COMMISSION REGULATION (EC) No 1526/2000

of 13 July 2000

amending Annex II to Council Regulation (EC) No 1255/1999 on the common organisation of the market in milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products [1], as amended by Regulation (EC) No 1040/2000 [2], and in particular Article 31(14) thereof,

Whereas:

(1) Article 8 of Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products [3], as last amended by Commission Regulation (EC) No 2491/98 [4], provides that on exportation of the goods, the agricultural products which have been used may qualify for refunds established pursuant to the regulations on the common organisation of the market in the sectors concerned.

(2) Article 31 of Regulation (EC) No 1255/1999 provides for refunds on certain products covered by the Regulation if they are exported in the form of goods listed in Annex II thereto.

(3) In view of the Community's commitments under the World Trade Organisation (WTO) Agreement on Agriculture [5] and budget availabilities, and in view of anticipated developments in agricultural prices in the Community and on the world market and in exports of agricultural products in the form of goods not listed in Annex I to the Treaty, the possibility of granting export refunds on agricultural products in the form of goods in which they may be incorporated should be restricted.

(4) As a result, the list of goods in Annex II to Regulation (EC) No 1255/1999 should be amended.

(5) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 1255/1999 is replaced by the Annex to this Regulation.

Article 2

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

It shall not apply to refund certifates issued before the date of entry into force of this Regulation.

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

Done at Brussels, 13 July 2000.

For the Commission

Franz FISCHLER

Member of the Commission

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[1] OJ L 160, 26.6.1999, p. 48.
[2] OJ L 118, 19.5.2000, p. 1.
[3] OJ L 318, 20.12.1993, p. 18.
[4] OJ L 309, 19.11.1998, p. 28.
[5] OJ L 336, 23.12.1994, p. 22.

ANNEX

'ANNEX II

CN code	Description of goods
ex 0405	Butter and other fats and oils derived from milk; dairy spreads:
0405 20	– Dairy spreads
0405 20 10	– – of a fat content, by weight, of 39 % or more but less than 60 %
0405 20 30	– – – of a fat content, by weight, of 60 % or more but not exceeding 75 %
ex 1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of CN code 1516:
1517 10	– Margarine, excluding liquid margarine:
1517 10 10	– – containing more than 10 % but not more than 15 % by weight of milk fats
1517 90	– Other:
1517 90 10	– – containing more than 10 % but not more than 15 % by weight of milk fats
ex 1704	Sugar confectionery (including white chocolate), not containing cocoa:
ex 1704 90	– Other, excluding liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances
ex 1806	Chocolate and other food preparations containing cocoa, excluding cocoa powder sweetened solely by the addition of sucrose of CN code 1806 10
ex 1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of CN codes 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:
1901 10 00	– Preparations for infant use, put up for retail sale
1901 20 00	– Mixes and doughs for the preparation of bakers' wares of CN code 1905
1901 90	– other:
	– – other:
1901 90 99	– – – other
ex 1902	Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared:
	– Uncooked pasta not stuffed or otherwise prepared:
1902 19	– – other
1902 20	– Stuffed pasta, whether or not cooked or otherwise prepared:
	– – other:
1902 20 91	– – – Cooked
1902 20 99	– – – other

CN code	Description of goods
1902 30	– other pasta
1902 40	– Couscous:
1902 40 90	– – Other
1904	Prepared food obtained by the swelling or roasting of cereals or cereal products (for example, cornflakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour and meal), pre-cooked or otherwise prepared, not elsewhere specified or included
1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products:
1905 10 00	Crispbread
1905 20	– Gingerbread and the like
1905 30	– Sweet biscuits; waffles and wafers
1905 40	– Rusks, toasted bread and similar toasted products
1905 90	– other:
	– – other:
1905 90 40	– – – Waffles and wafers with a water content exceeding 10 % by weight
1905 90 45	– – – Biscuits
1905 90 55	– – – Extruded or expanded products, savoury or salted
1905 90 60	– – – – with added sweetening matter
1905 90 90	– – – – other
ex 2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading No 2006:
2004 10	– Potatoes:
	– – other:
2004 10 91	– – – in the form of flour, meal or flakes
ex 2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading No 2006:
2005 20	– Potatoes:
2005 20 10	– – in the form of flour, meal or flakes
2105 00	Ice cream and other edible ice, whether or not containing cocoa
ex 2106	Food preparations not elsewhere specified or included:
2106 90	– Other:
2106 90 10	– – Cheese fondues
	– – Other:
2106 90 92	– – – Containing no milk fats, sucrose, isoglucose, glucose or starch or containing, by weight, less than 1,5 % milk fat, 5 % sucrose or isoglucose, 5 % glucose or starch
2106 90 98	– – – Other
ex 2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit and vegetable juices of CN code 2009:
2202 90	– other:
	– – other, containing by weight of fat obtained from the products of CN codes 0401 to 0404:

CN code	Description of goods
2202 90 91	– – – less than 0,2 %
2202 90 95	– – – 0,2 % or more but less than 2 %
2202 90 99	– – – 2 % or more
ex 2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirituous beverages:
2208 70	– Liqueurs and cordials
2208 90	– other:
	– – other spirits and spirituous beverages, in containers holding:
	– – – two litres or less:
	– – – – other:
2208 90 69	– – – – – other spirituous beverages
	– – – more than two litres:
2208 90 78	– – – – other spirituous beverages
ex 3302	Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages:
3302 10	– of a kind used in the food or drink industries:
	– – of a kind used in the drink industries:
3302 10 29	– – – – – other
3501	Casein, caseinates and other casein derivatives; casein glues
ex 3502	Albumins, albuminates and other albumin derivatives:
3502 20	– Milk albumin, including concentrates of two or more whey proteins:
	– – other:
3502 20 91	– – – dried (for example in sheets, scales, flakes, powder)
3502 20 99	– – – other'