*

2.1.1. The costs of staff directly employed by the Institution may be charged. Personnel costs shall be:

- actual employment costs (such as salaries, wages, social charges and pension costs), or
- average employment costs by categories of personnel (rates) conforming to the relevant Institution's normal practices.

2.1.2. Personnel time charged shall be recorded and certified. This requirement shall be satisfied by the maintenance of time records, certified by an authorised employee of the Institution.

2.2. *Equipment*

Equipment purchased or leased may be charged as a direct cost. The allowable costs shall be calculated according to the following formula:

$$\frac{A}{B} \times C \times D$$

- A = the period in months for which the equipment is to be used for the project after its delivery
 B = depreciation period of 60 months (36 months for data processing equipment costing less than EUR 25 000)
 C = cost of equipment
 D = percentage usage of equipment on the project

2.3. *Third party assistance*

Costs of subcontracts and external services shall be allowable costs and may be charged.

2.4. *Travel and subsistence*

Travel and subsistence costs may be charged and shall be calculated according to the normal reimbursement rules and tariffs of the Institution. Written approval of the Commission is required for charging travel and subsistence outside the European Union.

2.5. *Consumables and computing*

Consumables and computing (on the basis of recorded computer usage) may be charged as direct costs or, where reasonably practical and in accordance with the normal accounting conventions of the Institution, as indirect overhead costs.

2.6. *Other specific project costs*

Specific project costs such as meetings convened by the Institution may be charged.

3. **Indirect costs: overheads**

3.1. Overheads (indirect general costs), calculated in accordance with normal accounting conventions, policies and principles of the Institution, may be charged for items such as own-funded research, administration, support personnel, office supplies, infrastructure, utilities and services.

3.2. Overheads shall exclude items readily capable of being charged directly in accordance with point 2 of this Annex and the normal accounting conventions of the Institution, and costs recovered from other parties.

4. **Cost statements**

4.1. Cost statement summaries shall be expressed in euro. The conversion rates applicable shall be those prevailing on the date of dispatch of the corresponding statement.

4.2. The Institutions submit cost statements in the format specified below:

COST STATEMENT — SUMMARY

Decision No:

Name of Institution:

Country:

For the period from to

(EUR)

Categories of costs	Amount (net of VAT)
Direct costs	
1. Personnel	
2. Equipment	
3. Third party assistance	
4. Travel and subsistence	
5. Consumables and computing	
6. Other specific project costs	
Subtotal of direct costs	
Indirect costs	
7. Overheads	
Adjustments	
8. Adjustments to costs previously reported	
Total	
Contribution of two thirds	

Certificate ⁽¹⁾

We certify that:

- the above costs are derived from the resources employed, which were necessary for the work under this Decision,
- such costs have been incurred and fall within the definition of allowable costs specified in this Decision,
- full supporting documentation to justify the costs is available for audit,
- necessary adjustments, for any reason, to costs reported in previous cost statements have been incorporated in the above statement.

Date:

Date:

Name of project manager: ⁽²⁾

Name of financial officer:

.....

.....

.....

.....

Signature of project manager:

Signature of financial officer:

⁽¹⁾ The technical manager and the financial officer must sign the certificate.⁽²⁾ The person designated to be in direct charge of the performance of the work.

COMMISSION DECISION

of 16 December 1999

amending Decision 93/693/EC establishing a list of semen collection centres approved for the export to the Community of semen of domestic animals of the bovine species from third countries*(notified under document number C(1999) 4515)***(Text with EEA relevance)**

(2000/31/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 9(1), thereof,

Whereas:

- (1) Commission Decision 93/693/EC ⁽²⁾, as last amended by Decision 1999/682/EC ⁽³⁾, establishes a list of semen collection centres approved for the export to the Community of semen of domestic animals of the bovine species from third countries;
- (2) the competent veterinary services of the United States of America have forwarded requests for amendments to the list of semen collection centres officially approved for the export to the Community of semen of domestic animals of the bovine species;
- (3) guarantees regarding compliance with the requirements specified in Article 9 of Directive 88/407/EEC have been received by the Commission from the United States of America;

- (4) it is therefore necessary to amend the list of approved centres in the United States of America;

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

HAS ADOPTED THIS DECISION:

Article 1

The list concerning the United States of America in the Annex to Decision 93/693/EC is replaced by the list of the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 December 1999.

For the Commission

David BYRNE

Member of the Commission⁽¹⁾ OJ L 194, 22.7.1988, p. 10.⁽²⁾ OJ L 320, 22.12.1993, p. 35.⁽³⁾ OJ L 270, 20.10.1999, p. 27.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO —
LIITE — BILAGA

- (1) Versión — Udgave — Fassung vom — Έκδοση — Version — Version — Versione — Versie — Versão — Tilanne — Version
- (2) Código ISO — ISO-Kode — ISO-Code — Κωδικός ISO — ISO code — Code ISO — Codice ISO — ISO-code — Código ISO — ISO-koodi — ISO-kod
- (3) País tercero — Tredjeland — Drittland — Τρίτη χώρα — Third country — Pays tiers — Paese terzo — Derde land — País terceiro — Kolmas maa — Tredje land
- (4) Número de autorización — Godkendelsesnummer — Registriernummer — Αριθμός έγκρισης — Approval Number — Numéro d'agrément — Numero di riconoscimento — Registratienummer — Número de aprovação — Hyväksyntänumero — Godkännandennummer
- (5) Nombre y dirección del centro autorizado — Den godkendte tyrestations navn og adresse — Name und Anschrift der zugelassenen Besamungsstation — Όνομα και διεύθυνση του εγκεκριμένου κέντρου — Name and address of approved centre — Nom et adresse du centre agréé — Nome e indirizzo del centro riconosciuto — Naam en adres van het erkende centrum — Nome e endereço aprovado — Hyväksytyn aseman nimi ja osoite — Tjurstationens namn och adress
- (6) Establecimiento autorizado — Godkendte faciliteter — Zugelassene Betriebe — Εγκεκριμένα κέντρα — Approved premises — Locaux agréés — Istituto riconosciuto — Erkende inrichting — Instalações aprovadas — Hyväksytty laitokset — Godkänd anläggning

(1) 1.9.1999

(2)	(3)	(4)	(5)	(6)
US	UNITED STATES OF AMERICA	U 001	Genex Cooperative Inc. PO Box 607 752 East State, Route 18 Tiffin, OH 44883	Entire premises
US		U 003	Genex Cooperative Inc. PO Box 510 219 Judd Falls Road Ithaca, NY 14851	Production center 522 Scheffield Road Ithaca, NY 14850
US		U 006	Prairie State Select Sires 41W394 Rt 20 Hampshire, IL 60140	Entire premises
US		U 007	Select Sires 9493 Wells Road Plain City, OH 43064	Dual purpose barn
US		U 009	Sire Power Incorporated 21 Sire Power Drive Tunkhannock, PA 18657	Mini station
US		U 011	Alta Genetics USA Inc. PO Box 939 102 Aldritch Road Hughson, CA 95326	Route 4, Hwy 26 Watertown, WI 53094
US		U 014	Accelerated Genetics E10980 Penny Lane Baraboo, WI 53913	Route 2, Box 50, Hwy 14 Westby, WI 54667
US		U 015	Genex 12575 Apollo Drive Lancaster, PA 17601	Entire premises
US		U 021	Genex Cooperative Inc. 594A Oak Avenue Shawano, WI 54667	Webster Farm

(1) 1.9.1999

(2)	(3)	(4)	(5)	(6)
US		U 029	American Breeders Services 6908 River Road DeForest, WI 53532	'Holstein Hilton'
US		U 035	Agricenter International SCR SCR 380 South Collierville-Arlington Rd Collierville, TN 38017	EEC barn
US		U 036	North American Breeders PO Box 228 Berryville, VA 22611	
US		U 037	21st Century Genetics 412 4th Avenue NW PO Box 500 New Prague, MN 56071	Entire premises
US		U 054	Hawkeye Breeders Service 3257 Old Portland Road Adel, IA 50003	EC Barn
US		U 076	Taurus-Service Inc. Grist Flat Road PO Box 164 Mehoopany, PA 18629	Main production center EEC barn
US		U 100	JLG Enterprises Inc. Oakdale California	
US		U 138	Interglobe Genetics Pines Edge Route 1, Airport Road Pontiac, IL	
US		U 140	Sire Tech. EEC Barn 5001 East-County Line Rd. Springfield, OH 45502	
US		U 147	Androgenic 11240 Twenty Six Mile Rd. Oakdale, CA 95361	
US		U 151	Complete Sire Services Incorporated W7652 Highway 151 South Fond du Lac, WI	Entire premises

COMMISSION DECISION

of 16 December 1999

adopting the plan allocating to the Member States resources to be charged to the 2000 budget year for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community

(notified under document number C(1999) 4591)

(2000/32/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organisations for distribution to the most deprived persons in the Community ⁽¹⁾, as amended by Regulation (EC) No 2535/95 ⁽²⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽³⁾, and in particular Article 3(2) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 3149/92 ⁽⁴⁾, as last amended by Regulation (EC) No 267/96 ⁽⁵⁾, lays down detailed rules for the supply of food from intervention stocks for the benefit of the most deprived persons in the Community. In accordance with Article 2 of the above Regulation, to implement the scheme for the supply of such food to the most deprived section of the population the Commission must adopt a plan to be financed from resources available in the 2000 budget year. This plan should indicate in particular the quantity of products by type that may be withdrawn from intervention stocks for distribution in each Member State and the financial resources made available to implement the plan in each Member State. It should also indicate the level of appropriations to be reserved to cover costs of intra-Community transport of intervention products as referred to in Article 7 of Regulation (EEC) No 3149/92.
- (2) The Member States involved in the plan have supplied the information required in accordance with Article 1 of Regulation (EEC) No 3149/92.
- (3) For the purposes of resource allocation, account must be taken of experience and of the degree to which the Member States used the resources allocated to them in previous years.
- (4) The intra-Community transfers necessary to bring the plan to fruition should also be authorised under the conditions provided for in Article 7 of Regulation (EEC) No 3149/92.

- (5) To implement the plan, the operative event within the meaning of Article 3 of Regulation (EC) No 2799/98 should be the date on which the financial year for administration of stocks in public storage starts.
- (6) In accordance with Article 2(2) of Regulation (EEC) No 3149/92 the Commission sought the advice of the major organisations familiar with the problems of the most deprived persons in the Community when drawing up the plan.
- (7) The measures provided for in this Decision are in accordance with the opinions of all the relevant management committees,

HAS ADOPTED THIS DECISION:

Article 1

For the 2000 financial year, foodstuffs for distribution to the most deprived persons in the Community under Regulation (EEC) No 3730/87 shall be supplied in accordance with the annual distribution plan set out in Annex I.

Article 2

The intra-Community transfer operations listed in Annex II are hereby authorised.

Article 3

To implement the annual plan, the date of the operative event referred to in Article 3 of Regulation (EC) No 2799/98 shall be 1 October 1999.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 16 December 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 352, 15.12.1987, p. 1.

⁽²⁾ OJ L 260, 31.10.1995, p. 3.

⁽³⁾ OJ L 349, 24.12.1998, p. 1.

⁽⁴⁾ OJ L 313, 30.10.1992, p. 50.

⁽⁵⁾ OJ L 36, 14.2.1996, p. 2.

ANNEX I

ANNUAL DISTRIBUTION PLAN FOR 2000

- (a) Financial resources made available to implement the plan in each Member State:

(in EUR)

Member State	Allocation
Belgium	1 879 000
Denmark	464 000
Greece	15 150 000
Spain	54 031 000
France	39 785 000
Ireland	3 162 000
Italy	52 730 000
Luxembourg	44 000
Portugal	22 892 000
Finland	1 863 000
Total	192 000 000

- (b) Quantity of each type of product to be withdrawn from Community intervention stocks for distribution in each Member State subject to the maximum amounts shown under (a):

(tonnes)

Member State	Products					
	Cereals	Rice (paddy rice)	Olive oil	Butter	Milk powder	Beef (carcass equivalent)
Belgium	3 500	200		400		
Denmark						127
Greece	20 000	10 000	4 000		1 000	
Spain	60 000	34 000	7 000	6 000	1 150	
France	18 200	2 325			9 350	4 550
Ireland				60		810
Italy	60 000	60 000	5 000	5 000		
Portugal	15 000	10 000	3 000	2 100	2 376	
Finland	9 715				300	
Total	186 415	116 525	19 000	13 560	14 176	5 487

- (c) Allocation for Luxembourg with a view to purchases on the Community market of:

- beef: EUR 17 375,
- milk powder: EUR 24 662.

- (d) The appropriations needed to cover the intra-Community transfer costs of the intervention products are fixed at EUR 4 million.

ANNEX II

INTRA-COMMUNITY TRANSFERS AUTHORISED UNDER THE PLAN FOR 2000

Product	Quantity (tonnes)	Holder	Consignee
1. Cereals	20 000	ONIC	Ministry of Agriculture, Greece
2. Cereals	15 000	ONIC	INGA
3. Rice	200	Ente Risi	Ministry of Agriculture, Belgium
4. Rice	10 000	FEGA	INGA
5. Olive oil	3 000	FEGA	INGA
6. Butter	2 100	Ministry of Agriculture, Netherlands	INGA
7. Milk powder	2 376	Ministry of Agriculture, Ireland	INGA
8. Milk powder	1 000	BLE	Ministry of Agriculture, Greece
9. Milk powder	7 000	Ministry of Agriculture, Netherlands	Ministry of Agriculture, France
10. Butter	2 500	BLE	AIMA
11. Cereals	45 000	ONIC	AIMA
12. Olive oil	2 500	Ministry of Agriculture, Greece	AIMA

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1702/1999 of 23 July 1999 amending Regulation (EC) No 1222/94 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds and repealing Regulation (EC) No 1223/94 laying down special detailed rules for the application of the system of advanced-fixing certificates for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty

(Official Journal of the European Communities L 201 of 31 July 1999)

On page 30, in the title:

for: '...goofs...';

read: '...goods...';

in the penultimate line of the fifth recital:

for: '...admisnistrative difficulties disporportionate...';

read: '...administrative difficulties disproportionate...';

On page 32, in Article 1(1)(c):

for: '...concluded... negotiation';

read: '...concluded... negotiations';

in Article 1(5), paragraph relating to Article 6a(2):

for: '...fixing may fixing may be lodged...';

read: '...fixing may be lodged...';

in Article 1(5), paragraph relating to Article 6a(3), third line:

for: '...wich...';

read: '...which...';

On page 33, in Article 1(5), paragraph relating to Article 6b(3)(g):

for: '...cedrtificates...';

read: '...certificates...';

in Article 1(5), paragraph relating to Article 6b(5):

for: '...receive...';

read: '...received...';

in Article 1(5), paragraph relating to Article 6b(11):

for: 'Paragraph...';

read: 'Paragraphs...';

On page 34, in Article 1(5), paragraph relating to Article 6d, second line:

for: '...on...';

read: '...one...';

On page 35, in Article 1(5), paragraph relating to Article 6h(1),

for: '...30 Septembre...';

read: '...30 September...';

Article 1(5), paragraph relating to Article 6h(3) should read as follows:

'3. The Member States shall notify the Commission, no later than the fifth and the 20th day of each month, of the amounts of the refunds granted pursuant to this Article, from the 16th day to the end of the previous month and from the first to the 15th day of the current month, respectively.'

in Article 1(7)(b):

for: '...replaiced...';

read: '...replaced...';

On page 37, in Article 2(1):

for: '...effort...,'

read: '... effect...';

in Article 3, third paragraph, first indent:

for: '...effort...,'

read: '...effect...'.

On page 38, in Annex F(I)(1):

for: '...vyith...,'

read: '...with...'.
