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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 542/1999
of 12 March 1999
establishing the standard import values for determining the entry price of certain
fruit and vegetables

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

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

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

Whereas, in compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 13 March 1999.

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

Done at Brussels, 12 March 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24. 12. 1994, p. 66.

⁽²⁾ OJ L 198, 15. 7. 1998, p. 4.

ANNEX

to the Commission Regulation of 12 March 1999 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	70,2
	204	34,6
	624	149,5
	999	84,8
0707 00 05	068	130,2
	999	130,2
0709 10 00	220	148,0
	999	148,0
0709 90 70	052	113,4
	204	154,8
	999	134,1
0805 10 10, 0805 10 30, 0805 10 50	052	62,1
	204	47,1
	212	48,0
	600	47,8
	624	52,0
	999	51,4
0805 30 10	052	43,9
	600	78,1
	999	61,0
0808 10 20, 0808 10 50, 0808 10 90	388	88,4
	400	83,9
	404	66,9
	508	89,9
	512	90,8
	528	93,0
	720	95,2
	728	95,7
	999	88,0
	052	134,4
0808 20 50	388	68,4
	400	49,7
	512	69,7
	528	70,3
	624	69,2
	999	76,9

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2317/97 (OJ L 321, 22. 11. 1997, p. 19). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 543/1999
of 12 March 1999

**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 2564/98**

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,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2564/98 ⁽³⁾;

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;

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;

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, 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 2564/98 is hereby fixed on the basis of the tenders submitted from 8 to 11 March 1999 at EUR 120,00 per tonne.

Article 2

This Regulation shall enter into force on 13 March 1999.

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

Done at Brussels, 12 March 1999.

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 320, 28. 11. 1998, p. 43.

⁽⁴⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁵⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 544/1999**of 12 March 1999****fixing the maximum export refund on wholly milled medium round grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2565/98**

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,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2565/98 ⁽³⁾;

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;

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;

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 round grain and long grain A rice to be exported to certain third countries of Europe pursuant to the invitation to tender issued in Regulation (EC) No 2565/98 is hereby fixed on the basis of the tenders submitted from 8 to 11 March 1999 at EUR 135,00 per tonne.

Article 2

This Regulation shall enter into force on 13 March 1999.

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

Done at Brussels, 12 March 1999.

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 320, 28. 11. 1998, p. 46.

⁽⁴⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁵⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 545/1999

of 12 March 1999

fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2566/98

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 amended by Regulation (EC) No 2072/98 ⁽²⁾, and in particular Article 13 (3) thereof,

Whereas an invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2566/98 ⁽³⁾;

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;

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;

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 2566/98 is hereby fixed on the basis of the tenders submitted from 8 to 11 March 1999 at EUR 322,00 per tonne.

Article 2

This Regulation shall enter into force on 13 March 1999.

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

Done at Brussels, 12 March 1999.

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 320, 28. 11. 1998, p. 49.

⁽⁴⁾ OJ L 61, 7. 3. 1975, p. 25.

⁽⁵⁾ OJ L 35, 15. 2. 1995, p. 8.

COMMISSION REGULATION (EC) No 546/1999**of 12 March 1999****fixing the export refunds on rice and broken rice and suspending the issue of export licences**

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 the second subparagraph of Article 13(3) and (15) thereof,

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

Whereas Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 228 of the Treaty;

Whereas Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas export possibilities exist for a quantity of 2 595 t of rice to certain destinations; whereas the procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 444/98 ⁽⁵⁾ should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

Whereas, for the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 2 595 t provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 15 March 1999.

⁽¹⁾ OJ L 329, 30. 12. 1995, p. 18.

⁽²⁾ OJ L 265, 30. 9. 1998, p. 4.

⁽³⁾ OJ L 154, 15. 6. 1976, p. 11.

⁽⁴⁾ OJ L 117, 24. 5. 1995, p. 2.

⁽⁵⁾ OJ L 56, 26. 2. 1998, p. 12.

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

Done at Brussels, 12 March 1999.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 12 March 1999 fixing the export refunds on rice and broken rice and suspending, the issue of export licences

(EUR/t)			(EUR/t)		
Product code	Destination (1)	Amount of refunds	Product code	Destination (1)	Amount of refunds
1006 20 11 9000	01	83,00	1006 30 65 9900	01	104,00
1006 20 13 9000	01	83,00		04	—
1006 20 15 9000	01	83,00	1006 30 67 9100	05	110,00
1006 20 17 9000	—	—	1006 30 67 9900	—	—
1006 20 92 9000	01	83,00	1006 30 92 9100	01	104,00
1006 20 94 9000	01	83,00		02	—
1006 20 96 9000	01	83,00		03	—
1006 20 98 9000	—	—		04	—
1006 30 21 9000	01	83,00		05	110,00
1006 30 23 9000	01	83,00	1006 30 92 9900	01	104,00
1006 30 25 9000	01	83,00		04	—
1006 30 27 9000	—	—	1006 30 94 9100	01	104,00
1006 30 42 9000	01	83,00		02	—
1006 30 44 9000	01	83,00		03	—
1006 30 46 9000	01	83,00		04	—
1006 30 48 9000	—	—		05	110,00
1006 30 61 9100	01	104,00	1006 30 94 9900	01	104,00
	02	—		04	—
	03	—	1006 30 96 9100	01	104,00
	04	—		02	—
	05	110,00		03	—
1006 30 61 9900	01	104,00		04	—
	04	—		05	110,00
1006 30 63 9100	01	104,00	1006 30 96 9900	01	104,00
	02	—		04	—
	03	—	1006 30 98 9100	05	110,00
	04	—	1006 30 98 9900	—	—
	05	110,00	1006 40 00 9000	—	—
1006 30 63 9900	01	104,00			
	04	—			
1006 30 65 9100	01	104,00			
	02	—			
	03	—			
	04	—			
	05	110,00			

(1) The destinations are identified as follows:

- 01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia; refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a quantity of 1 974 t of milled rice equivalent,
- 02 Zones I, II, III, VI,
- 03 Zones IV, V, VII (c), Canada and Zone VIII excluding Suriname, Guyana and Madagascar,
- 04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87,
- 05 Ceuta and Melilla; refunds fixed under the procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 in respect of a total quantity of 621 t.

NB: The zones are those defined in the Annex to amended Commission Regulation (EEC) No 2145/92.

COMMISSION REGULATION (EC) No 547/1999
of 12 March 1999
amending Regulation (EC) No 2802/95 concerning the classification of certain
goods in the Combined Nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 2261/98⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the Combined Nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the Combined Nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods;

Whereas the Annex to Commission Regulation (EC) No 2802/95 of 4 December 1995 concerning the classification of certain goods in the Combined Nomenclature⁽³⁾

classified product No 1 as a beverage without taking account of its specific therapeutic and prophylactic properties in the treatment of anaemia caused by iron deficiencies; whereas it is necessary to amend the classification of this product which must be considered as a medicament;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The classification of product No 1 in the Annex to Regulation (EC) No 2802/95 shall be replaced by that in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 12 March 1999.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ L 292, 30. 10. 1998, p. 1.

⁽³⁾ OJ L 291, 6. 12. 1995, p. 5.

ANNEX

Description of the goods	Classification CN code	Reasons
(1)	(2)	(3)
<p>An amber syrup, put up in 125 ml bottles, intended to treat certain types of iron-deficiency anaemia.</p> <p>The product has the following composition (per 100 g):</p> <ul style="list-style-type: none">— sodium feredetate: 4,13 g⁽¹⁾— sorbitol: 24 g— glycerine: 13 g— citric acid: 0,1 g— ethyl alcohol 95°: 0,09 g— flavouring agent: 0,01 g— propyl parahydroxybenzoate: 0,01 g— methyl parahydroxybenzoate: 0,08 g— water: quant. suff.	3004 90 19	<p>Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 3004, 3004 90 and 3004 90 19.</p> <p>This product must be considered as a medicament because of its composition and its use for therapeutic purposes.</p>

⁽¹⁾ Sodium feredetate is a soluble ferric compound of crystallised sodium ethylenediamine tetra-acetate.

COMMISSION REGULATION (EC) No 548/1999
of 12 March 1999

**fixing the maximum buying-in price and the quantities of beef to be bought in
under the two hundred and nineteenth partial invitation to tender as a general
intervention measure pursuant to Regulation (EEC) No 1627/89**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organisation of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 1633/98⁽²⁾, and in particular Article 6(7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 2456/93 of 1 September 1993 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef⁽³⁾, as last amended by Regulation (EC) No 2812/98⁽⁴⁾, an invitation to tender was opened pursuant to Article 1(1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender⁽⁵⁾, as last amended by Regulation (EC) No 136/1999⁽⁶⁾;

Whereas, in accordance with Article 13(1) of Regulation (EEC) No 2456/93, a maximum buying-in price is to be fixed for quality R3, where appropriate, under each partial invitation to tender in the light of tenders received; whereas, in accordance with Article 13(2) of that Regulation, a decision may be taken not to proceed with the tendering procedure; whereas, in accordance with Article 14 of that Regulation, only tenders quoting prices not exceeding the maximum buying-in price and not exceeding the average national or regional market price, plus the amount referred to in paragraph 1 of that Article, are to be accepted;

Whereas, once tenders submitted in respect of the two hundred and nineteenth partial invitation to tender have been considered and taking account, pursuant to Article

6(1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughterings and prices, it has been decided not to proceed with the tendering procedure for category A and to fix the maximum buying-in price and the quantities which may be accepted into intervention for category C;

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

HAS ADOPTED THIS REGULATION:

Article 1

Under the two hundred and nineteenth partial invitation to tender opened pursuant to Regulation (EEC) No 1627/89:

- (a) for category A, it has been decided not to proceed with the tendering procedure;
- (b) for category C:
 - the maximum buying-in price shall be EUR 236/100 kg of carcasses or half-carcasses of quality R3,
 - the maximum quantity of carcasses and half-carcasses accepted shall be 594 t.

Article 2

This Regulation shall enter into force on 15 March 1999.

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

Done at Brussels, 12 March 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ L 210, 28. 7. 1998, p. 17.

⁽³⁾ OJ L 225, 4. 9. 1993, p. 4.

⁽⁴⁾ OJ L 349, 24. 12. 1998, p. 47.

⁽⁵⁾ OJ L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ L 17, 22. 1. 1999, p. 26.

COMMISSION REGULATION (EC) No 549/1999
of 12 March 1999
suspending the buying-in of butter in certain Member States

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular the first subparagraph of Article 7a(1) and Article 7a(3) thereof,

Whereas Council Regulation (EEC) No 777/87 ⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, sets out the circumstances under which the buying-in of butter and skimmed-milk powder may be suspended and subsequently resumed and, where suspension takes place, the alternative measures that may be taken;

Whereas Commission Regulation (EEC) No 1547/87 ⁽⁴⁾, as last amended by Regulation (EC) No 1802/95 ⁽⁵⁾, lays down the criteria for opening and suspending the buying-in of butter by invitation to tender in the Member States or, in the case of the United Kingdom and Germany, in a region thereof;

Whereas Commission Regulation (EC) No 328/1999 ⁽⁶⁾ suspends buying-in of butter in certain Member States; whereas information on market prices shows that the

condition laid down in Article 1(3) of Regulation (EEC) No 1547/87 is no longer met in Germany, Italy, Ireland and Spain; whereas the list of Member States in which that suspension applies must be adjusted accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Buying-in of butter by invitation to tender as provided for in Article 1(3) of Regulation (EEC) No 777/87 is hereby suspended in Belgium, Denmark, Greece, France, Luxembourg, the Netherlands, Austria, Portugal, Finland, Sweden, Great Britain and Northern Ireland.

Article 2

Regulation (EC) No 328/1999 is hereby repealed.

Article 3

This Regulation shall enter into force on 13 March 1999.

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

Done at Brussels, 12 March 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 78, 20. 3. 1987, p. 10.

⁽⁴⁾ OJ L 144, 4. 6. 1987, p. 12.

⁽⁵⁾ OJ L 174, 26. 7. 1995, p. 27.

⁽⁶⁾ OJ L 40, 13. 2. 1999, p. 21.

**COMMISSION REGULATION (EC) No 550/1999
of 12 March 1999**

fixing the maximum purchasing price for butter for the 235th invitation to tender carried out under the standing invitation to tender governed by Regulation (EEC) No 1589/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular the first subparagraph of Article 7a(1) first indent and Article 7a(3) thereof,

Whereas Article 5 of Commission Regulation (EEC) No 1589/87 of 5 June 1987 on the sale by tender of butter to intervention agencies ⁽³⁾, as last amended by Regulation (EC) No 124/1999 ⁽⁴⁾, 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 interven-

tion price applicable and that it may also be decided not to proceed with the invitation to tender;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 235th invitation to tender issued under Regulation (EEC) No 1589/87, for which tenders had to be submitted not later than 9 March 1999, the maximum buying-in price is fixed at EUR 295,38/100 kg.

Article 2

This Regulation shall enter into force on 13 March 1999.

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

Done at Brussels, 12 March 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 146, 6. 6. 1987, p. 27.

⁽⁴⁾ OJ L 16, 21. 1. 1999, p. 19.

COMMISSION REGULATION (EC) No 551/1999

of 12 March 1999

fixing the maximum aid for concentrated butter for the 199th 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 (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 7a(3) thereof,

Whereas, 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 ⁽³⁾, as last amended by Regulation (EC) No 124/1999 ⁽⁴⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; whereas 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;

Whereas, 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;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 199th 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 13 March 1999.

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

Done at Brussels, 12 March 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 45, 21. 2. 1990, p. 8.

⁽⁴⁾ OJ L 16, 21. 1. 1999, p. 19.

COMMISSION REGULATION (EC) No 552/1999
of 12 March 1999

**fixing the minimum selling prices for butter and the maximum aid for cream,
butter and concentrated butter for the 27th 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 (EEC) No 804/68 of 27 June 1968 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1587/96 ⁽²⁾, and in particular Article 6(3) and (6) and Article 12(3) thereof,

Whereas 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 ⁽³⁾, as last amended by Regulation (EC) No 494/1999 ⁽⁴⁾, 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; whereas the amount(s) of the processing securities must be fixed accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum aid and processing securities applying for the 27th 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 13 March 1999.

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

Done at Brussels, 12 March 1999.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ L 206, 16. 8. 1996, p. 21.

⁽³⁾ OJ L 350, 20. 12. 1997, p. 3.

⁽⁴⁾ OJ L 59, 6. 3. 1999, p. 17.

ANNEX

to the Commission Regulation of 12 March 1999 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 27th 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	92	—
	Concentrated butter		117	113	117	113
	Cream		—	—	40	38
Processing security	Butter		105	—	105	—
	Concentrated butter		129	—	129	—
	Cream		—	—	44	—

DIRECTIVE 1999/2/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 22 February 1999****on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation**

The EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 100a thereof,

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

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

Acting in accordance with the procedure laid down in Article 189b of the Treaty ⁽³⁾, in the light of the joint text approved by the Conciliation Committee on 9 December 1998,

- (1) Whereas differences between national laws relating to the treatment of foodstuffs by ionising radiation and its conditions of use hinder the free movement of foodstuffs and may create conditions of unequal competition, thereby directly affecting the operation of the internal market;
- (2) Whereas it is necessary to adopt measures aimed at the smooth operation of the internal market; whereas the internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured; whereas this is not the case at present because of the differences in treatment in the Member States, irradiation of foodstuffs being allowed in some and banned in others;
- (3) Whereas this framework Directive will be completed by Directive 1999/3/EC of the European Parliament and of the Council of 22 February 1999 on the establishment of a Community list of foods and food ingredients treated with ionising radiation ⁽⁴⁾, hereinafter referred to as 'the implementing Directive';
- (4) Whereas in several Member States foodstuff irradiation constitutes a sensitive issue in public debate, and whereas consumers may have cause for concern

about the consequences of the use of food irradiation;

- (5) Whereas, until the entry into force of the Community positive list of foodstuffs which may be treated with ionising radiation, it is appropriate that Member States may, in compliance with the rules of the Treaty, continue to apply existing national restrictions or bans on ionising radiation of foodstuffs and on trade in irradiated foodstuffs which are not included in the initial positive list established by the implementing Directive;
- (6) Whereas rules relating to the use of ionising radiation for the treatment of foodstuffs should take account primarily of human health requirements but also, within the limits required for the protection of health, of economic and technical needs;
- (7) Whereas Council Directive 96/29/Euratom of 13 May 1996 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation ⁽⁵⁾ is applicable;
- (8) Whereas approved irradiation units should be subject to an official control, through an inspection system to be created for the needs of this Directive;
- (9) Whereas approved units should keep records to ensure that the rules of this Directive have been respected;
- (10) Whereas Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer ⁽⁶⁾ has already laid down rules concerning the labelling of irradiated foodstuffs for sale to the ultimate consumer;
- (11) Whereas appropriate rules must also be laid down for the labelling of foodstuffs treated with ionising radiation not intended for the ultimate consumer;

⁽¹⁾ OJ C 336, 30. 12. 1988, p. 7 and OJ C 303, 2. 12. 1989, p. 15.

⁽²⁾ OJ C 194, 31. 7. 1989, p. 14.

⁽³⁾ Opinion of the European Parliament of 11 October 1989 (OJ C 291, 20. 11. 1989, p. 58), Council Common Position of 27 October 1997 (OJ C 389, 22. 12. 1997, p. 36) and Decision of the European Parliament of 18 February 1998 (OJ C 80, 16. 3. 1998, p. 130). Council Decision of 25 January 1999. Decision of the European Parliament of 28 January 1999.

⁽⁴⁾ See page 24 of this Official Journal.

⁽⁵⁾ OJ L 159, 29. 6. 1996, p. 1.

⁽⁶⁾ OJ L 33, 8. 2. 1979, p. 1. Directive as last amended by Directive 97/4/EC (OJ L 43, 14. 2. 1997, p. 21).

- (12) Whereas, without prejudice to the decision-making procedures laid down in the Treaty establishing the European Community or in this Directive, the Scientific Committee for Food set up by Decision 74/234/EEC⁽¹⁾ should be consulted on any question relating to this Directive which may have an effect on public health;
- (13) Whereas foodstuffs may only be treated by the action of ionising radiation if there is a food hygiene need, or a demonstrable technological or other advantage, or benefit to the consumer and if they are wholesome and in a proper condition, since ionising radiation should not be used as a substitute for hygiene or health practices or good manufacturing or agricultural practice;
- (14) Whereas the process should not be used as a substitute for good manufacturing practice, and whereas this condition is fulfilled for foodstuffs listed in the Annex to the implementing Directive;
- (15) Whereas, in all cases where the Council empowers the Commission to implement rules relating to food irradiation, provision should be made for a procedure instituting close cooperation between Member States and the Commission within the Standing Committee on Foodstuffs, and, where necessary, the Standing Veterinary Committee or the Standing Committee on Plant Health;
- (16) Whereas should the use of the process or of a foodstuff treated with ionising radiation authorised on the basis of this Directive appear to constitute a health risk, Member States should be authorised to suspend or limit such use, or to reduce the limits, pending a decision at Community level;
- (17) Whereas Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs⁽²⁾ leaves the choice of means and methods to the national enforcement authorities; whereas Council Directive 93/99/EEC of 29 October 1993 on the subject of additional measures concerning the official control of foodstuffs⁽³⁾ lays down quality standards for laboratories and requires the use of validated methods of analysis where available; whereas Article 5 of the latter Directive is applicable to the monitoring of the implementation of this Directive;
- (18) Whereas a *modus vivendi* between the European Parliament, the Council and the Commission concerning the implementing measures for acts adopted in accordance with the procedure laid down

in Article 189b of the Treaty⁽⁴⁾ was concluded on 20 December 1994,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive shall apply to the manufacture, marketing and importation of foods and food ingredients, hereinafter called 'foodstuffs', treated with ionising radiation.
2. This Directive shall not apply to:
 - (a) foodstuffs exposed to ionising radiation generated by measuring or inspection devices, provided that the dose absorbed is not greater than 0,01 Gy for inspection devices which utilise neutrons and 0,5 Gy in other cases, at a maximum radiation energy level of 10 MeV in the case of X-rays, 14 MeV in the case of neutrons and 5 MeV in other cases;
 - (b) the irradiation of foodstuffs which are prepared for patients requiring sterile diets under medical supervision.

Article 2

Member States shall take all measures necessary to ensure that irradiated foodstuffs can be placed on the market only if they comply with the provisions of this Directive.

Article 3

1. The conditions which must be fulfilled for authorisation of the treatment of foodstuffs with ionising radiation are set out in Annex I. At the time of treatment such foodstuffs must be in a suitably wholesome state.
2. Irradiation may be carried out only by means of the sources listed in Annex II and in accordance with the requirements of the Code of Practice referred to in Article 7(2). The overall average absorbed dose shall be calculated in accordance with Annex III.

Article 4

1. The Community list of foodstuffs which may be treated with ionising radiation to the exclusion of all others and the maximum radiation doses authorised shall be defined in the implementing Directive, which shall be adopted in accordance with the procedure laid down in Article 100a of the Treaty taking account of the authorisation conditions set out in Annex I.

⁽¹⁾ OJ L 136, 20. 5. 1974, p. 1.

⁽²⁾ OJ L 186, 30. 6. 1989, p. 23.

⁽³⁾ OJ L 290, 24. 11. 1993, p. 14.

⁽⁴⁾ OJ C 102, 4. 4. 1996, p. 1.

2. This list shall be established in stages.

3. The Commission shall examine the national authorisations in force and, after consulting the Scientific Committee for Food, submit in accordance with the procedure laid down in Article 100a of the Treaty proposals aiming at establishing the list.

At the latest 31 December 2000, the Commission shall, in accordance with Article 100a of the Treaty, submit a proposal intended to complete the positive list provided for in paragraph 1.

4. Until entry into force of the Directive adopted on the basis of the proposal referred to in the second subparagraph of paragraph 3, Member States may maintain existing authorisations concerning the treatment of foodstuffs with ionising radiation provided that:

- (a) the treatment of the foodstuff concerned has been subject to a favourable opinion of the Scientific Committee for Food;
- (b) the overall average absorbed radiation dose does not exceed the limit values recommended by the Scientific Committee for Food;
- (c) ionising radiation and placing on the market are effected in accordance with this Directive.

5. Until entry into force of the Directive adopted on the basis of the proposal referred to in the second subparagraph of paragraph 3, any Member State may also authorise the treatment of foodstuffs for which authorisations have been maintained by another Member State in accordance with paragraph 4, where the conditions referred to in paragraph 4 are fulfilled.

6. Member States shall forthwith notify the Commission and the other Member States of authorisations maintained under paragraph 4 or granted under paragraph 5 and of conditions attaching to them. The Commission shall publish these notifications in the *Official Journal of the European Communities*.

7. Until the entry into force of the Directive adopted on the basis of the proposal referred to in the second subparagraph of paragraph 3, Member States may, in compliance with the rules of the Treaty, continue to apply existing national restrictions or bans on ionising radiation of foodstuffs and on trade in irradiated foodstuffs which are not included in the initial positive list established by the implementing Directive.

Article 5

1. The maximum radiation dose for foodstuffs may be given in partial doses; however, the maximum radiation dose fixed in accordance with Article 4 must not be

exceeded. Irradiation treatment may not be used in combination with any chemical treatment having the same purpose as that treatment.

2. Exceptions to paragraph 1 may be decided on in accordance with the procedure laid down in Article 12.

Article 6

The labelling of foodstuffs treated with ionising radiation shall be governed by the following provisions:

1. in the case of products intended for the ultimate consumer and mass caterers:

- (a) if the products are sold as items, the words 'irradiated' or 'treated with ionising radiation' shall appear on the label as provided for in Article 5(3) of Directive 79/112/EEC.

In the case of products sold in bulk, these words shall appear together with the name of the product on a display or notice above or beside the container in which the products are placed;

- (b) if an irradiated product is used as an ingredient, the same words shall accompany its designation in the list of ingredients.

In the case of products sold in bulk, these words shall appear together with the name of the product on a display or notice above or beside the container in which the products are placed;

- (c) by way of derogation from Article 6(7) of Directive 79/112/EEC, the same words shall be required in order to indicate the irradiated ingredients used in compound ingredients in foodstuffs, even if these constitute less than 25 % of the finished product;

2. in the case of products not intended for the ultimate consumer and mass caterers:

- (a) the words provided for in the previous paragraph shall be used to indicate treatment of both the foods and the ingredients contained in a non-irradiated foodstuff;
- (b) either the identity and address of the facility which carried out the irradiation or its reference number as provided for in Article 7 shall be indicated;

3. the indication of treatment shall in all cases be given on the documents which accompany or refer to irradiated foodstuffs.

Article 7

1. Member States shall inform the Commission of the competent authority or authorities responsible for:

- prior approval of irradiation facilities,
- the allocation of an official reference number for approved irradiation facilities,
- official control and inspection,
- withdrawal or modification of approval.

2. Approval shall be granted only if the facility:

- meets the requirements of the Joint FAO/WHO Codex Alimentarius Commission Recommended International Code of Practice for the operation of irradiation facilities used for the treatment of foods (reference FAO/WHO/CAC, vol. XV edition 1), and any supplementary requirements which may be adopted in accordance with the procedure laid down in Article 12 of this Directive,
- designates a person responsible for compliance with all the conditions necessary for application of the process.

3. Each Member State shall forward to the Commission:

- the names, addresses and reference numbers of the irradiation facilities which it has approved, the text of the approval document, and any decision suspending or withdrawing approval.

Furthermore the Member States shall forward to the Commission every year:

- the results of checks carried out in the ionising irradiation facilities, in particular regarding the categories and quantities of products treated and the doses administered,
- the results of checks carried out at the product marketing stage. Member States shall ensure that the methods used to detect treatment with ionising radiation comply with paragraphs 1 and 2 of the Annex to Directive 85/591/EEC⁽¹⁾ and are standardised or validated either already or as soon as possible, up to 1 January 2003 at the latest. Member States shall inform the Commission of the methods used and the Commission shall assess the use and development of these methods having regard to an opinion of the Scientific Committee for Food.

4. On the basis of the data supplied in accordance with paragraph 3, the Commission shall publish in the *Official Journal of the European Communities*:

- the details of the facilities as well as any changes in their status,
- a report based on the information provided every year by the national supervisory authorities.

Article 8

1. Irradiation facilities approved in accordance with Article 7 must, for each source of ionising radiation used, keep a record showing for each batch of foodstuffs treated:

- (a) the nature and quantity of foodstuffs irradiated;
- (b) the batch number;
- (c) the person ordering the irradiation treatment;
- (d) the recipient of the treated foodstuffs;
- (e) the date of irradiation;
- (f) the packaging materials used during treatment;
- (g) the data for control of the irradiation process as provided for in Annex III, the dosimetric checks carried out and the results obtained, with details in particular of the limits, lower and upper, of the dose absorbed and the type of ionising radiation;
- (h) reference to the initial dose validation measurements.

2. The records referred to in paragraph 1 must be kept for a period of five years.

3. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 12.

Article 9

1. A foodstuff treated with ionising radiation may not be imported from a third country unless it:

- complies with the conditions which apply to those foodstuffs,
- is accompanied by documents showing the name and address of the facility which carried out the irradiation treatment and providing the information referred to in Article 8,
- was treated in an irradiation facility approved by the Community and appearing on the list referred to in paragraph 2 of this Article.

2.(a) In accordance with the procedure laid down in Article 12, the Commission shall draw up the list of approved facilities for which official supervision guarantees that the requirements of Article 7 are complied with.

For the purpose of drawing up this list, the Commission may instruct experts to carry out, under its authority, evaluations and inspections of irradiation facilities in third countries in accordance with Article 5 of Directive 93/99/EEC.

The Commission shall publish that list and any amendments thereto in the *Official Journal of the European Communities*.

- (b) The Commission may conclude technical arrangements with the competent organisations in third countries on the procedures whereby the evaluations and inspections referred to in (a) are to be carried out.

⁽¹⁾ OJ L 372, 31. 12. 1985, p. 50.

Article 10

Materials used for packaging foodstuffs to be irradiated must be suitable for the purpose.

Article 11

Amendments to the Annexes to take account of scientific and technical progress shall be adopted in accordance with the procedure laid down in Article 100a of the Treaty.

Article 12

1. Where the procedure defined in this Article is to be followed, the Commission shall be assisted by the Standing Committee on Foodstuffs, hereinafter referred to as 'the Committee'.

The Chairman shall, without delay, refer the matter to the Committee, either on his own initiative or at the request of the representative of a Member State.

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

3.(a) The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee.

(b) If the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 13

The Scientific Committee for Food shall be consulted on any matter falling within the scope of this Directive likely to have an effect on public health.

Article 14

1. Where a Member State, as a result of new information or of a reassessment of existing information made since this Directive was adopted, has clear proof that the

irradiation of certain foodstuffs endangers human health although it complies with the provisions of this Directive, that Member State may temporarily suspend or restrict application of the provisions in question in its territory. It shall immediately inform the other Member States and the Commission thereof, giving grounds for its decision.

2. The Commission shall examine the grounds referred to in paragraph 1 as soon as possible within the Standing Committee on Foodstuffs; it shall take the appropriate measures in accordance with the procedure laid down in Article 12. The Member State which took the decision referred to in paragraph 1 may maintain it until the measures have entered into force.

3. Amendments to this Directive or to the implementing Directive may be made in accordance with the procedure laid down in Article 12 only to the extent necessary to ensure the protection of public health and shall in any event be limited to prohibitions or restrictions as compared to the previous legal situation.

Article 15

Member States shall bring into force their laws, regulations and administrative provisions to comply with this Directive in such a way as to:

- permit the marketing and use of irradiated foodstuffs by 20 September 2000,
- prohibit the marketing and use of irradiated foodstuffs not complying with this Directive by 20 March 2001.

They shall inform the Commission thereof.

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

Article 16

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

Article 17

This Directive is addressed to the Member States.

Done at Brussels, 22 February 1999.

*For the European
Parliament*

The President

J.M. GIL-ROBLES

For the Council

The President

K.-H. FUNKE

*ANNEX I***CONDITIONS FOR AUTHORISING FOOD IRRADIATION**

1. Food irradiation may be authorised only if:
 - there is a reasonable technological need,
 - it presents no health hazard and is carried out under the conditions proposed,
 - it is of benefit to the consumer,
 - it is not used as a substitute for hygiene and health practices or for good manufacturing or agricultural practice.
2. Food irradiation may be used only for the following purposes:
 - to reduce the incidence of food-borne disease by destroying pathogenic organisms,
 - to reduce spoilage of foodstuffs by retarding or arresting decay processes and destroying spoilage organisms,
 - to reduce loss of foodstuffs by premature ripening, germination or sprouting,
 - to rid foodstuffs of organisms harmful to plant or plant products.

*ANNEX II***SOURCES OF IONISING RADIATION**

Foodstuffs may be treated only by the following sources of ionising radiation:

- (a) gamma rays from radionuclides ^{60}Co or ^{137}Cs ;
 - (b) X-rays generated from machine sources operated at or below a nominal energy (maximum quantum energy) level of 5 MeV;
 - (c) electrons generated from machine sources operated at or below a nominal energy (maximum quantum energy) level of 10 MeV.
-

ANNEX III

1. DOSIMETRY

Overall average absorbed dose

It can be assumed for the purpose of the determination of the wholesomeness of foodstuffs treated with an overall average dose of 10 kGy or less that all radiation chemical effects in that particular dose range are proportional to the dose.

The overall average dose, \bar{D} , is defined by the following integral over the total volume of the goods:

$$\bar{D} = \frac{1}{M} \int p(x,y,z) d(x,y,z) dV$$

where M = the total mass of the treated sample
 p = the local density at the point (x,y,z)
 d = the local absorbed dose at the point (x,y,z)
 $dV = dx dy dz$, the infinitesimal volume element which in real cases is represented by the volume fractions.

The overall average absorbed dose can be determined directly for homogenous products or for bulk goods of homogenous apparent density by distributing an adequate number of dosimeters strategically and at random throughout the volume of the goods. From the dose distribution determined in this manner an average can be calculated which is the overall average absorbed dose.

If the shape of the dose distribution curve through the product is well determined, the positions of minimum and maximum dose are known. Measurements of the distribution of dose in these two positions in a series of samples of the product can be used to give an estimate of the overall average dose.

In some cases, the mean value of the average values of the minimum dose (\bar{D}_{min}) and maximum dose (\bar{D}_{max}) will be a good estimate of the overall dose: i.e., in these cases:

$$\text{overall average dose} \approx \frac{\bar{D}_{max} + \bar{D}_{min}}{2}$$

The ratio of $\frac{\bar{D}_{max}}{\bar{D}_{min}}$ should not exceed 3.

2. PROCEDURES

- 2.1. Before routine irradiation of a given category of foodstuff begins at a radiation facility, the locations of the minimum and maximum doses are determined by making dose measurements throughout the product volume. These validation measurements must be carried out a suitable number of times (e.g. 3-5) in order to make allowance for variations in product density or geometry.
- 2.2. Measurements must be repeated whenever the product, its geometry or the irradiation conditions are changed.
- 2.3. During the process, routine dose measurements are carried out in order to ensure that the dose limits are not exceeded. Measurements should be carried out by placing dosimeters at the positions of the maximum or minimum dose, or at a reference position. The dose at the reference position must be quantitatively linked to the maximum and minimum dose. The reference position should be located at a convenient point in or on the product, where dose variations are low.
- 2.4. Routine dose measurements must be carried out on each batch and at regular intervals during production.
- 2.5. In cases where flowing, non-packaged goods are irradiated, the locations of the minimum and maximum doses cannot be determined. In such a case it is preferable to use random dosimeter sampling to ascertain the values of these dose extremes.
- 2.6. Dose measurements should be carried out by using recognised dosimetry systems, and the measurements should be traceable to primary standards.
- 2.7. During irradiation, certain facility parameters must be controlled and continuously recorded. For radio-nuclide facilities the parameters include product transport speed or time spent in the radiation zone and positive indication for correct position of the source. For accelerator facilities, the parameters include product transport speed and energy level, electron current and scanner width of the facility.

STATEMENT BY THE COMMISSION**Recital 17**

The Commission stresses that, once the new decision on the reform of the committee procedure has been adopted, it will propose to the legislator that the provisions governing committees in all previous acts should be adjusted to bring them into line with the new 'committee procedure' decision. The Commission undertakes to apply in full any inter-institutional agreement deriving from this new decision.

STATEMENT BY THE COUNCIL AND THE COMMISSION**Article 7(3) third indent**

With the objective of ensuring that such methods exist for all products, the Commission and the Member States will encourage the further development of standardised or validated methods of analysis, which aim to verify whether foodstuffs have been treated by ionising radiation. The Commission confirms that the annual report referred to in Article 7(4) will include information on such developments. It will include in its annual report for the year 2001 a review of the application of these provisions to determine whether any problems have arisen with the use of validated or standardised methods. The Commission will, where appropriate and in accordance with the decision-making procedures defined in the Treaties or in this Directive, take steps to deal with these problems and those that are likely to arise. This information shall also be made available to the European Parliament.

DIRECTIVE 1999/3/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 22 February 1999

on the establishment of a Community list of foods and food ingredients treated with ionising radiation

THE EUROPEAN PARLIAMENT AND THE COUNCIL
OF THE EUROPEAN UNION,

HAVE ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community, and in particular Article 100a thereof,

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

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

Acting in accordance with the procedure laid down in Article 189b of the Treaty ⁽³⁾, in the light of the joint text approved by the Conciliation Committee on 9 December 1998,

Whereas Article 4(1) and (2) of Directive 1999/2/EC of the European Parliament and of the Council of 22 February 1999 on the approximation of the laws of the Member States concerning foods and food ingredients treated with ionising radiation ⁽⁴⁾ hereinafter referred to as 'the framework Directive' provides for the adoption of a list of foodstuffs which, to the exclusion of all other, may be treated with ionising radiation; whereas this list shall be established in stages;

Whereas dried aromatic herbs, spices and vegetable seasonings are frequently contaminated and/or infested with organisms and their metabolites which are harmful to public health;

Whereas such contamination and/or infestation can no longer be treated with fumigants such as ethylene oxide because of the toxic potential of their residues;

Whereas the use of ionising radiation is an effective means of replacing the said substances;

Whereas such treatment has been accepted by the Scientific Committee for Food;

Whereas such treatment is therefore in the interest of public health protection,

Article 1

1. Without prejudice to the Community positive list to be established in accordance with the second subparagraph of Article 4(3) of the framework Directive, this Directive establishes a Community initial positive list of food and food ingredients, hereinafter referred to as 'foodstuffs', that may be treated with ionising radiation, together with the maximum doses authorised for the intended purpose.

2. Treatment of the products in question with ionising radiation may be carried out only in accordance with the provisions of the framework Directive. In particular, test methods shall be used in accordance with Article 7(3) of the framework Directive.

3. The foodstuffs that may be treated with ionising radiation and the maximum overall average dose that may be imparted are listed in the Annex.

Article 2

Member States may not prohibit, restrict or hinder the marketing of foodstuffs irradiated in accordance with the general provisions of the framework Directive and the provisions of this Directive on the grounds that they have been so treated.

Article 3

Any amendments to this Directive, shall be made in accordance with the procedures laid down in Article 100a of the Treaty.

Article 4

Member States shall bring into force the laws, regulations and administrative provisions to comply with this Directive in such a way as to permit the marketing and use of irradiated foodstuffs which comply with this Directive by 20 September 2000.

They shall inform the Commission thereof.

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

⁽¹⁾ OJ C 336, 30. 12. 1988, p. 7 and OJ C 303, 2. 12. 1989, p. 15.

⁽²⁾ OJ C 194, 31. 7. 1989, p. 14.

⁽³⁾ Opinion of the European Parliament of 11 October 1989 (OJ C 291, 20. 11. 1989, p. 58), Council Common Position of 27 October 1997 (OJ C 389, 22. 12. 1997, p. 47) and Decision of the European Parliament of 18 February 1998 (OJ C 80, 16. 3. 1998, p. 133). Council Decision of 25 January 1999. Decision of the European Parliament of 28 January 1999.

⁽⁴⁾ See page 16 of this Official Journal.

Article 5

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

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 22 February 1999.

For the European Parliament

The President

J. M. GIL-ROBLES

For the Council

The President

K.-H. FUNKE

*ANNEX***FOODSTUFFS AUTHORISED FOR IRRADIATION TREATMENT AND MAXIMUM RADIATION DOSES**

Category of foodstuff	Maximum overall average absorbed radiation dose (kGy)
Dried aromatic herbs, spices and vegetable seasonings	10

DIRECTIVE 1999/4/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 22 February 1999****relating to coffee extracts and chicory extracts**

THE EUROPEAN PARLIAMENT AND THE COUNCIL
OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 100a thereof,

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

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

Acting in accordance with the procedure laid down in Article 189b of the Treaty ⁽³⁾, in the light of the joint text approved by the Conciliation Committee on 8 December 1998,

Whereas certain vertical Directives relating to foods should be simplified in order to take account only of the essential requirements to be met by the products they cover in order that those products may move freely within the internal market, in accordance with the conclusions of the European Council held in Edinburgh on 11 and 12 December 1992, confirmed by those of the European Council in Brussels on 10 and 11 December 1993;

Whereas Council Directive 77/436/EEC of 27 June 1977 on the approximation of the laws of the Member States relating to coffee extracts and chicory extracts ⁽⁴⁾ was justified by the fact that differences between national laws on coffee extracts and chicory extracts could result in conditions of unfair competition likely to mislead consumers, and thereby have a direct effect on the establishment and functioning of the common market;

Whereas the aforesaid Directive was consequently designed to define coffee extracts and chicory extracts, to determine which substances may be added during their manufacture, to lay down common rules concerning the packaging and labelling of such extracts and to specify the conditions under which particular designations may be used for some of these products, in order to ensure their free movement within the Community;

Whereas Directive 77/436/EEC should be brought into line with general Community legislation on foodstuffs, particularly legislation on labelling and methods of analysis;

Whereas the Commission is planning to propose, as soon as possible and at all events before 1 July 2000, the inclusion in Directive 80/232/EEC ⁽⁵⁾ of a range of nominal weights for the products defined by this Directive;

Whereas the general food-labelling rules set out in Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer ⁽⁶⁾ should apply subject to certain conditions;

Whereas, pursuant to the principle of proportionality, this Directive does not go beyond what is necessary in order to achieve the objectives pursued, in accordance with the third paragraph of Article 3b of the Treaty;

Whereas, when this Directive is adapted in the future to general Community provisions on foodstuffs, the Commission will be assisted by the Standing Committee on Foodstuffs, set up by Decision 69/414/EEC ⁽⁷⁾;

Whereas, to avoid creating new barriers to free movement, Member States should refrain from adopting, for the products in question, national provisions not provided for by this Directive,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

This Directive concerns coffee extracts and chicory extracts as defined in the Annex.

This Directive does not apply to 'café torrefacto soluble'.

⁽¹⁾ OJ C 231, 9. 8. 1996, p. 24.

⁽²⁾ OJ C 56, 24. 2. 1997, p. 20.

⁽³⁾ Opinion of the European Parliament of 23 October 1997 (OJ C 339, 10. 11. 1997, p. 129), Council Common Position of 30 April 1998 (OJ C 204, 30. 6. 1998, p. 25) and Decision of the European Parliament of 16 September 1998 (OJ C 313, 12. 10. 1998, p. 90). Council Decision of 25 January 1999. Decision of the European Parliament of 11 February 1999.

⁽⁴⁾ OJ L 172, 12. 7. 1977, p. 20. Directive as last amended by the 1985 Act of Accession.

⁽⁵⁾ OJ L 51, 25. 2. 1980, p. 1. Directive as last amended by Directive 87/356/EEC (OJ L 192, 11. 7. 1987, p. 48).

⁽⁶⁾ OJ L 33, 8. 2. 1979, p. 1. Directive as last amended by Directive 97/4/EC of the European Parliament and of the Council (OJ L 43, 14. 2. 1997, p. 21).

⁽⁷⁾ OJ L 291, 19. 11. 1969, p. 9.

Article 2

Directive 79/112/EEC shall apply to the products defined in the Annex subject to the following conditions:

- (a) the product names listed in the Annex shall apply only to the products referred to therein and must be used in trade to designate them. Those names shall be supplemented by the words:

- 'paste' or 'in paste form' or
- 'liquid' or 'in liquid form'

as appropriate.

However, product names may be supplemented by the term 'concentrated':

- in the case of the product defined in point 1(c) of the Annex, provided that the coffee-based dry matter content is more than 25 % by weight,
- in the case of the product defined in point 2(c) of the Annex, provided that the chicory-based dry matter content is more than 45 % by weight;

- (b) the labelling must include the term 'decaffeinated' in the case of the products defined in point 1 of the Annex, provided that the anhydrous caffeine content does not exceed 0,3 % by weight of the coffee-based dry matter. This information must be within the same field of vision as the sales description;

- (c) in the case of the products defined in points 1(c) and 2(c) of the Annex, the label must include the terms 'with ...', 'preserved with ...', 'with added ...' or 'roasted with ...' followed by the name(s) of the types of sugar(s) used.

This information must be within the same field of vision as the sales description;

- (d) the labelling must indicate, in the case of the products defined in points 1(b) and (c) of the Annex, the minimum coffee-based dry matter content and, in the case of the products defined in points 2(b) and (c) of the Annex, the minimum chicory-based dry matter content. These contents shall be expressed as a percentage by weight of the finished product.

Article 3

For the products defined in the Annex, Member States shall not adopt national provisions not provided for by this Directive.

Article 4

The decision to bring this Directive into line with the general Community provisions applicable to foodstuffs shall be made in accordance with the procedure laid down in Article 5.

Article 5

1. The Commission shall be assisted by the Standing Committee on Foodstuffs, hereinafter referred to as 'the Committee', composed of representatives of the Member States and chaired by a representative of the Commission.

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

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee.

If the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall forthwith submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of three months from the date on which the matter was referred to it, the Council has not acted, the proposed measures shall be adopted by the Commission.

Article 6

Directive 77/436/EEC is hereby repealed with effect from 13 September 2000.

References to the repealed Directive shall be construed as references to this Directive.

Article 7

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 13 September 2000. They shall immediately inform the Commission thereof.

The laws, regulations and administrative provisions shall be applied so as to:

- authorise the marketing of the products defined in the Annex if they conform to the definitions and rules laid down in this Directive, with effect from 13 September 2000,
- prohibit the marketing of products which fail to conform to this Directive, with effect from 13 September 2001. However, the marketing of products failing to comply with this Directive but labelled before 13 September 2001 in accordance with Directive 77/436/EEC shall be permitted until stocks are exhausted.

When Member States adopt these measures, the latter shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

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

Article 8

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

Article 9

This Directive is addressed to the Member States.

Done at Brussels, 22 February 1999.

*For the European
Parliament*

The President

J. M. GIL-ROBLES

For the Council

The President

K.-H. FUNKE

ANNEX

PRODUCT DESCRIPTIONS, DEFINITIONS AND CHARACTERISTICS

1. 'Coffee extract', 'soluble coffee extract', 'soluble coffee' or 'instant coffee'

This means the concentrated product obtained by extraction from roasted coffee beans using only water as the medium of extraction and excluding any process of hydrolysis involving the addition of an acid or a base. Apart from those insoluble substances which it is technically impossible to remove, and insoluble oils derived from coffee, coffee extract must contain only the soluble and aromatic constituents of coffee. Member States shall ensure that the methods used to determine the free and total carbohydrate content of soluble coffees are in conformity with paragraphs 1 and 2 of the Annex to Council Directive 85/591/EEC of 20 December 1985 concerning the introduction of Community methods of sampling and analysis for the monitoring of foodstuffs intended for human consumption⁽¹⁾ and that they are validated or standardised, either already or as soon as possible.

The coffee-based dry matter content must be:

- (a) not less than 95 % by weight in the case of dried coffee extract;
- (b) from 70 % to 85 % by weight in the case of coffee extract paste;
- (c) from 15 % to 55 % by weight in the case of liquid coffee extract.

Coffee extract in solid or paste form must contain no substances other than those derived from the extraction of coffee. Liquid coffee extract may contain edible sugars, whether or not roasted, in a proportion not exceeding 12 % by weight.

2. 'Chicory extract', 'soluble chicory' or 'instant chicory'

This means the concentrated product obtained by extraction from roasted chicory using only water as the medium of extraction and excluding any process of hydrolysis involving the addition of an acid or a base.

'Chicory' means the roots of *Cichorium Intybus* L., not used for the production of witloof chicory, usually used for the preparation of beverages, suitably cleaned to be dried and roasted.

The chicory-based dry matter content must be:

- (a) not less than 95 % by weight in the case of dried chicory extract;
- (b) from 70 % to 85 % by weight in the case of chicory extract paste;
- (c) from 25 % to 55 % by weight in the case of liquid chicory extract.

Chicory extract in solid or paste form may contain not more than 1 % by weight of substances not derived from chicory.

Liquid chicory extract may contain edible sugars, whether roasted or not, to a proportion not exceeding 35 % by weight.

⁽¹⁾ OJ L 372, 31. 12. 1985, p. 50.

II

(Acts whose publication is not obligatory)

COMMISSION

**DECISION No 1/99 OF THE JOINT COMMITTEE ESTABLISHED UNDER
THE AGREEMENT BETWEEN THE EUROPEAN COAL AND STEEL
COMMUNITY AND THE REPUBLIC OF TURKEY ON TRADE IN PROD-
UCTS COVERED BY THE TREATY ESTABLISHING THE EUROPEAN COAL
AND STEEL COMMUNITY**

of 23 February 1999

**as regards the adoption of the rules of procedure of the ECSC-Turkey Joint
Committee**

(1999/192/ECSC)

THE JOINT COMMITTEE,

Article 2

Having regard to the Agreement between the European Coal and Steel Community and the Republic of Turkey on trade in products covered by the Treaty establishing the European Coal and Steel Community, and in particular Articles 14, paragraph 3 thereof, and 19,

HAS DECIDED AS FOLLOWS:

Article 1

Membership

1. The Contracting Parties shall designate their representatives in the ECSC-Turkey Joint Committee, hereinafter referred to as the 'Committee'. A member of the Committee who is prevented from attending a meeting may arrange to be represented.

2. The representatives thus designated may be accompanied by officials who assist them. The number of such officials may be decided upon by the Committee. The Committee may decide to invite other persons to attend its meetings as observers.

3. Meetings of the Committee shall not be public unless the Committee decides otherwise.

Offices

1. The office of chairman of the Committee shall be held alternately, for a period of a year, by the representative of the Community, i.e. the Commission of the European Communities, and the representative of the Republic of Turkey. The first period shall begin on the date of the first Committee meeting.

2. All secretarial functions for the Committee shall fall within the responsibility of the Chairman-in-office.

3. A representative of the Commission of the European Communities and a representative nominated by Turkey shall act jointly as the Secretaries of the Committee.

Article 3

Meetings

1. The Committee shall meet once a year. In urgent circumstances, the Contracting Parties may hold extraordinary sessions. Requests by either of the Parties for such meetings shall be addressed to the Chairman-in-office. The Chairman shall convene a meeting of the Committee within ten days of receipt of a request for an extraordinary meeting, unless otherwise agreed with the requesting Contracting Party.

2. The Chairman shall draw up a provisional agenda for each meeting. The invitation to the meeting and the provisional agenda shall be forwarded to the addressees referred to in Article 9 not later than seven days before the meeting. The provisional agenda shall be accompanied by all necessary working documents.

3. The time limit laid down in paragraph 2 shall not apply with regard to urgent meetings convened in accordance with paragraph 1.

4. The agenda shall be adopted by the Committee at the beginning of each meeting. The Committee may decide to include in the agenda an item that does not appear on the provisional agenda. An item for which a meeting has been requested in accordance with paragraph 1 must be entered on the agenda.

Unless otherwise agreed by the Parties, each session of the Committee shall be held alternately in Brussels and Ankara at a date agreed by both Parties.

Article 4

Expenses

1. The Community and the Republic of Turkey shall each defray the expenses they incur by reason of their participation in the meetings of the Committee, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure.

2. Expenditure in connection with interpreting at meetings, translation and reproduction of documents shall be borne by the Community, with the exception of expenditure in connection with interpretation or translation into or from Turkish, which shall be borne by the Republic of Turkey.

3. Other expenditure relating to the material organisation of meetings shall be borne by the Party that hosts the meeting.

Article 5

Written procedures

In urgent cases, the Committee may adopt decisions or recommendations by written procedure.

Article 6

Minutes

1. Draft minutes of each meeting of the Committee shall be drawn up by the two Secretaries under the Chairman's responsibility within three days of the meeting.

2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:

- documents submitted to the Committee,
- statements, the entry of which has been requested by a Contracting Party,
- the decisions and recommendations taken, the statements agreed upon and the conclusions adopted by the Committee.

3. The text of decisions and recommendations adopted by the Committee shall be annexed to the minutes.

4. The draft minutes shall be submitted to the Committee for approval.

5. The adopted minutes shall be signed by the Chairman-in-office at the time of their adoption and by the two Secretaries of the Committee and shall be forwarded to the addresses referred to in Article 9.

Article 7

Acts

1. Committee Acts shall be adopted by common agreement and signed by the Chairman-in-office at the time of their adoption and by the two secretaries of the Committee.

2. Committee decisions and recommendations shall be entitled 'Decision' or 'Recommendation', followed by a serial number, by the date of their adoption and by a reference to their subject matter.

3. Copies of all decisions and recommendations shall be forwarded by the Chairman to the addresses referred to in Article 9.

4. Each Party may decide on the publication of decisions and recommendations of the Committee in its respective official publication.

Article 8

Languages

Committee decisions and recommendations shall be adopted in the official languages of the Community and in Turkish.

Article 9

Addresses

1. All decisions and recommendations made by the Committee in accordance with these Rules of Procedure shall also be addressed to the Commission of the European Communities, the Permanent Representations of the Member States to the European Union and to the Permanent Representation of Turkey to the European Union.

2. Correspondence for the Committee shall be addressed to its Chairman.

*Article 10***Subordinate bodies**

The Committee may decide to set up permanent and/or temporary sub-committees or working groups as it considers necessary to assist it in accomplishing its tasks pursuant to such rules and procedures as the Committee shall lay down. The sub-committees and working groups shall report to the Committee.

*Article 11***Contact Group**

1. The Contact Group established under Article 19 of the Agreement between the European Coal and Steel Community and the Republic of Turkey on trade in products covered by the ECSC Treaty shall be composed of representatives of both Parties. If both Parties agree that it would be appropriate, representatives of the coal and steel industries shall be invited to meet in parallel to the Contact Group and to report to it on the result of their discussions.
2. The chairmanship of the Contact Group shall be held alternately by a representative of the Commission of the European Communities and a representative of Turkey.
3. Unless either Party requests that they take place within the Committee, discussions on matters arising out

of the functioning of the Agreement shall initially take place within the Contact Group.

4. The Contact Group shall report to the Committee.
5. The Contact Group shall meet at least once a year, alternately on the territories of each Party.

*Article 12***Confidentiality**

Without prejudice to other applicable provisions, the work of the Committee and the Contact Group shall be covered by the obligation of professional secrecy, except insofar as the Committee decides otherwise.

Article 13

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

Article 14

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 23 February 1999.

By the ECSC-Turkey Joint Committee

The Chairman

Salvatore SALERNO
