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I

(Acts whose publication is obligatory)

**REGULATION (EC) No 257/2001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 22 January 2001
regarding the implementation of measures to promote economic and social development in Turkey**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 179 thereof,

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

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽²⁾,

Whereas:

- (1) Relations between the European Union and Turkey are based mainly on the Association Agreement of 12 September 1963 ⁽³⁾ and the decisions of the Association Council which the Association Agreement set up.
- (2) Turkey is engaged in substantial reform to improve its economy, restructure and increase the efficiency of its public sector, modernise its economic and social infrastructure and develop its manufacturing sector.
- (3) The Cardiff European Council on 15 and 16 June 1998 affirmed the importance it attached to the implementation of the European strategy for Turkey and requested the Commission to table proposals, including proposals on financial matters, in that connection.
- (4) Income is unequally distributed across Turkey's provinces and in order to act on the conclusions of the Cardiff European Council it is, in particular, appropriate that these disparities be remedied by backing the development of regions which are lagging behind and by strengthening economic and social cohesion.
- (5) The conclusions of the Council meeting of 13 September 1999 referred to financial assistance for Turkey.

- (6) The Helsinki European Council of 10 and 11 December 1999 stated that Turkey was a candidate State destined to join the Union on the basis of the same criteria as applied to the other candidate States.

- (7) The provisions of this Regulation are based on respect for democratic principles, the rule of law, human rights and fundamental freedoms and respect for international law, which underpin the policies of the European Community and its Member States, and on the obligations entered into under the various agreements in those fields.

- (8) The Community attaches great importance to the need for Turkey to improve and promote its democratic practices and respect for fundamental human rights, and more closely involve civil society in that process.

- (9) The European Parliament has adopted a number of resolutions in particular on the importance of respect for human rights in Turkey to the development of close ties between that country and the European Union, namely those of 13 December 1995 on the human rights situation in Turkey, 17 September 1998 on the Commission reports on developments in relations with Turkey since the entry into force of the customs union, 3 December 1998 on the communication from the Commission to the Council and the European Parliament on the further development of relations with Turkey and on the communication from the Commission to the Council entitled 'European strategy for Turkey: the Commission's initial operational proposals' and 6 October 1999 on the state of relations between Turkey and the European Union ⁽⁴⁾.

- (10) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁵⁾.

⁽¹⁾ OJ C 408, 29.12.1998, p. 18 and OJ C 311 E, 31.10.2000, p. 125.

⁽²⁾ Opinion of the European Parliament of 2 December 1999 (OJ C 194, 11.7.2000, p. 48), Council Common Position of 13 June 2000 (OJ C 240, 23.8.2000, p. 25) and Decision of the European Parliament of 6 September 2000 (not yet published in the Official Journal). Council Decision of 28 December 2000.

⁽³⁾ OJ 217, 29.12.1964, p. 1.

⁽⁴⁾ OJ C 17, 22.1.1996, p. 46; OJ C 313, 12.10.1998, p. 176; OJ C 398, 21.12.1998, p. 57; OJ C 107, 3.4.2000, p. 78.

⁽⁵⁾ OJ L 184, 17.7.1999, p. 23.

- (11) This Regulation lays down, for the entire duration of the programme, a financial framework constituting the prime reference, within the meaning of point 33 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and Commission ⁽¹⁾, for the budgetary authority during the annual budgetary procedure.
- (12) The projects and programmes financed with this support must further Turkey's economic and social development, help to promote the defence of human rights and respect for, and the protection of, the country's minorities, and contribute to the reform of its development policies and the restructuring of its institutional and legal framework in order to ensure compliance with these principles.
- (13) The projects and programmes financed with this support must benefit above all the population affected by Turkey's development lag,

HAVE ADOPTED THIS REGULATION:

Article 1

The Community shall assist Turkey in its efforts to achieve economic and social development.

Article 2

The financial framework for the implementation of this programme for the period 2000 to 2002 is hereby set at EUR 135 million. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.

Article 3

1. The beneficiaries of cooperation projects and operations may include not only the Turkish state and regions but also local authorities, regional organisations, public bodies and departments, including the customs administration, local or traditional communities, business support organisations, cooperatives and civil society, in particular associations, foundations and non-governmental organisations.

2. Where an essential element for the continuation of assistance to Turkey is lacking, in particular in the case of violation of democratic principles, the rule of law, human rights and fundamental freedoms and international law, the Council, acting by qualified majority on a proposal from the Commission, may decide upon appropriate measures.

3. The Commission shall pass information on its indicative programme to the committee referred to in Article 7 ('MED Committee') and to the joint parliamentary committee and the EU-Turkey joint economic and social committee.

⁽¹⁾ OJ C 172, 18.6.1999, p. 1.

Article 4

1. Cooperation projects and operations may be financed in the following indicative areas:

- (a) modernising manufacturing, improving institutional and infrastructure capacity in areas including the environment, energy and transport, excluding the development of nuclear power, especially in earthquake zones;
 - (b) promotion of industrial cooperation by methods including support for diversification in industry and the establishment of small and medium-sized enterprises;
 - (c) cooperation in telecommunications, infrastructure, rural development and social services;
 - (d) boosting the capacity of the Turkish economy, *inter alia* by measures to encourage the restructuring of the country's public sector and private initiative;
 - (e) cooperation in protecting health;
 - (f) cooperation in the field of education and training;
 - (g) regional and cross-border cooperation;
 - (h) any form of cooperation seeking to defend and promote democracy, the rule of law, human rights, respect for minorities and the protection and recognition of their cultural identity, and support for measures seeking to abolish capital punishment;
 - (i) any form of cooperation seeking to resolve the Kurdish problem;
 - (j) cooperation on humanitarian issues;
 - (k) measures to promote the development of social dialogue within Turkey and between Turkey and the European Union;
 - (l) all forms of assistance aimed at promoting the development of relations between the European Union and Turkey;
 - (m) promotion of cooperation between the two parties' public administrations with a view to the approximation of legislation and the training of staff, including customs officers.
2. Where appropriate, measures could be taken to underpin a structural adjustment programme on the basis of the following principles:
- (a) support programmes must be tailored as far as possible to Turkey's particular circumstances and take account of economic and social conditions;
 - (b) support programmes must include measures to alleviate any negative impact of the structural adjustment process in social and employment terms, in particular for the most disadvantaged sectors of the population;
 - (c) account must be taken of Turkey's economic situation, and in particular regional economic imbalances, its level of indebtedness, debt servicing charges, balance of payments and foreign currency supply, monetary situation, per capita gross domestic product and unemployment level.

Article 5

1. Financial support under this Regulation shall take the form of grants.
2. The instruments to be employed in the course of the operations covered by this Regulation shall include, within the limits established by the budgetary authority during the annual budget procedure, technical assistance, training or other services, supplies and works, along with audits and evaluation and monitoring missions.
3. Community financing may cover investment, with the exception of the purchase of buildings, and recurring costs (including administrative, maintenance and operational costs), taking account of the fact that the project must aim to have the recurring costs taken over by the beneficiaries.
4. A financial contribution from the partners defined in Article 3 shall be sought for each cooperation operation. The contribution requested shall be within the means of the partners concerned and shall depend on the nature of the operation. In specific cases where the partner is a non-governmental organisation or a community-based organisation, a contribution in kind may be made.
5. Opportunities may be sought for cofinancing with other providers of funds, especially with Member States.
6. The necessary measures shall be taken to emphasise the Community character of the aid provided under this Regulation.
7. In order to achieve the objectives of coherence and complementarity referred to in the Treaty, and with the aim of guaranteeing optimum efficiency for these actions as a whole, the Commission will take all necessary coordination measures, notably:
 - (a) the establishment of a system for systematic exchange and analysis of information on the planning of operations to be carried out, the approval of each individual operation the financing of which is under consideration by the Community and the Member States, and the development of the operations already approved;
 - (b) on-the-spot coordination of these operations by means of regular meetings and exchange of information between the representatives of the Commission and Member States in the beneficiary country.
8. The Commission, in conjunction with the Member States, may take any initiatives necessary for ensuring proper coordination with the other providers of funds involved.

Article 6

1. The Commission shall examine, approve and administer operations covered by this Regulation according to the budgetary procedures in force, and in particular those laid down in

the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽¹⁾.

2. Project and programme appraisal shall take into account the following factors:
 - (a) effectiveness and economic viability of operations;
 - (b) cultural, social and gender aspects;
 - (c) conservation and protection of the environment on the basis of the principles of sustainable development;
 - (d) institutional development necessary to achieve project goals;
 - (e) experience gained from operations of the same kind.

3. Decisions relating to grants of more than EUR 2 million for individual operations financed under this Regulation shall be taken under the procedure laid down in Article 7(2).

The Commission shall inform the MED Committee succinctly of any financing decisions it intends to take with regard to projects and programmes equal to, or less than, EUR 2 million in value. The information shall be made available at least one week before the decision is taken.

The Commission shall take all necessary steps to facilitate take-up of grants by small, non-profit-making NGOs.

4. Where the overrun or additional requirement is equal to, or less than, 20 % of the initial commitment fixed by the financing decision, the Commission shall be authorised to approve, without seeking the opinion of the MED Committee, any additional commitments needed for covering expected or real cost overruns in connection with the operations.

Where the additional commitment referred to in the previous subparagraph is less than EUR 4 million, the MED Committee shall be informed of the decision taken by the Commission. Where the said additional commitment is more than EUR 4 million but less than 20 %, the Committee's opinion shall be required.

5. All financing agreements or contracts concluded under this Regulation shall provide for the Commission and the Court of Auditors to conduct on-the-spot checks according to the usual procedures laid down by the Commission under the rules in force, and in particular those of the Financial Regulation.

6. Where operations are the subject of financing agreements between the Community and Turkey, such agreements shall stipulate that the payment of taxes, duties or any other charges is not to be covered by the Community.

7. Participation in invitations to tender and the award of contracts shall be open on equal terms to all natural and legal persons in the Member States and Turkey.

8. Supplies shall originate in the Member States or Turkey.

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

Article 7

1. The Commission shall be assisted by the committee set up by Regulation (EC) No 1488/96 ⁽¹⁾, called the 'MED Committee'.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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

3. The MED Committee shall adopt its rules of procedure.

Article 8

An exchange of views shall take place, once a year, on the basis of a presentation by the Commission's representative of the indicative programme for the operations to be carried out in the year ahead, in a meeting of the MED Committee.

The European Parliament shall be informed of the proposals and of the outcome of the discussions.

Article 9

The Commission shall submit an annual report to the European Parliament and to the Council during the first quarter of each year. This report shall contain at least the following:

- (a) a detailed summary of the operations financed during the previous financial year;
- (b) the planned indicative programme for the current financial year and a statement of the progress made with regard to the operations included therein;

- (c) the forecasts for the programme and the operations to be undertaken during the following financial year;
- (d) a summary of any evaluations made, including those relating to specific operations;
- (e) information on the bodies with which the agreements or contracts have been concluded.

Article 10

The Commission shall regularly evaluate operations financed by the Community with a view to establishing whether the objectives of the operations have been achieved and to provide guidelines for improving the effectiveness of future operations.

The Commission shall submit to the MED Committee a summary of the evaluations made, which the latter may, if necessary, examine.

Evaluation reports shall be made available to any Member States requesting them.

Article 11

Six months before the end of the three-year financial framework, the Commission shall submit to the European Parliament and the Council an overall assessment of the operations financed by the Community under this Regulation, together with suggestions regarding the future of this Regulation and, where necessary, proposals for amending it.

Article 12

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

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

Done at Brussels, 22 January 2001.

For the European Parliament

The President

N. FONTAINE

For the Council

The President

A. LINDH

⁽¹⁾ Council Regulation (EC) No 1488/96 of 23 July 1996 on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean partnership (OJ L 189, 30.7.1996, p. 1). Regulation as amended by Regulation (EC) No 780/98 (OJ L 113, 15.4.1998, p. 3).

COMMISSION REGULATION (EC) No 258/2001
of 8 February 2001
establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 February 2001.

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

Done at Brussels, 8 February 2001.

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 8 February 2001 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	137,2
	204	38,4
	212	118,6
	999	98,1
0707 00 05	052	106,4
	068	78,5
	628	148,7
	999	111,2
0709 10 00	220	183,9
	999	183,9
0709 90 70	052	108,0
	204	61,9
	999	85,0
0805 10 10, 0805 10 30, 0805 10 50	052	63,0
	204	46,7
	212	39,3
	624	56,7
	999	51,4
0805 20 10	204	91,4
	624	61,9
	999	76,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	67,3
	204	83,0
	600	91,8
	624	84,5
	999	81,7
0805 30 10	052	58,8
	600	54,4
	999	56,6
0808 10 20, 0808 10 50, 0808 10 90	400	93,0
	404	108,8
	720	118,6
	728	87,5
	999	102,0
0808 20 50	388	114,5
	400	101,9
	528	106,0
	999	107,5

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 259/2001

of 7 February 2001

establishing measures for the recovery of the stock of cod in the North Sea (ICES subarea IV) and associated conditions for the control of activities of fishing vessels

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

passing through the closed area, additional measures to control the activities of such fishing vessels are required,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, as last amended by Regulation (EC) No 1181/98 ⁽²⁾, and in particular Article 15(1) thereof,

Article 1

Whereas:

- (1) In November 2000, the International Council for the Exploration of the Sea indicated that the stock of cod in the North Sea (ICES subarea IV) is at serious risk of collapse.
- (2) At the Council meeting of 14 and 15 December 2000, the Commission and the Council noted the urgent requirement to establish a recovery plan for cod in the North Sea.
- (3) Norway and the European Union are co-managers of the stock of cod in the North Sea and an Agreed Record indicating, *inter alia*, the management measures which should immediately be brought in to force was signed by the two Parties on 24 January 2001.
- (4) The immediate requirement is to allow as many cod as possible to spawn during the period mid-February to the end of April 2001.
- (5) Therefore, the establishment of an area closed to fishing in this period is urgently required in the appropriate geographical area of the North Sea.
- (6) However, fishing with gears appropriate for the capture of pelagic fish and sandeels in the North Sea creates no peril for the cod stock. Fisheries for these species within the closed area should, therefore, be permitted.
- (7) To confirm that fishing for pelagic fish and sandeels creates no peril for cod, observers should be placed on board vessels which fish for these species within the closed area.
- (8) To further ensure compliance with the required conditions for fishing by fishing vessels operating within or

1. Throughout the period 14 February to 30 April 2001 it shall be prohibited to conduct any fishing activity within those parts of ICES subarea IV situated outside the limit of 12 nautical miles calculated from the baselines of the coastal Member States and within the area comprising the following ICES statistical rectangles or parts thereof:

50 E7 ⁽³⁾, 50 E8 ⁽³⁾, 50 E9, 50 F0, 50 F1, 50 F2 ⁽⁴⁾49 E6 ⁽³⁾, 49 E7 ⁽³⁾, 49 F1, 49 F2

48 E6, 48 F1, 48 F2

47 F1, 47 F2, 47 F3 ⁽⁵⁾46 F3 ⁽⁶⁾45 F3 ⁽⁷⁾, 45 F4 ⁽⁷⁾44 F3, 44 F4 ⁽⁷⁾, 44 F5 ⁽⁷⁾43 F4, 43 F5, 43 F6, 43 F7 ⁽⁸⁾42 F5, 42 F6, 42 F7 ⁽⁹⁾41 F5, 41 F6, 41 F7 ⁽⁹⁾40 F4, 40 F5, 40 F6, 40 F7 ⁽⁹⁾39 F4, 39 F5, 39 F6, 39 F7 ⁽⁹⁾

38 F4, 38 F5, 38 F6

34 F3, 34 F4

33 F2, 33 F3, 33 F4

32 F1, 32 F2, 32 F3.

For indicative purposes, a map of the abovementioned area is provided in the Annex.

2. Paragraph 1 shall not apply to vessels which fish with:

(a) purse seines or similar encircling gears; or

(b) trawls provided that:

- (i) the mesh size of such trawls is less than 16 mm for fishing for sandeels or lies in the range 32 mm to 69 mm for fishing for pelagic fish;

⁽³⁾ South of a straight line between 60° 00' N, 04° 00' W and 61° 00' N, 01° 43' W.

⁽⁴⁾ South of a straight line between 61° 00' N, 02° 00' E and 60° 30' N, 03° 00' E.

⁽⁵⁾ West of a straight line between 59° 30' N, 03° 00' E and 59° 00' N, 03° 30' E.

⁽⁶⁾ West of 03° 30' E.

⁽⁷⁾ South of a straight line between 58° 30' N, 03° 30' E and 57° 30' N, 05° 30' E.

⁽⁸⁾ South of a straight line between 57° 27' N, 07° 00' E and 57° 27' N, 08° 00' E and north of a straight line between 57° 15' N, 08° 00' E and 57° 00' N, 07° 15' E.

⁽⁹⁾ West of 07° 15' E.

⁽¹⁾ OJ L 389, 31.12.1992, p. 1.

⁽²⁾ OJ L 164, 9.6.1998, p. 1.

- (ii) all such trawls retained on board are of only one of the permitted mesh size ranges;
- (iii) trawls of mesh size less than 16 mm are deployed only from 1 March 2001 and to the south of 59° 00' N.

3. Whenever a vessel is operating under the conditions laid down in paragraph 2, it is prohibited to carry on board:

- any trawl if purse seines or similar encircling gears are carried, or
- any purse seine or similar encircling gear if trawls are carried, or
- any other type of fishing gear if trawls or purse seines or any similar encircling gears are carried.

4. Vessels operating under the conditions laid down in paragraph 2 shall be equipped with a functioning vessel monitoring system in conformity with conditions laid down in Article 3 of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾.

Article 2

Within the area and time period laid down in Article 1(1), any vessel is prohibited from immersing, partially or wholly, or otherwise deploying for any purpose any fishing gear which is not in conformity with the conditions laid down in Article 1(2).

Article 3

1. The authorities of Member States shall ensure that, for the duration of at least 50 voyages, observers shall be on board Community fishing vessels flying their flag which operate under the conditions laid down in Article 1(2)(b).

To this end, each Member State shall establish a sampling plan and transmit it to the Commission for approval.

2. The observers shall record for each operation of the fishing gear, the mesh size of the trawl and the geographical location of the operation and shall implement an appropriately designed sampling procedure to estimate:

- (a) the total quantity by weight of pelagic fish, sandeels and all other marine organisms except cod caught by each operation of the fishing gear;
- (b) the total quantity by weight of cod caught by each operation of the fishing gear;
- (c) the length to the nearest centimetre below the absolute length of the cod caught by each operation of the fishing gear;
- (d) the total quantity of pelagic fish, sandeels and all other marine organisms except cod landed;

- (e) the total quantity of cod landed;
- (f) the length to the nearest centimetre below the absolute length of the cod landed.

3. The master of a Community vessel designated to receive an observer on board shall make every reasonable effort to facilitate the arrival and departure of the observer and shall provide the observer with appropriate facilities for accommodation and work.

Article 4

1. The authorities of Member States shall ensure that on at least 100 occasions, the landings of vessels which have operated under the conditions laid down in Article 1(2)(b) with no observer on board shall be sampled immediately after landing.

To this end, each Member State shall establish a sampling plan and transmit it to the Commission for approval.

2. The sampling shall be designed to provide estimates of:

- (a) the total quantity of pelagic fish, sandeels and all other marine organisms except cod landed;
- (b) the total quantity of cod landed;
- (c) the length to the nearest centimetre below the absolute length of the cod landed.

Article 5

Member States shall send to the Commission by 1 June at the latest, a comprehensive report of the activities and findings of the observers assigned to Community vessels flying their flag and of their sampling of landings.

Article 6

1. Each Member State shall transmit to the Commission before 14 February 2001 a list of Community vessels flying their flag and registered in the Community authorised to engage in fishing activities within the area and time period referred to in Article 1(1). The list shall indicate, for each vessel, the internal fleet register number as attributed in conformity with Article 5 of Commission Regulation (EC) No 2090/98 of 30 September 1998 concerning the fishing vessel register of the Community ⁽²⁾. The Commission shall send the lists to the authorities responsible for controlling the provisions of the present regulation. Subsequent changes to the lists shall immediately be transmitted to the Commission which will immediately inform the responsible authorities.

2. Masters of fishing vessels engaging in fishing activities under the conditions laid out in Article 1(2) shall transmit a report by fax, radio station, telex or telephone to:

- the flag state, and
- where appropriate, the coastal State responsible for monitoring activities in waters in which the fishing activity takes place.

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 266, 1.10.1998, p. 27.

The report shall include:

- the quantities in kilograms live-weight of each species of marine organisms retained on board immediately prior to each entry into the area,
- the quantities in kilograms live-weight of each species of marine organisms caught in the area and retained on board immediately prior to each departure from the area,
- name of the vessel,
- code (entry 'IN', exit 'OUT'),
- date, time, geographical location,
- name of the master.

Article 7

The list of vessels notified by Norwegian authorities as authorised to engage in fishing activities within the area and during the time period defined in Article 1(1) shall be transmitted by

the Commission to the Member States. The list shall contain the items listed in Article 13(2) of Council Regulation (EC) No 2848/2000 of 15 December 2000 fixing for 2001 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations of catch are required ⁽¹⁾.

Article 8

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

It shall be applicable until 30 April 2001.

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

Done at Brussels, 7 February 2001.

For the Commission

Franz FISCHLER

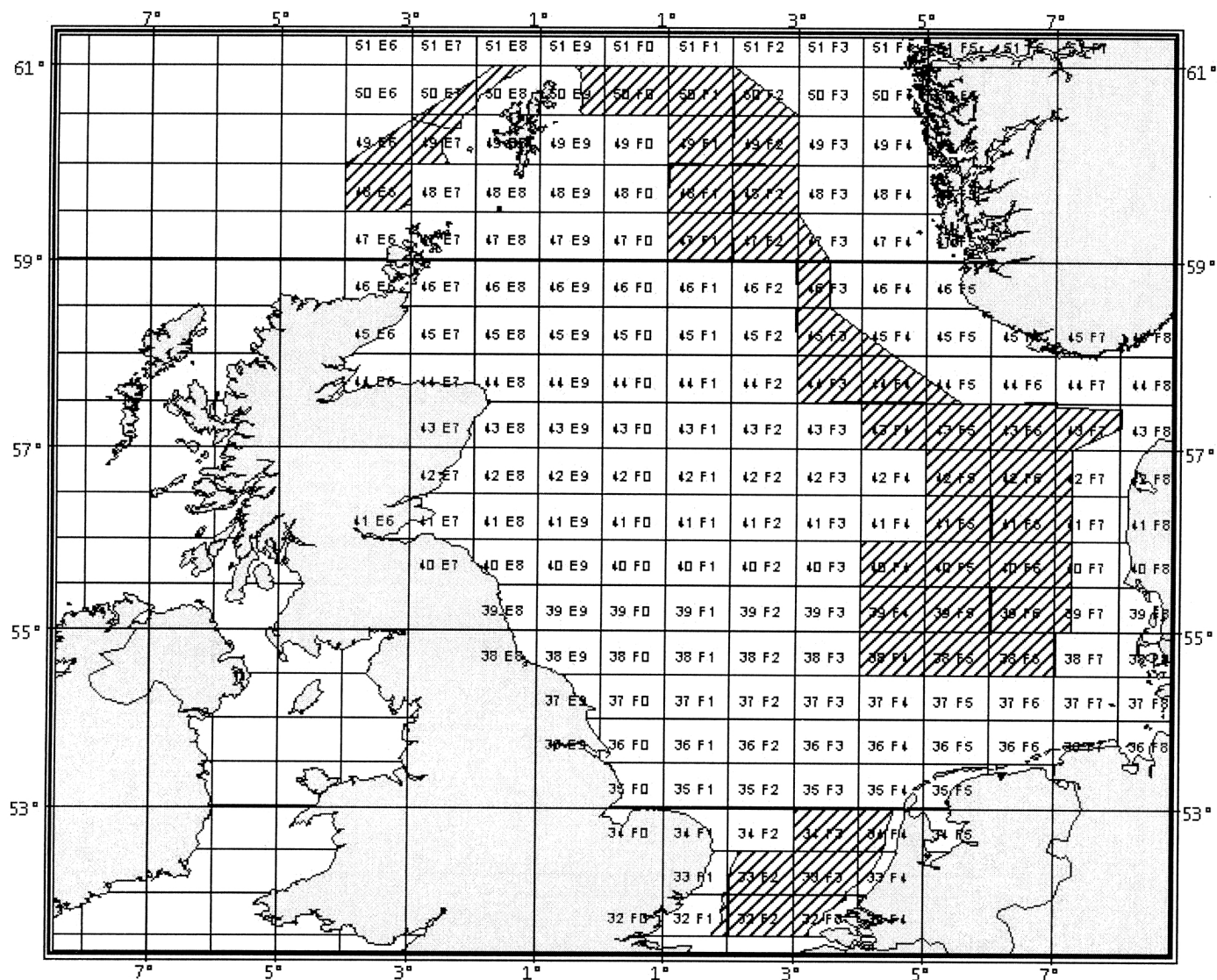
Member of the Commission

⁽¹⁾ OJ L 334, 30.12.2000, p. 1.

ANNEX

Map of the area referred to in Article 1(1)

(for indicative purposes only)



COMMISSION REGULATION (EC) No 260/2001**of 8 February 2001****replacing the Annex to Council Regulation (EEC) No 3677/90 laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3677/90 of 13 December 1990 laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances ⁽¹⁾, as last amended by Commission Regulation (EEC) No 3769/92 ⁽²⁾, and in particular Article 10(3) thereof,

Whereas:

- (1) It is necessary to give effect to the decision taken by the United Nations Commission on Narcotic Drugs in March 2000 to include the substance norephedrine in Table I of the Annex to the 1988 UN Convention.
- (2) It is necessary to amend category 1 of the Annex to Regulation (EEC) No 3677/90 to comply with this decision.

(3) Such amendment will continue aligning the Regulation with Council Directive 92/109/EEC of 14 December 1992 on the manufacture and placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances ⁽³⁾, as last amended by Commission Directive 2001/8/EC ⁽⁴⁾.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Committee set up pursuant to Article 10 of Regulation (EEC) No 3677/90,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3677/90 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 2001.

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

Done at Brussels, 8 February 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ OJ L 357, 20.12.1990, p. 1.
⁽²⁾ OJ L 383, 29.12.1992, p. 17.

⁽³⁾ OJ L 370, 19.12.1992, p. 76.
⁽⁴⁾ See page 31 of this Official Journal.

ANNEX

CATEGORY 1 ⁽¹⁾

Substance	CN designation (if different)	CN code ⁽²⁾
1-Phenyl-2-propanone	Phenylacetone	2914 31 00
N-acetylanthranilic acid	2-Acetamidobenzoic acid	2924 22 00
Isosafrol (cis + trans)		2932 91 00
3,4-Methylenedioxyphenylpropane-2-one	1-(1,3-Benzodioxol-5-yl)propan-2-one	2932 92 00
Piperonal		2932 93 00
Safrole		2932 94 00
Ephedrine		2939 41 00
Pseudoephedrine		2939 42 00
Norephedrine		ex 2939 49 00
Ergometrine		2939 61 00
Ergotamine		2939 62 00
Lysergic acid		2939 63 00

⁽¹⁾ The salts of the substances listed in this category whenever the existence of such salts is possible.

⁽²⁾ OJ L 278, 28.10.1999, p. 1.

CATEGORY 2 ⁽¹⁾

Substance	CN designation (if different)	CN code ⁽²⁾
Acetic anhydride		2915 24 00
Phenylacetic acid		2916 34 00
Anthranilic acid		2922 43 00
Piperidine		2933 32 00

⁽¹⁾ The salts of the substances listed in this category whenever the existence of such salts is possible.

⁽²⁾ OJ L 278 du 28.10.1999, p. 1.

CATEGORY 3

Substance	CN designation (if different)	CN code ⁽¹⁾
Hydrochloric acid	Hydrogen chloride	2806 10 00
Sulphuric acid		2807 00 10
Potassium permanganate (*)		2841 61 00
Toluene (*)		2902 30 10 (90)
Ethyl ether (*)	Diethyl ether	2909 11 00
Acetone (*)		2914 11 00
Methylethylketone (MEK) (*)	Butanone	2914 12 00

(*) The salts of these substances whenever the existence of such salts is possible.

⁽¹⁾ OJ L 278 du 28.10.1999, p. 1.

COMMISSION REGULATION (EC) No 261/2001**of 8 February 2001****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1667/2000 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.

(2) Article 13 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 cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.

(3) Article 4 of Commission Regulation (EC) No 1518/95 ⁽⁵⁾, as amended by Regulation (EC) No 2993/95 ⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

(5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.

(6) 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.

(7) The refund must be fixed once a month; whereas it may be altered in the intervening period.

(8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted.

(9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d) of Regulation (EEC) No 1766/92 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 9 February 2001.

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

Done at Brussels, 8 February 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 8 February 2001 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C01	EUR/t	41,13	1104 23 10 9100	A00	EUR/t	44,07
1102 20 10 9400 ⁽¹⁾	C01	EUR/t	35,26	1104 23 10 9300	A00	EUR/t	33,79
1102 20 90 9200 ⁽¹⁾	C01	EUR/t	35,26	1104 29 11 9000	A00	EUR/t	5,45
1102 90 10 9100	C01	EUR/t	0,00	1104 29 51 9000	A00	EUR/t	5,34
1102 90 10 9900	C01	EUR/t	0,00	1104 29 55 9000	A00	EUR/t	5,34
1102 90 30 9100	C01	EUR/t	69,16	1104 30 10 9000	A00	EUR/t	1,34
1103 12 00 9100	A00	EUR/t	69,16	1104 30 90 9000	A00	EUR/t	7,35
1103 13 10 9100 ⁽¹⁾	A00	EUR/t	52,88	1107 10 11 9000	A00	EUR/t	9,51
1103 13 10 9300 ⁽¹⁾	A00	EUR/t	41,13	1107 10 91 9000	A00	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	A00	EUR/t	35,26	1108 11 00 9200	A00	EUR/t	10,68
1103 13 90 9100 ⁽¹⁾	A00	EUR/t	35,26	1108 11 00 9300	A00	EUR/t	10,68
1103 19 10 9000	A00	EUR/t	36,95	1108 12 00 9200	A00	EUR/t	47,01
1103 19 30 9100	A00	EUR/t	0,00	1108 12 00 9300	A00	EUR/t	47,01
1103 21 00 9000	A00	EUR/t	5,45	1108 13 00 9200	A00	EUR/t	47,01
1103 29 20 9000	A00	EUR/t	0,00	1108 13 00 9300	A00	EUR/t	47,01
1104 11 90 9100	A00	EUR/t	0,00	1108 19 10 9200	A00	EUR/t	77,52
1104 12 90 9100	A00	EUR/t	76,84	1108 19 10 9300	A00	EUR/t	77,52
1104 12 90 9300	A00	EUR/t	61,47	1109 00 00 9100	A00	EUR/t	0,00
1104 19 10 9000	A00	EUR/t	5,45	1702 30 51 9000 ⁽²⁾	A00	EUR/t	48,84
1104 19 50 9110	A00	EUR/t	47,01	1702 30 59 9000 ⁽²⁾	A00	EUR/t	37,39
1104 19 50 9130	A00	EUR/t	38,19	1702 30 91 9000	A00	EUR/t	48,84
1104 21 10 9100	A00	EUR/t	0,00	1702 30 99 9000	A00	EUR/t	37,39
1104 21 30 9100	A00	EUR/t	0,00	1702 40 90 9000	A00	EUR/t	37,39
1104 21 50 9100	A00	EUR/t	0,00	1702 90 50 9100	A00	EUR/t	48,84
1104 21 50 9300	A00	EUR/t	0,00	1702 90 50 9900	A00	EUR/t	37,39
1104 22 20 9100	A00	EUR/t	61,47	1702 90 75 9000	A00	EUR/t	51,18
1104 22 30 9100	A00	EUR/t	65,31	1702 90 79 9000	A00	EUR/t	35,52
				2106 90 55 9000	A00	EUR/t	37,39

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), amended.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14).

C01: All destinations except Poland.

COMMISSION REGULATION (EC) No 262/2001
of 8 February 2001
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 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.
- (2) Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A

refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) However, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported.
- (6) The refund must be fixed once a month; whereas it may be altered in the intervening period.
- (7) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 February 2001.

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

Done at Brussels, 8 February 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 8 February 2001 fixing the export refunds on cereal-based compound feedingstuffs

Product codes benefiting from export refund:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	A00	EUR/t	29,38
Cereal products excluding maize and maize products	A00	EUR/t	2,67

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

COMMISSION REGULATION (EC) No 263/2001**of 8 February 2001****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1701/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1666/2000⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2513/98⁽⁴⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund on exportation of common wheat to all third countries with the exclusion of certain ACP States was opened pursuant to Commission Regulation (EC) No 1701/2000⁽⁵⁾, as amended by Regulation (EC) No 2019/2000⁽⁶⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 2 to 8 February 2001, pursuant to the invitation to tender issued in Regulation (EC) No 1701/2000, the maximum refund on exportation of common wheat shall be EUR 13,00/t.

Article 2

This Regulation shall enter into force on 9 February 2001.

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

Done at Brussels, 8 February 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 195, 1.8.2000, p. 18.

⁽⁶⁾ OJ L 241, 26.9.2000, p. 37.

COMMISSION REGULATION (EC) No 264/2001
of 8 February 2001
concerning tenders notified in response to the invitation to tender for the export of common
wheat issued in Regulation (EC) No 2014/2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to certain ACP States was opened pursuant to Commission Regulation (EC) No 2014/2000 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92

and on the basis of the tenders notified, to make no award.

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 2 to 8 February 2001 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 2014/2000.

Article 2

This Regulation shall enter into force on 9 February 2001.

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

Done at Brussels, 8 February 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 241, 26.9.2000, p. 23.

COMMISSION REGULATION (EC) No 265/2001
of 8 February 2001
fixing the maximum export refund on barley in connection with the invitation to tender issued in
Regulation (EC) No 2317/2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of barley to all third countries except for the United States of America and Canada was opened pursuant to Commission Regulation (EC) No 2317/2000 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 2 to 8 February 2001, pursuant to the invitation to tender issued in Regulation (EC) No 2317/2000, the maximum refund on exportation of barley shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 9 February 2001.

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

Done at Brussels, 8 February 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 267, 20.10.2000, p. 23.

COMMISSION REGULATION (EC) No 266/2001
of 8 February 2001
fixing the maximum export refund on rye in connection with the invitation to tender issued in
Regulation (EC) No 1740/2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1740/2000 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 2 to 8 February 2001, pursuant to the invitation to tender issued in Regulation (EC) No 1740/2000, the maximum refund on exportation of rye shall be EUR 39,99/t.

Article 2

This Regulation shall enter into force on 9 February 2001.

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

Done at Brussels, 8 February 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 199, 5.8.2000, p. 3.

COMMISSION REGULATION (EC) No 267/2001
of 8 February 2001
concerning tenders notified in response to the invitation to tender for the export of oats issued in
Regulation (EC) No 2097/2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1666/2000⁽²⁾,

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2513/98⁽⁴⁾,

Having regard to Commission Regulation (EC) No 2097/2000 of 3 October 2000 on a special intervention measure for cereals in Finland and Sweden⁽⁵⁾, and in particular Article 8 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 2097/2000.

- (2) Article 8 of Regulation (EC) No 2097/2000 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to make no award.
- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 2 to 8 February 2001 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 2097/2000.

Article 2

This Regulation shall enter into force on 9 February 2001.

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

Done at Brussels, 8 February 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

⁽⁵⁾ OJ L 249, 4.10.2000, p. 15.

COMMISSION REGULATION (EC) No 268/2001**of 8 February 2001****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1666/2000⁽²⁾, and in particular Article 13(2) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 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 in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 2513/98⁽⁴⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.

- (4) 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.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) 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(a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 February 2001.

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

Done at Brussels, 8 February 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 8 February 2001 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 11 9000	—	EUR/t	—
1001 10 00 9400	—	EUR/t	—	1101 00 15 9100	C01	EUR/t	21,25
1001 90 91 9000	—	EUR/t	—	1101 00 15 9130	C01	EUR/t	19,50
1001 90 99 9000	C01	EUR/t	0	1101 00 15 9150	C01	EUR/t	18,00
1002 00 00 9000	A00	EUR/t	0	1101 00 15 9170	C01	EUR/t	16,75
1003 00 10 9000	—	EUR/t	—	1101 00 15 9180	C01	EUR/t	15,75
1003 00 90 9000	A00	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1004 00 00 9200	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1004 00 00 9400	—	EUR/t	—	1102 10 00 9500	C01	EUR/t	54,75
1005 10 90 9000	—	EUR/t	—	1102 10 00 9700	C01	EUR/t	43,25
1005 90 00 9000	A00	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1007 00 90 9000	—	EUR/t	—	1103 11 10 9200	A00	EUR/t	0 ⁽¹⁾
1008 20 00 9000	—	EUR/t	—	1103 11 10 9400	A00	EUR/t	0 ⁽¹⁾
				1103 11 10 9900	—	EUR/t	—
				1103 11 90 9200	A00	EUR/t	0 ⁽¹⁾
				1103 11 90 9800	—	EUR/t	—

⁽¹⁾ No refund is granted when this product contains compressed meal.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The other destinations are as follows:

C01 All destinations except for Poland.

COMMISSION REGULATION (EC) No 269/2001
of 8 February 2001
fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13 (8) thereof,

Whereas:

- (1) Article 13 (8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 2513/98 ⁽⁴⁾, allows for the fixing of a corrective amount for the products listed in Article 1(1) (c) of Regulation (EEC) No 1766/92; that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) The world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination.
- (4) The corrective amount must be fixed at the same time as the refund and according to the same procedure; it may be altered in the period between fixings.
- (5) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (6) 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 corrective amount referred to in Article 1(1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance except for malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 February 2001.

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

Done at Brussels, 8 February 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 313, 21.11.1998, p. 16.

ANNEX

to the Commission Regulation of 8 February 2001 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7	6th period 8
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C01	0	-1,00	-2,00	-3,00	-4,00	—	—
1002 00 00 9000	A00	0	0,00	0,00	0,00	0,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	0	-1,00	-2,00	-3,00	-4,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	0,00	0,00	0,00	0,00	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	-1,00	-2,00	-3,00	-4,00	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	C01	0	0,00	0,00	0,00	0,00	—	—
1101 00 15 9130	C01	0	0,00	0,00	0,00	0,00	—	—
1101 00 15 9150	C01	0	0,00	0,00	0,00	0,00	—	—
1101 00 15 9170	C01	0	0,00	0,00	0,00	0,00	—	—
1101 00 15 9180	C01	0	0,00	0,00	0,00	0,00	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9700	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	-1,50	-3,00	-4,50	-6,00	—	—
1103 11 10 9400	A00	0	-1,34	-2,68	-4,02	-5,36	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	-1,37	-2,74	-4,11	-5,48	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

The numeric destination codes are set out in Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14).

The other destinations are as follows:

C01 All destinations except for Poland.

COMMISSION REGULATION (EC) No 270/2001**of 8 February 2001****fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1667/2000 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, as amended by Regulation (EC) No 2390/2000 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. Whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. Whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000 provides that a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1722/93 ⁽⁸⁾, as last amended by Commission Regulation (EC) No 87/1999 ⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark stipulates that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1(1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to amended Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 9 February 2001.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁶⁾ OJ L 276, 28.10.2000, p. 3.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 9, 15.1.1999, p. 8.

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

Done at Brussels, 8 February 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

to the Commission Regulation of 8 February 2001 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product (EUR/100 kg)	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases	0,347 0,328 — 0,534	0,347 0,328 — 0,534
1002 00 00	Rye	3,695	3,695
1003 00 90	Barley – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	— —	— —
1004 00 00	Oats	3,842	3,842
1005 90 00	Maize (corn) used in the form of: – starch: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ : – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – where goods falling within subheading 2208 ⁽³⁾ are exported – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	2,681 1,015 2,938 2,080 0,761 2,337 1,015 2,938 2,681 1,015 2,938	2,681 1,015 2,938 2,080 0,761 2,337 1,015 2,938 2,681 1,015 2,938

(EUR/100 kg)			
CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly-milled rice:		
	– round grain	22,200	22,200
	– medium grain	22,200	22,200
	– long grain	22,200	22,200
1006 40 00	Broken rice	5,100	5,100
1007 00 90	Sorghum	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1520/2000 shall be applied (OJ L 177, 15.7.2000, p. 1).

⁽²⁾ The goods concerned fall under CN code 3505 10 50.

⁽³⁾ Goods listed in Annex B of Council Regulation (EEC) No 1766/92 or referred to in Article 2 of Regulation (EEC) No 2825/93.

⁽⁴⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION DIRECTIVE 2001/8/EC**of 8 February 2001****replacing Annex I to Council Directive 92/109/EEC on the manufacture and placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/109/EEC of 14 December 1992 on the manufacture and placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances ⁽¹⁾, as amended by Commission Directive 93/46/EEC ⁽²⁾, and in particular Article 10(3) thereof,

Whereas:

- (1) It is necessary to give effect to the decision taken by the United Nations Commission on Narcotic Drugs in March 2000 to include the substance norephedrine in Table I of the Annex to the 1988 UN Convention.
- (2) It is necessary to amend Category 1 of the Annex I to the basic Directive to comply with this.
- (3) Such inclusion will continue the process of aligning the Directive with Council Regulation (EEC) No 3677/90 of 13 December 1990 laying down measures to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances ⁽³⁾, as implemented and last amended by Commission Regulation (EEC) No 3769/92 ⁽⁴⁾.
- (4) The measures provided for in this Directive are in accordance with the opinion of the Committee set up pursuant to Article 10 of Regulation (EEC) No 3677/90,

Article 1

Annex I to Directive 92/109/EEC is replaced by the Annex to this Directive.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 March 2001 at the latest. They shall forthwith inform the Commission thereof.

When adopted by the Member States, those provisions shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 3

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 8 February 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 370, 19.12.1992, p. 76.

⁽²⁾ OJ L 159, 1.7.1993, p. 134.

⁽³⁾ OJ L 357, 20.12.1990, p. 1.

⁽⁴⁾ OJ L 383, 29.12.1992, p. 17.

ANNEX

ANNEX I

CATEGORY 1 ⁽¹⁾

Substance	CN designation (if different)	CN code ⁽²⁾
1-Phenyl-2-propanone	Phenylacetone	2914 31 00
N-acetylanthranilic acid	2-Acetamidobenzoic acid	2924 22 00
Isosafrol (cis + trans)		2932 91 00
3,4-Methylenedioxyphenylpropane-2-one	1-(1,3-Benzodioxol-5-yl)propan-2-one	2932 92 00
Piperonal		2932 93 00
Safrole		2932 94 00
Ephedrine		2939 41 00
Pseudoephedrine		2939 42 00
Norephedrine		ex 2939 49 00
Ergometrine		2939 61 00
Ergotamine		2939 62 00
Lysergic acid		2939 63 00

⁽¹⁾ The salts of the substances listed in this category whenever the existence of such salts is possible.

⁽²⁾ OJ L 278, 28.10.1999, p. 1.

CATEGORY 2 ⁽¹⁾

Substance	CN designation (if different)	CN code ⁽²⁾
Acetic anhydride		2915 24 00
Phenylacetic acid		2916 34 00
Anthranilic acid		2922 43 00
Piperidine		2933 32 00

⁽¹⁾ The salts of the substances listed in this category whenever the existence of such salts is possible.

⁽²⁾ OJ L 278 du 28.10.1999, p. 1.

CATEGORY 3

Substance	CN designation (if different)	CN code ⁽¹⁾
Hydrochloric acid	Hydrogen chloride	2806 10 00
Sulphuric acid		2807 00 10
Potassium permanganate (*)		2841 61 00
Toluene (*)		2902 30 10 (90)
Ethyl ether (*)	Diethyl ether	2909 11 00
Acetone (*)		2914 11 00
Methylethylketone (MEK) (*)	Butanone	2914 12 00

(*) The salts of these substances whenever the existence of such salts is possible.

⁽¹⁾ OJ L 278 du 28.10.1999, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 October 2000

concerning the aid scheme introduced by the region of Sardinia (Italy) to promote and add value to organic farming

(notified under document number C(2000) 3153)

(Only the Italian text is authentic)

(2001/105/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having called on interested parties to submit their comments pursuant to the above provision,

Whereas:

in that of non-notified aids under the number NN 139/94.

- (5) By letter of 27 July 1995, the Commission informed Italy of its decision to initiate the procedure laid down in Article 88(2) of the EC Treaty in respect of the aid provided for in Articles 9 and 12(1) of the Regional Law.
- (6) The Commission decision to initiate the procedure was published in the *Official Journal of the European Communities* ⁽¹⁾. The Commission invited interested parties to submit their comments.
- (7) The Commission received no comments from interested parties.

I. Procedure

- (1) By letter of 3 March 1994, recorded as received on 17 March 1994, the Italian Permanent Representation to the European Union notified, pursuant to Article 93(3) (now Article 88(3)) of the Treaty, Sardinian Regional Law No 9/94 (hereinafter 'the Regional Laws') laying down rules to promote and add value to organic farming. The case was entered in the register under Aid No N 167/94.
- (2) By letters of 25 April 1994 and 23 August 1994 the Commission asked for further information on this Law. The Italian authorities replied by letters of 14 July and 17 October 1994 and by fax of 14 February 1995.
- (3) The information provided by the Italian authorities showed that the aid provided for in the Regional Law had already been introduced before that Law was notified.
- (4) Accordingly, the aid covered by the Regional Law, to which the number N 167/94 had been assigned, was withdrawn from the register of notified aids and entered

II. Description

- (8) Article 9(1) of the Regional Law provides for grants equal to 60 % of eligible expenditure to be made for land improvement operations relating to organic farming.
- (9) The aid provided for in Article 9(1) also covers organic processing systems and technologies for agricultural products.
- (10) Article 9(2) of the Regional Law provides for loans for the investments referred to in Article 9(1) at a reduced interest rate which may be cumulated with the aid granted under Article 9(1) up to a limit of 75 % of the eligible expenditure.
- (11) The beneficiaries of the aid provided for in Article 9(1) and (2) of the Regional Law are agricultural enterprises which have been assigned the mark provided for by Article 5 of that Law.

⁽¹⁾ OJ C 294, 9.11.1995, p. 19.

- (12) Article 5 of the Regional Law provides for a collective regional mark denoting both the origin and the quality of products to distinguish products obtained using organic production and processing methods.
- (13) Article 12(1) of the Regional Law provides for the use of the financial resources referred to in paragraph 6(6) of Regional Law No 39/73 for a promotional campaign for organic products.
- (14) The budgets provided for in the Regional Law are as follows:
- in the case of the aid referred to in Article 9, part of an allocation amounting to ITL 1 650 billion (around EUR 852 000) per year; this allocation is also to finance the aids provided for in Articles 10 and 11 of the Law, to which the Commission has not raised any objection,
 - in the case of the aid referred to in Article 12(1), part of an allocation amounting to ITL 410 million (around EUR 211 750) in 1994, and ITL 210 million (approximately EUR 108 450) in the following years; this allocation is also to finance the aid provided for in Articles 2(6)(c), 8 and 12(2) of the Regional Law, to which the Commission has not raised any objection.
- (15) The Commission initiated the procedure provided for in Article 88(2) of the Treaty because it had doubts as to the compatibility of the aid scheme with the common market. These centred on the following points:

Article 9

- (16) Aid was granted under Article 9(1) and (2) for land improvement operations on the one hand and investment in the processing of organic products on the other.
- (17) The aid for land improvement operations (primary production sector) fell within the scope of Council Regulation (EEC) No 2328/91 of 15 July 1991 on improving the efficiency of agricultural structures ⁽¹⁾, as amended by Regulation (EC) No 409/97 ⁽²⁾, and had to be examined separately on the basis of that Regulation.
- (18) Since neither the provisions of Article 9 nor the information provided by the Italian authorities confirmed that agricultural enterprises granted aid under Article 9 had to satisfy the terms of Article 5 of Regulation (EEC) No 2328/91, this aid could fall within the scope of either Article 12(1) or (2) of that Regulation. In the former case it had to be examined under Articles 92 and 93 (now Articles 87 and 88) of the Treaty. (In the latter case Articles 92 and 93 of the Treaty did not apply since under Article 35(2) of the above Regulation 'the provisions of Articles 92, 93 and 94 of the Treaty, with the exception of Article 92(2), shall not apply to the aid measures governed by Articles 12(2), (3) and (4)...').
- (19) If Article 12(1) of Regulation (EEC) No 2328/91 applied, it would have to be concluded that the maximum limits authorised by the Commission for this type of investment (75 % in less-favoured areas as defined in Directive 75/268/EEC and 35 % in other areas) were only met in the case of investments in less-favoured areas.
- (20) Aid granted under Article 9 in the primary production sector could not therefore be considered compatible with the common market in the case of investments outside less-favoured areas.
- (21) Aid for investment in processing under Article 9(1) could qualify under the derogation provided for in Article 92(3)(c) (now Article 87(3)(c)) of the Treaty, as facilitating development of the sectors concerned without adversely affecting trading conditions to an extent contrary to the common interest for the following reasons:
1. Such aid could be considered as satisfying the selection criteria laid down in point 2 of the Annex to Commission Decision 90/342/EEC of 7 June 1990 for investments for improving the processing and marketing conditions for agricultural and forestry products ⁽³⁾, applicable by analogy in the event of the application of the competition rules, in view of the assurances provided by the Italian authorities that they would observe the sectoral limits laid down in point 2 of the Annex to Commission Decision 90/342/EEC;
 2. The levels of aid were lower than the maximum limits generally authorised by the Commission for aid of this type in Objective 1 regions.
- (22) However, only agricultural enterprises assigned the mark provided for by Article 5 of the Regional Law could be granted support under Article 9, and the Article 5 mark was a regional one denoting both the origin and the organic character of products. The fact that it was additional to the use of the term 'organic' and not a replacement for it in no way affected its link with the products' origin. This was borne out by Article 5(6) imposing a penalty if the mark was used for products not obtained organically or containing or obtained from raw materials not coming from Sardinia.

⁽¹⁾ OJ L 218, 6.8.1991, p. 1.

⁽²⁾ OJ L 62, 4.3.1997, p. 4.

⁽³⁾ OJ L 163, 29.6.1990, p. 71.

(23) Article 5 of the Regional Law, by according favourable treatment to regional products, could, given the Court of Justice's invariable ruling in similar cases, constitute an infringement of Article 30 (now Article 28) of the Treaty as being equivalent to quantitative restrictions, without being justified under Article 36 (now Article 30). It also infringed Article 12 of Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs ⁽¹⁾, as last amended by Regulation (EC) No 2020/2000 ⁽²⁾, which stipulates that 'Member States may not, on grounds relating to the method of production, to labelling or to the presentation of that method, prohibit or restrict the marketing of products'.

(24) Given the above arguments, none of the derogations provided for in Article 92(2) and (3) (now Article 87(2) and (3)) were applicable. The aid appeared therefore liable to distort competition and affect trade between the Member States.

Article 12(1)

(25) On the matter of aid for the promotion of organic products, the Italian authorities guaranteed compliance with the criteria in the Framework for national aids for the advertising of agricultural products and certain products not listed in Annex II to the EC Treaty, excluding fishery products ⁽³⁾.

(26) However, this affirmation clashed with another statement by the Italian authorities that the promotional measures would cover the products of certain specific enterprises (consorzi di cooperative). Point 2.2 of the Community Framework specifically states that 'the common interest can in no circumstances be advanced as a justification for aids for advertising relating directly to the products of one or more specific firms; these would be nothing more than operating aids, as such incompatible with the common market'.

(27) Since the Italian authorities provided no information on the particulars of the promotional campaign envisaged the Commission had no grounds for concluding that the campaign would not be restricted to products for which the mark introduced by Article 5 of the Regional Law had been used. Moreover, in the light of the considerations set out in regard to the provisions applicable to the mark (see recital 22), none of the derogations provided

for in Article 92(2) or (3) of the Treaty (now Article 87(2) and (3)) was applicable in this case.

III. Comments by Italy and Commission response

(28) By letter of 23 January 1996, recorded as received on 31 January 1996, the Italian Permanent Representation to the European Union forwarded the reply from the Italian authorities to the Commission's comments in its decision to initiate the procedure.

(29) With regard to the land improvement operations, the Italian authorities indicated that a distinction would be made between less-favoured and other areas in terms of percentages of aid, with 60 % in the case of less-favoured areas and 35 % for other areas.

(30) Concerning the regional mark, the Italian authorities attached a draft Law amending Article 5 of the Regional Law, replacing the regional mark with the list provided for in Article 8(3) of Regulation (EEC) No 2092/91. The draft Law also amends Article 9 of the Regional Law, replacing the reference to the use of the regional mark with a reference to entry in the abovementioned list.

(31) With respect to Article 12(1), the Italian authorities repeated that the criteria laid down by the Community with respect to the advertising of agricultural products would be complied with, and pointed out that, by abandoning the regional mark, they had also removed any possibility of specific enterprises being accorded favourable treatment, since the promotional campaign would benefit all organic production obtained in accordance with the provisions of Regulation (EEC) No 2092/91.

(32) Finally, the Italian authorities stated that the Regional Law had not been implemented.

(33) Having examined this information, the Commission called upon the Italian authorities, by letter dated 22 July 1996 (Reference: 29692), to transmit the definitive text of the draft Law referred to in point 30. It also drew the attention of the Italian authorities to the following:

With respect to the aid granted under Article 9(1) and (2) of the Regional Law, in the primary production sector

1. The Commission, in its letter of 27 July 1995 (see recital 5), pointed out that the information on beneficiaries did not permit it to establish whether, in the case in point, the legal basis for an evaluation had to be assumed to be Article 12(1) or (2) of Regulation (EEC) No 2328/91.

⁽¹⁾ OJ L 198, 22.7.1991, p. 1.

⁽²⁾ OJ L 241, 26.9.2000, p. 39.

⁽³⁾ OJ C 302, 12.11.1987, p. 6.

2. It therefore examined the aid under Articles 92 and 93 (now Articles 87 and 88) of the Treaty, assuming that Article 12(1) applied (in other words, that the beneficiaries satisfied the conditions laid down in Articles 5, 6, 7, 8 and 9 of Regulation (EEC) No 2328/91), and concluded that, in this case, the aid was not compatible with the common market since it exceeded the maximum authorised limits.

3. Neither the information provided by the Italian Government in its letter of 23 January 1996 (see recital 28) nor the draft Law amending the Regional Law provided any new details regarding compliance with the conditions which had to be met by the beneficiaries.

4. It was not possible, therefore, to rule out that the aid in question fell within the scope of Article 12(2) of Regulation (EEC) No 2328/91, as a result of which it would have to be reduced to at least one-quarter less than the aid granted pursuant to Article 7 of that Regulation.

With respect to the aid granted under Article 9(1) and (2) of the Regional Law, for the processing of organic products

5. The draft Law notified by the Italian Government does not contain any reference to the sectoral limits applicable to the aid for investment in the processing and marketing of agricultural products; the text of the new Community guidelines for State aid in connection with investments in the processing and marketing of agricultural products, which entered into force on 1 January 1996⁽¹⁾, was sent to the Italian Government by letter dated 20 October 1995.

6. The amended version of the Regional Law should therefore take account of the new Community guidelines.

(34) The Commission did not receive a reply to its letter of 22 July 1996. It does not therefore have a final version of the draft Law referred to in point 30.

(35) By letter dated 23 August 2000, recorded as received on 28 August 2000, the Italian Permanent Representation to the European Union asked the Commission to take a final decision on the basis of the information available to it, in accordance with Article 7(7) of Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty⁽²⁾ (now Article 88).

IV. Assessment

(36) The Italian authorities did not reply to the Commission's letter of 22 July 1996, but have asked the Commission to take a decision on the basis of the information available to it. After the letter was dispatched the Commission did not receive any new information to resolve the doubts it had expressed when initiating the procedure which the draft Law sent by the Italian authorities on 23 January 1996 did not dispel. Article 7(7) of Regulation (EC) No 659/1999 requires the Commission to take a negative decision if the information provided is not sufficient to establish compatibility. In the case under consideration, on the basis of the information available to it, the Commission finds as follows:

1. With regard to the aid provided for in Article 9(1) and (2) of the Regional Law for the primary production sector, it is still not possible to determine whether the legal basis applicable is Article 12(1) or (2) of Regulation (EEC) No 2328/91.

2. If Article 12(1) applies, which is the scenario the Commission adopted when examining the aid, the rate of 60 % provided for in the original Regional Law could be accepted for less-favoured areas when the aid is examined under Articles 92 and 93 of the Treaty (since the maximum level permitted by the Commission in that case for the investments in question is 75 %) but would be excessive in the case of other areas, for which the maximum rate accepted by the Commission for the investments concerned is 35 %. In their letter of 23 January 1996 the Italian authorities said that they would reduce the rate of aid in areas outside less-favoured areas to 35 %. However, the draft amending Law attached to their letter contains no reference to these rates. The Commission is unable to determine therefore whether the adjustment has in fact been made, particularly as the Italian authorities have not forwarded the final version of the amending Law.

3. Furthermore, in their letter of 23 January 1996 the Italian authorities did not provide any information concerning compliance with Articles 5, 6, 7, 8 and 9 of Regulation (EEC) No 2328/91, which are to be observed if Article 12(1) is to apply.

4. In view of the foregoing, it is still not possible to rule out the need for the aid to be examined in the light of Article 12(2) of Regulation (EEC) No 2328/91. Even though, under Article 35(2) of that Regulation, Articles 92 and 93 of the Treaty do not apply to aid measures governed by Article 12(2), it should be emphasised that, where that Article applies, the rate of aid must be at least a quarter lower than aid granted under Article 7 of that Regulation, in other words below the level indicated in the undertakings given by the Italian authorities.

⁽¹⁾ OJ C 29, 2.2.1996, p. 4.

⁽²⁾ OJ L 83, 27.3.1999, p. 1.

5. The Commission is unable, therefore, to establish the compatibility with the common market of the aid provided for in Article 9(1) and (2) of the Regional Law for the primary production sector, where Article 12(1) of Regulation (EEC) No 2328/91 applies, and cannot rule on the aid measures in this Decision where Article 12(2) applies since Article 35(2) of that Regulation provides that 'the provisions of Articles 92, 93 and 94 of the Treaty, with the exception of Article 92(2), shall not apply to the aid measures governed by Articles 12(2), (3) and (4) ...'.
 6. On the matter of the aid granted under Article 9(1) and (2) of the Regional Law for the organic processing of agricultural products, the Commission expressed doubts concerning its compatibility with the common market because the aid was reserved for holdings which had been assigned a mark that appeared to be in breach of Article 28 of the Treaty on the grounds that it accorded favourable treatment to regional products only and could, given the Court of Justice's invariable ruling in similar cases, constitute an infringement of Article 30 (now Article 28) of the Treaty as being equivalent to a quantitative restriction, without being justified under Article 36 (now Article 30) (see recitals 22, 23 and 24).
 7. The draft Law amending the Regional Law replaced the mark with the list referred to in Article 8(3) of Regulation (EEC) No 2092/91 and amended Article 9 of the Regional Law by replacing the reference to the use of the regional mark with a reference to entry in the above list.
 8. However, in the absence of a response from the Italian authorities to the Commission's letter of 22 July 1996, it is not possible to determine whether the draft amendment to the Regional Law had been published and what its final contents are. As a result, it is not possible either to establish whether all references to the mark concerned have indeed been removed from the Regional Law and consequently whether the aid did not continue to be reserved for holdings producing products obtained from raw materials coming from Sardinia only (see recital 22).
 9. As indicated above, the mark appears to be in breach of Article 28 of the Treaty. The Commission, when examining State aids under the powers conferred on it by Article 88 of the Treaty, cannot authorise Member States to derogate from the provisions of Community law other than those for the application of Article 87(1) of the Treaty ⁽¹⁾.
 10. In addition, regarding the sectoral limits on investments, the Italian authorities gave assurances that they would observe the sectoral limits laid down in Decision 90/342/EEC (see recital 21) but failed to act on these assurances in the draft amending Law attached to their letter of 23 January 1996.
 11. In view of the above, the Commission is still unable to establish the compatibility of the aid granted under Article 9(1) and (2) of the Regional Law for the organic processing of agricultural products.
 12. With regard to the aid for the promotion of organic products granted under Article 12(1) of the Regional Law, the Italian authorities affirmed in their letter of 23 January 1996 that the criteria set by the Community for the promotion of agricultural products would be observed and that with the removal of the regional mark the possibility of according favourable treatment to specific enterprises would disappear, since the promotional campaign would benefit all products obtained in accordance with Regulation (EEC) No 2092/91.
 13. However, since the Italian authorities did not reply to the letter from the Commission of 22 July 1996, it is not possible to determine whether all references to the mark have been removed from the Regional Law and whether, consequently, the promotional campaign is no longer likely to benefit specific enterprises only. Furthermore, since the Italian authorities simply repeated that the criteria laid down by the Community for the promotion of agricultural products would be observed, without providing further details in spite of the doubts expressed by the Commission in the letter initiating the procedure, it is not possible to determine the rate of aid which the promotional campaign would qualify for and the arrangements for carrying it out.
- (37) Under the procedure for examining the aid, the Member State is responsible for providing information to address the doubts expressed by the Commission in its examination of the aid in question. In this case, in view of the comments set out in recital 36, the Commission continues to have serious doubts as to whether the aid is compatible with the common market. If it cannot establish whether the aid is compatible with the common market because it does not have enough information to do so, the Commission cannot authorise the aid in question ⁽²⁾, which, because it is not possible to determine whether it qualifies for one of the derogations in Article 87 of the Treaty, is likely to distort competition and affect trade between Member States.

⁽¹⁾ Judgment of the Court of First Instance in Case T-184/97, *BP Chemicals Ltd v Commission of the European Communities*.

⁽²⁾ See Article 7(7) of Regulation (EC) No 659/1999, cited by the Italian authorities when requesting that the Commission take a final decision on the basis of the information available.

- (38) Lastly, in the absence of information, the Commission is unable to rule out the possibility that the aid has been granted since the draft Law referred to in recital 30 was forwarded.

V. Conclusions

- (39) In view of the foregoing, the Commission finds that:
1. If Article 12(1) of Regulation (EEC) No 2328/91 applies, the aid for the primary production sector provided for in Article 9 of Regional Law No 9/94 does not meet the conditions for any of the derogations provided for in Article 87(2) and (3) of the Treaty.
 2. The aid for the processing sector provided for in Article 9 of Regional Law No 9/94 and the aid provided for in Article 12(1) of that Law do not meet the conditions for any of the derogations provided for in Article 87(2) and (3) of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

The aid for the primary production sector provided for in Article 9 of Sardinian Regional Law No 9/94 is incompatible with the common market where it is granted under Article 12(1) of Regulation (EEC) No 2328/91.

Article 2

The aid for the processing sector provided for in Article 9 of Sardinian Regional Law No 9/94 and the aid provided for in Article 12(1) of that Law are incompatible with the common market.

Article 3

Italy shall abolish the aid measures referred to in Articles 1 and 2.

Article 4

1. Italy shall take all measures necessary to recover from the recipients any aid as referred to in Articles 1 and 2 that may have been unlawfully granted to them.
2. Recovery shall be effected without delay and in accordance with the procedures of national law provided that they allow the immediate and effective execution of this Decision. The aid to be recovered shall include interest from the date on which it was granted to the recipient until the date of its recovery. Interest shall be calculated on the basis of the reference rate used for calculating the grant equivalent of regional aid.

Article 5

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

Article 6

This Decision is addressed to the Italian Republic.

Done at Brussels, 25 October 2000.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION

of 24 January 2001

establishing a model for the lists of units approved by Member States for intra-Community trade in live animals, semen and embryos and the rules applying to the transmission of these lists to the Commission

(notified under document number C(2001) 143)

(Text with EEA relevance)

(2001/106/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Whereas:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, as last amended by Directive 2000/25/EC ⁽²⁾, and in particular Article 11(6) thereof,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the bovine species ⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 5(2) thereof,

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and imports from third countries of embryos of domestic animals of the bovine species ⁽⁴⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 5(3) thereof,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae ⁽⁵⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 7 thereof,

Having regard to Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species ⁽⁶⁾, as last amended by Decision 1999/608/EC ⁽⁷⁾, and in particular Article 5(3) thereof,

Having regard to Council Directive 91/68/EEC ⁽⁸⁾ of 28 January 1991 on animal health conditions governing intra-Community trade in ovine and caprine animals, as last amended by Decision 94/953/EC ⁽⁹⁾, and in particular Article 2(9) thereof,

- (1) Intra-Community trade of bovine, porcine, ovine, caprine and equine animals is permitted from assembly centres approved by the competent authorities of the Member State where they are located.
- (2) Intra-Community trade of semen of domestic animals of the bovine and porcine species is permitted from centres approved by the competent authorities of the Member State where they are located.
- (3) Intra-Community trade of embryos and ova of the bovine species is permitted if they have been collected, processed and stored by embryo collection teams approved by the competent authorities of the Member State where they are acting.
- (4) Each Member State must send to the Commission and to the other Member States the lists of assembly centres, semen collection centres and embryo collection teams it has approved on its territory.
- (5) It is necessary to harmonise the model of those lists and the way they are transmitted in order to set up a simple access to up to date lists for the Community.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The lists of the units listed in Annex I will be transmitted to the Commission under Word 97 (or anterior), Excel 97 (or anterior) or pdf format to the following mailbox: Inforvet@cec.eu.int.

The lists will be drawn up in accordance with the model formats listed in Annex II.

Any modification of the format or change in the destination will be notified by the Commission to the Member States in the framework of the Standing Veterinary Committee.

⁽¹⁾ OJ L 121, 29.7.1964, p. 1977/64.

⁽²⁾ OJ L 163, 4.7.2000, p. 35.

⁽³⁾ OJ L 194, 22.7.1988, p. 1.

⁽⁴⁾ OJ L 302, 19.10.1989, p. 1.

⁽⁵⁾ OJ L 224, 18.8.1990, p. 42.

⁽⁶⁾ OJ L 224, 18.8.1990, p. 62.

⁽⁷⁾ OJ L 242, 14.9.1999, p. 20.

⁽⁸⁾ OJ L 46, 19.2.1991, p. 19.

⁽⁹⁾ OJ L 371, 31.12.1994, p. 14.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 January 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

1. Assembly centres approved in accordance with Article 11(1) of Directive 64/432/EEC, Article 7(1) of Directive 90/426/EEC and Article 2(9) of Directive 91/68/EEC.
2. Semen collection centres approved in accordance with Article 5(1) of Directive 88/407/EEC and Article 5(1) of Directive 90/429/EEC.
3. Embryo collection teams approved in accordance with Article 5(1) of Directive 89/556/EEC.

ANNEX II

Each list will be preceded by one of the following headings. These headings include the index number of the list, the definition of the units concerned, the ISO code of the Member State and the date of the version of the list (day/month/year). The units will be listed by the approval or registration number in numerical order in accordance with the model formats given in this Annex.

I. Assembly centres

(a)

— List of approved assembly centres for intra-Community trade in animals of the bovine (Directive 64/432/EEC), equine (Directive 90/426/EEC), ovine and caprine (Directive 91/68/EEC) species

— .. (ISO code of the Member State)

— .. / .. / (Date of the version)

ISO code	Approval number	Name of the assembly centre	Address of the assembly centre	Telephone number, fax number, e-mail address	Species
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(b)

— List of approved assembly centres for intra-Community trade in animals of the porcine species (Directive 64/432/EEC)

— .. (ISO code of the Member State)

— .. / .. / (Date of the version)

ISO code	Approval number	Name of the assembly centre	Address of the assembly centre	Telephone number, fax number, e-mail address
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II. Semen collection centres

(a)

— List of approved semen collection centres for intra-Community trade in semen of domestic animals of the bovine species (Directive 88/407/EEC)

— .. (ISO code of the Member State)

— .. / .. / (Date of the version)

ISO code	Registration number	Name of the semen collection centre	Address of the semen collection centre	Telephone number, fax number, e-mail address
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(b)

— List of approved semen collection centres for intra-Community trade in semen of domestic animals of the porcine species (Directive 90/429/EEC)

— .. (ISO code of the Member State)

— .. / .. / (Date of the version)

ISO code	Registration number	Name of the semen collection centre	Address of the semen collection centre	Telephone number, fax number, e-mail address
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III. Embryo collection teams

- List of approved embryo collection teams for intra-Community trade in embryos and ova of domestic animals of the bovine species (Directive 89/556/EEC)
- .. (ISO code of the Member State)
- .. / .. / (Date of the version)

ISO code	Registration number	Name of the team veterinarian(s)	(ET or ET/IVF) (*) Address of the team veterinarian(s)	Telephone number, fax number, e-mail address
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(*) ET for embryo collection team, ET/IVF for embryo production team.

COMMISSION DECISION
of 25 January 2001
deferring for certain transportable pressure equipment the date of implementation of Council
Directive 1999/36/EC

(notified under document number C(2001) 139)

(Text with EEA relevance)

(2001/107/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 1999/36/EC of 29 April 1999 on transportable pressure equipment ⁽¹⁾, and in particular Article 17(2) thereof,

Whereas:

- (1) There are no detailed technical specifications and adequate references to the relevant European standards have not been added to the Annexes to Council Directive 94/55/EC of 21 November 1994 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road ⁽²⁾, as last amended by Directive of the European Parliament and of the Council 2000/61/EC ⁽³⁾, and to Council Directive 96/49/EC of 23 July 1996 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail ⁽⁴⁾, as last amended by Directive of the European Parliament and of the Council 2000/62/EC ⁽⁵⁾, for the pressure drums, cylinder racks and tanks referred to in Article 2 of Directive 1999/36/EC. Consequently, the date of implementation of the directive on this transportable pressure equipment should be deferred.
- (2) Article 18 of Directive 1999/36/EC provides that, during a transitional period of 24 months as from the implementation of this Directive, Member States must authorise the placing on the market and putting into service of transportable pressure equipment which complies with the regulations in force within their terri-

tory before 1 July 2001. Consequently, the date of expiry of that period should also be referred.

- (3) The measures provided for in this Decision are in line with the opinion of the Committee referred to in Article 15 of Directive 1999/36/EC,

HAS ADOPTED THIS DECISION:

Article 1

Pursuant to Article 17(2) of Directive 1999/36/EC, the date of implementation of the said Directive is hereby deferred to 1 July 2003 for pressure drums, cylinder racks and tanks.

Article 2

Member States shall authorise the placing on the market and putting into service of the equipment referred to in Article 1 which complies with the regulations in force within their territory before 1 July 2003 until 24 months from that date and shall authorise the subsequent putting into service of such equipment placed on the market prior to that date.

Article 3

The Decision is addressed to the Member States.

Done at Brussels, 25 January 2001.

For the Commission

Loyola DE PALACIO

Vice-President

⁽¹⁾ OJ L 138, 1.6.1999, p. 20.

⁽²⁾ OJ L 319, 12.12.1994, p. 7.

⁽³⁾ OJ L 279, 1.11.2000, p. 40.

⁽⁴⁾ OJ L 235, 17.9.1996, p. 25.

⁽⁵⁾ OJ L 279, 1.11.2000, p. 44.