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Legislation

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 678/2001
of 26 February 2001**

concerning the conclusion of Agreements in the form of Exchanges of Letters between the European Community and the Republic of Bulgaria, the Republic of Hungary and Romania on reciprocal preferential trade concessions for certain wines and spirits, and amending Regulation (EC) No 933/95

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) An Agreement in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines ⁽¹⁾ was signed on 29 November 1993 and extended by an Agreement in the form of an Exchange of Letters ⁽²⁾ signed on 8 February 2000.
- (2) An Agreement in the form of an Exchange of Letters between the European Community and the Republic of Hungary on the reciprocal establishment of tariff quotas for certain wines ⁽³⁾ was signed on 29 November 1993 and extended by an Agreement in the form of an Exchange of Letters ⁽⁴⁾ signed on 3 February 2000.
- (3) An Agreement in the form of an Exchange of Letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines ⁽⁵⁾ was signed on 26 November 1993 and extended by an Agreement in the form of an Exchange of Letters ⁽⁶⁾ signed on 11 February 2000.
- (4) These three Agreements expired on 31 December 2000.
- (5) In accordance with the directives adopted by the Council, the Commission and the three associated countries concerned concluded negotiations on new reciprocal trade concessions for certain wines and spirits

and on the reciprocal protection and control of wine names and spirit designations. These results of the negotiations will have to be integrated in the framework of the Europe Agreements in the form of additional Protocols.

- (6) Pending the procedure for the adoption and the entering into force of the said additional Protocols and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, Agreements in the form of Exchanges of Letters between the European Community and the three associated countries concerned on reciprocal preferential trade concessions for certain wines and spirits should be adopted. The bilateral tariff concessions provided for by these three Agreements in the form of Exchanges of Letters should be identical to those of the envisaged additional Protocols to the Europe Agreements. These Agreements in the form of Exchanges of Letters should expire on the entry into force of the said additional Protocols.
- (7) Council Regulation (EC) No 933/95 of 10 April 1995 opening and providing for the administration of Community tariff quotas for certain wines originating in Bulgaria, Hungary and Romania ⁽⁷⁾ should be amended in accordance with the said transitional Agreements in the form of Exchanges of Letters.
- (8) In order to facilitate the implementation of certain provisions of the Agreements, the Commission should be authorised to adopt the necessary legislation for their implementation in accordance with the procedure laid down in Article 75 of Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽⁸⁾,

⁽¹⁾ OJ L 337, 31.12.1993, p. 3.

⁽²⁾ OJ L 49, 22.2.2000, p. 7.

⁽³⁾ OJ L 337, 31.12.1993, p. 83.

⁽⁴⁾ OJ L 49, 22.2.2000, p. 11.

⁽⁵⁾ OJ L 337, 31.12.1993, p. 173.

⁽⁶⁾ OJ L 49, 22.2.2000, p. 15.

⁽⁷⁾ OJ L 96, 28.4.1995, p. 1. Regulation as last amended by Regulation (EC) No 388/2000 (OJ L 49, 22.2.2000, p. 4).

⁽⁸⁾ OJ L 179, 14.7.1999, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on reciprocal preferential trade concessions for certain wines and spirits is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation (Annex II).

Article 2

The Agreement in the form of an Exchange of Letters between the European Community and the Republic of Hungary on reciprocal preferential trade concessions for certain wines and spirits is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation (Annex III).

Article 3

The Agreement in the form of an Exchange of Letters between the European Community and Romania on reciprocal preferential trade concessions for certain wines and spirits is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Regulation (Annex IV).

Article 4

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

Article 5

The Commission is hereby authorised to adopt the necessary acts for implementation of the Agreements, in accordance with the procedure laid down in Article 75 of Regulation (EC) No 1493/1999.

Article 6

Article 1 of Regulation (EC) No 933/95 is replaced by the following:

'Article 1

1. From 1 January 2001, and without prejudice to paragraph 2, the customs duties applicable on importation of the following products originating in Bulgaria, Hungary and Romania shall be suspended at levels and within the limits of tariff quotas as indicated with respect to each product:

(a) Wines originating in Bulgaria:

Order No	CN code ⁽¹⁾	Description ⁽²⁾	Annual volume (hl)	Tariff quota duty
09.7001	ex 2204 10	Sparkling wine, in containers holding not more than 2 litres	1 800	free
09.7003	ex 2204 21	Wine of fresh grapes	485 000	free
09.7005	ex 2204 29	Wine of fresh grapes	195 000	free

⁽¹⁾ See TARIC codes in Annex.

⁽²⁾ Notwithstanding the rules for interpreting the combined nomenclature, the wording for the description of the products is to be considered as indicative only, the preferential scheme being determined, within the context of Article 1(1), by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(b) Wines originating in Hungary:

Order No	CN code ⁽¹⁾	Description ⁽²⁾	Annual quantity from 1.1.2001 (hl)	Yearly increase from 1.1.2002 (hl)	Applicable duty
09.7010	ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	300 000	15 000	free
	ex 2204 21	Wine of fresh grapes			
09.7007	ex 2204 29	Wine of fresh grapes	115 000	0	free

⁽¹⁾ See TARIC codes in Annex.

⁽²⁾ Notwithstanding the rules for interpreting the combined nomenclature, the wording for the description of the products is to be considered as indicative only, the preferential scheme being determined, within the context of Article 1(1), by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together

(c) Wines originating in Romania:

Order No	CN code ⁽¹⁾	Description ⁽²⁾	Annual volume (hl)	Tariff quota duty
09.7013	ex 2204 10	Wine of fresh grapes	300 000	free
	ex 2204 21			
	ex 2204 29			

⁽¹⁾ See TARIC codes in Annex.

⁽²⁾ Notwithstanding the rules for interpreting the combined nomenclature, the wording for the description of the products is to be considered as indicative only, the preferential scheme being determined, within the context of Article 1(1), by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together

2. Admission under the tariff quotas referred to in paragraph 1 shall be confined to wines accompanied by a completed document VI 1 or an extract VI 2, in accordance with the provisions of Regulation (EEC) No 3590/85 (*).

(*) Commission Regulation (EEC) No 3590/85 of 18 December 1985 on the certificate and analysis report required for the importation of wine, grape juice and grape must (OJ L 343, 20.12.1985, p. 20). Regulation as last amended by Regulation (EC) No 960/98 (OJ L 135, 8.5.1998, p. 4).'

Article 7

The Annex to Regulation (EC) No 933/95 is replaced by Annex I to this Regulation.

Article 8

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

It shall apply from 1 January 2001.

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

Done at Brussels, 26 February 2001.

For the Council
The President
A. LINDH

ANNEX I

'ANNEX

TARIC codes

Order Number	CN code	TARIC code
09.7001	ex 2204 10	2204 10 19 91 2204 10 99 91
09.7003	ex 2204 21	2204 21 79 79 2204 21 79 80 2204 21 80 79 2204 21 80 80 2204 21 83 10 2204 21 83 79 2204 21 83 80 2204 21 84 10 2204 21 84 79 2204 21 84 80 2204 21 94 10 2204 21 94 30 2204 21 98 10 2204 21 98 30 2204 21 99 10
09.7005	ex 2204 29	2204 29 65 00 2204 29 75 10 2204 29 83 10 2204 29 83 80 2204 29 84 10 2204 29 84 30 2204 29 94 10 2204 29 94 30 2204 29 98 10 2204 29 98 30 2204 29 99 10
09.7007	ex 2204 29	2204 29 65 00 2204 29 75 10 2204 29 83 10 2204 29 83 80 2204 29 84 10 2204 29 84 30 2204 29 94 10 2204 29 94 30 2204 29 98 10 2204 29 98 30 2204 29 99 10

Order Number	CN code	TARIC code
09.7010	ex 2204 10	2204 10 19 91
		2204 10 99 91
	ex 2204 21	2204 21 79 79
		2204 21 79 80
		2204 21 80 79
		2204 21 80 80
		2204 21 83 10
		2204 21 83 79
		2204 21 83 80
		2204 21 84 10
		2204 21 84 79
		2204 21 84 80
		2204 21 94 10
		2204 21 94 30
		2204 21 98 10
		2204 21 98 30
		2204 21 99 10
09.7013	ex 2204 10	2204 10 19 91
		2204 10 19 99
	ex 2204 21	2204 10 99 91
		2204 10 99 99
		2204 21 79 79
		2204 21 79 80
		2204 21 80 79
		2204 21 80 80
		2204 21 83 10
		2204 21 83 79
		2204 21 83 80
		2204 21 84 10
		2204 21 84 79
		2204 21 84 80
		2204 21 94 10
		2204 21 94 30
		2204 21 98 10
		2204 21 98 30
		2204 21 99 10
	ex 2204 29	2204 29 65 00
		2204 29 75 10
		2204 29 83 10
		2204 29 83 80
		2204 29 84 10
		2204 29 84 30
		2204 29 94 10
		2204 29 94 30
		2204 29 98 10
		2204 29 98 30
		2204 29 99 10

ANNEX II

AGREEMENT

in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on reciprocal preferential trade concessions for certain wines and spirits

A. Letter from the Community

Brussels, 20 March 2001

Sir,

I have the honour to refer to the Agreement of 29 November 1993 in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Bulgaria with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits.

I hereby confirm that, following the negotiations and pending the procedure for the adoption and the entering into force of the additional Protocol to the Europe Agreement and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, the European Community and the Republic of Bulgaria have agreed on the following:

- Imports into Bulgaria of the following products originating in the Community shall be subject to the concessions set out below.

Bulgarian customs tariff code	Description	Annual quantity (hl)	Applicable duty
ex 2204 10	Sparkling wine, in containers holding not more than 2 litres	73 100	free
ex 2204 21 ex 2204 29	Wine of fresh grapes		
ex 2208 20	Spirits obtained by distilling grape wine or grape marc, in containers holding 2 litres or less	Unlimited	20 % <i>ad valorem</i> (min. 0,17 % EUR/ % vol/hl) + 1,05 EUR/hl
ex 2208 30	Whiskies, in containers holding 2 litres or less	Unlimited	15 % <i>ad valorem</i> (min. 1,26 % EUR/ % vol/hl) + 3,45 EUR/hl
ex 2208 40	Rum and tafia, in containers holding 2 litres or less	Unlimited	20 % <i>ad valorem</i> (min. 0,45 % EUR/ % vol/hl) + 1,6 EUR/hl
ex 2208 50	Gin, in containers holding 2 litres or less	Unlimited	20 % <i>ad valorem</i> (min. 0,4 % EUR/% vol/hl) + 1,6 EUR/hl
	Geneva, in containers holding 2 litres or less		20 % <i>ad valorem</i> (min. 0,5 % EUR/% vol/hl) + 3,2 EUR/hl

Bulgarian customs tariff code	Description	Annual quantity (hl)	Applicable duty
ex 2208 60	Vodka, in containers holding 2 litres or less	1 620	free
ex 2208 60	Vodka, in containers holding 2 litres or less	Unlimited	15 % <i>ad valorem</i> (min. 0,6 % EUR/% vol/hl) + 2,4 EUR/hl

2. Imports into the Community of the following products originating in Bulgaria shall be subject to the concessions set out below.

CN code	Description	Annual quantity (hl)	Applicable duty
ex 2204 10	Sparkling wine, in containers holding not more than 2 litres	1 800	free
ex 2204 21	Wine of fresh grapes	485 000	free
ex 2204 29	Wine of fresh grapes	195 000	free

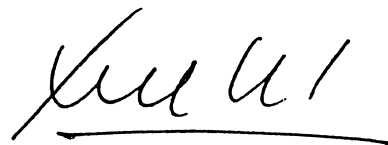
3. For the purposes of this Agreement, wine will be deemed to originate in the Community or in Bulgaria:
- if it has been produced from fresh grapes entirely produced and harvested in the territory of the Party in question, and
 - if it has been produced in accordance with the rules governing the oenological practices and processes referred to in Title V of Regulation (EC) No 1493/1999.
4. Imports of wine under the concessions provided for in this Agreement will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on a list to be drawn up jointly, to the effect that the wine in question complies with point 3(b).
5. The Parties shall ensure that the trade concessions granted reciprocally are not called into question by other measures.
6. Consultations are to take place at the request of either Party on any problem relating to the way this Agreement operates.
7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, in the territory of the Republic of Bulgaria.
8. This Agreement will be approved by the Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2001. It shall expire on the entry into force of the additional Protocol to the Europe Agreement on wines and spirits.

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.

Please accept, Sir, the assurance of my highest consideration.

For the European Community



B. Letter from Bulgaria

Brussels, 20 March 2001

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

I have the honour to refer to the Agreement of 29 November 1993 in the form of an Exchange of Letters between the European Community and the Republic of Bulgaria on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Bulgaria with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits.

I hereby confirm that, following the negotiations and pending the procedure for the adoption and the entering into force of the additional Protocol to the Europe Agreement and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, the European Community and the Republic of Bulgaria have agreed on the following:

- Imports into Bulgaria of the following products originating in the Community shall be subject to the concessions set out below.

Bulgarian customs tariff code	Description	Annual quantity (hl)	Applicable duty
ex 2204 10	Sparkling wine, in containers holding not more than 2 litres	73 100	free
ex 2204 21 ex 2204 29	Wine of fresh grapes		
ex 2208 20	Spirits obtained by distilling grape wine or grape marc, in containers holding 2 litres or less	Unlimited	20 % <i>ad valorem</i> (min. 0,17 % EUR/ % vol/hl) + 1,05 EUR/hl
ex 2208 30	Whiskies, in containers holding 2 litres or less	Unlimited	15 % <i>ad valorem</i> (min. 1,26 % EUR/ % vol/hl) + 3,45 EUR/hl
ex 2208 40	Rum and tafia, in containers holding 2 litres or less	Unlimited	20 % <i>ad valorem</i> (min. 0,45 % EUR/ % vol/hl) + 1,6 EUR/hl
ex 2208 50	Gin, in containers holding 2 litres or less Geneva, in containers holding 2 litres or less	Unlimited	20 % <i>ad valorem</i> (min. 0,4 % EUR/% vol/hl) + 1,6 EUR/hl 20 % <i>ad valorem</i> (min. 0,5 % EUR/% vol/hl) + 3,2 EUR/hl
ex 2208 60	Vodka, in containers holding 2 litres or less	1 620	free
ex 2208 60	Vodka, in containers holding 2 litres or less	Unlimited	15 % <i>ad valorem</i> (min. 0,6 % EUR/% vol/hl) + 2,4 EUR/hl

2. Imports into the Community of the following products originating in Bulgaria shall be subject to the concessions set out below.

CN code	Description	Annual quantity (hl)	Applicable duty
ex 2204 10	Sparkling wine, in containers holding not more than 2 litres	1 800	free
ex 2204 21	Wine of fresh grapes	485 000	free
ex 2204 29	Wine of fresh grapes	195 000	free

3. For the purposes of this Agreement, wine will be deemed to originate in the Community or in Bulgaria :
- (a) if it has been produced from fresh grapes entirely produced and harvested in the territory of the Party in question, and
 - (b) if it has been produced in accordance with the rules governing the oenological practices and processes referred to in Title V of Regulation (EC) No 1493/1999.
4. Imports of wine under the concessions provided for in this Agreement will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on a list to be drawn up jointly, to the effect that the wine in question complies with point 3(b).
5. The Parties shall ensure that the trade concessions granted reciprocally are not called into question by other measures.
6. Consultations are to take place at the request of either Party on any problem relating to the way this Agreement operates.
7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, in the territory of the Republic of Bulgaria.
8. This Agreement will be approved by the Parties in accordance with their respective procedures.

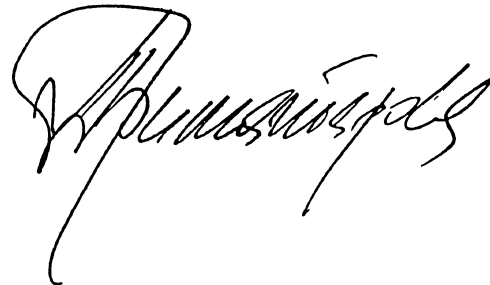
This Agreement shall enter into force on 1 January 2001. It shall expire on the entry into force of the additional Protocol to the Europe Agreement on wines and spirits.

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.'

I have the honour to confirm that my Government is in agreement with the content of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government of the Republic of Bulgaria



ANNEX III

AGREEMENT

in the form of an Exchange of Letters between the European Community and the Republic of Hungary on reciprocal preferential trade concessions for certain wines and spirits

A. Letter from the Community

Brussels, 22 March 2001

Sir,

I have the honour to refer to the Agreement of 29 November 1993 in the form of an Exchange of Letters between the European Community and the Republic of Hungary on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Hungary with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits.

I hereby confirm that, following the negotiations and pending the procedure for the adoption and the entering into force of the additional Protocol to the Europe Agreement and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, the European Community and the Republic of Hungary have agreed on the following:

1. Imports into Hungary of the following products originating in the Community shall be subject to the concessions set out below.

Hungarian customs tariff code	Description	Annual quantity (hl)	Yearly increase from 1.1.2002 (hl)	Applicable duty
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	75 000	15 000	free
ex 2204 21	Wine of fresh grapes			
ex 2204 29	Wine of fresh grapes	65 000	0	free
2208 20	Spirits obtained by distilling grape wine or grape marc	6 000	600	32 % ⁽¹⁾

⁽¹⁾ This concession replaces, for the products concerned, the concessions from Hungary provided for by Protocol 3 to the Europe Agreement. From 1 January 2002 and each successive year, applicable duty will be reduced by 4 % *ad valorem*.

2. Imports into the Community of the following products originating in Hungary shall be subject to the concessions set out below.

CN code	Description	Annual quantity (hl)	Yearly increase from 1.1.2002 (hl)	Applicable duty
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	300 000	15 000	free
ex 2204 21	Wine of fresh grapes			
ex 2204 29	Wine of fresh grapes	115 000	0	free

3. For the purposes of this Agreement, wine will be deemed to originate in the Community or in Hungary:
 - (a) if it has been produced from fresh grapes entirely produced and harvested in the territory of the Contracting Party in question, and
 - (b) if it has been produced in accordance with the rules governing the oenological practices and processes referred to in Title V of Regulation (EC) No 1493/1999.
4. Imports of wine under the concessions provided for in this Agreement will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on the list drawn up jointly, to the effect that the wine in question complies with point 3(b).
5. The Parties shall ensure that the trade concessions granted reciprocally are not called into question by other measures.
6. Consultations are to take place at the request of either Party on any problem relating to the way this Agreement operates.
7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, in the territory of the Republic of Hungary.
8. This Agreement will be approved by the Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2001. It shall expire on the entry into force of the additional Protocol to the Europe Agreement on wines and spirits.

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.

Please accept, Sir, the assurance of my highest consideration.

For the European Community



B. Letter from the Republic of Hungary

Brussels, 22 March 2001

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

I have the honour to refer to the Agreement of 29 November 1993 in the form of an Exchange of Letters between the European Community and the Republic of Hungary on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and the Republic of Hungary with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits.

I hereby confirm that, following the negotiations and pending the procedure for the adoption and the entering into force of the additional Protocol to the Europe Agreement and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, the European Community and the Republic of Hungary have agreed on the following:

1. Imports into Hungary of the following products originating in the Community shall be subject to the concessions set out below.

Hungarian customs tariff code	Description	Annual quantity (hl)	Yearly increase from 1.1.2002 (hl)	Applicable duty
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	75 000	15 000	free
ex 2204 21	Wine of fresh grapes			
ex 2204 29	Wine of fresh grapes	65 000	0	free
2208 20	Spirits obtained by distilling grape wine or grape marc	6 000	600	32 % ⁽¹⁾

⁽¹⁾ This concession replaces, for the products concerned, the concessions from Hungary provided for by Protocol 3 to the Europe Agreement. From 1 January 2002 and each successive year, applicable duty will be reduced by 4 % *ad valorem*.

2. Imports into the Community of the following products originating in Hungary shall be subject to the concessions set out below.

CN code	Description	Annual quantity (hl)	Yearly increase from 1.1.2002 (hl)	Applicable duty
ex 2204 10	Quality sparkling wine, in containers holding not more than 2 litres	300 000	15 000	free
ex 2204 21	Wine of fresh grapes			
ex 2204 29	Wine of fresh grapes	115 000	0	free

3. For the purposes of this Agreement, wine will be deemed to originate in the Community or in Hungary:
 - (a) if it has been produced from fresh grapes entirely produced and harvested in the territory of the Party in question, and
 - (b) if it has been produced in accordance with the rules governing the oenological practices and processes referred to in Title V of Regulation (EC) No 1493/1999.
4. Imports of wine under the concessions provided for in this Agreement will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on the list drawn up jointly, to the effect that the wine in question complies with point 3(b).
5. The Parties shall ensure that the trade concessions granted reciprocally are not called into question by other measures.
6. Consultations are to take place at the request of either Party on any problem relating to the way this Agreement operates.
7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, in the territory of the Republic of Hungary.
8. This Agreement will be approved by the Parties in accordance with their respective procedures.

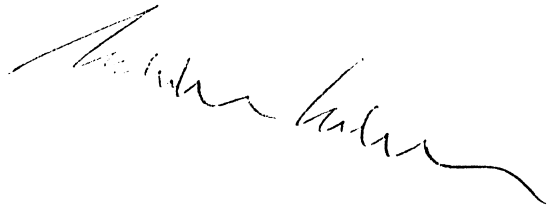
This Agreement shall enter into force on 1 January 2001. It shall expire on the entry into force of the additional Protocol to the Europe Agreement on wines and spirits.

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.'

I have the honour to confirm that my Government is in agreement with the content of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government of the Republic of Hungary



ANNEX IV

AGREEMENT

in the form of an Exchange of Letters between the European Community and Romania on reciprocal preferential trade concessions for certain wines and spirits*A. Letter from the Community*

Brussels, 22 March 2001

Sir,

I have the honour to refer to the Agreement of 26 November 1993 in the form of an Exchange of Letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and Romania with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits.

I hereby confirm that, following the negotiations and pending the procedure for the adoption and the entering into force of the additional Protocol to the Europe Agreement and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, the European Community and Romania have agreed on the following:

- Imports into Romania of the following products originating in the Community shall be subject to the concessions set out below.

Romanian customs tariff code	Description	Annual quantity (hl)	Applicable duty (% of MFN duty)
ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes	60 000	free
2208 20	Spirits obtained by distilling grape wine or grape marc	1 500	50 (max 45 % <i>ad valorem</i>)
2208 30	Whiskies	1 400	50 (max 45 % <i>ad valorem</i>)

- Imports into the Community of the following products originating in Romania shall be subject to the concessions set out below.

CN code	Description	Annual quantity (hl)	Applicable duty
ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes	300 000	free

- For the purposes of this Agreement, wine will be deemed to originate in the Community or in Romania:
 - if it has been produced from fresh grapes entirely produced and harvested in the territory of the Party in question, and
 - if it has been produced in accordance with the rules governing the oenological practices and processes referred to in Title V of Regulation (EC) No 1493/1999.

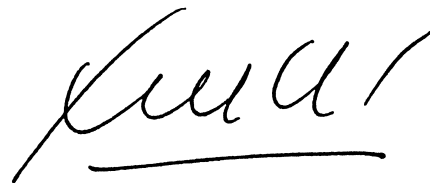
4. Imports of wine under the concessions provided for in this Agreement will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on a list to be drawn up jointly, to the effect that the wine in question complies with point 3(b).
5. The Parties shall ensure that the trade concessions granted reciprocally are not called into question by other measures.
6. Consultations are to take place at the request of either Party on any problem relating to the way this Agreement operates.
7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, in the territory of Romania.
8. This Agreement will be approved by the Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2001. It shall expire on the entry into force of the additional Protocol to the Europe Agreement on wines and spirits.

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.

Please accept, Sir, the assurance of my highest consideration.

For the European Community

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the bottom, representing the signature of the European Community representative.

B. Letter from Romania

Brussels, 22 March 2001

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

I have the honour to refer to the Agreement of 26 November 1993 in the form of an Exchange of Letters between the European Community and Romania on the reciprocal establishment of tariff quotas for certain wines and to the negotiations which have taken place between the European Community and Romania with a view to concluding an additional Protocol to the Europe Agreement covering both wines and spirits.

I hereby confirm that, following the negotiations and pending the procedure for the adoption and the entering into force of the additional Protocol to the Europe Agreement and in order to implement from 1 January 2001 the results of the negotiations on new bilateral trade concessions for certain wines and spirits, the European Community and Romania have agreed on the following:

1. Imports into Romania of the following products originating in the Community shall be subject to the concessions set out below.

Romanian customs tariff code	Description	Annual quantity (hl)	Applicable duty (% of MFN duty)
ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes	60 000	free
2208 20	Spirits obtained by distilling grape wine or grape marc	1 500	50 (max. 45 % <i>ad valorem</i>)
2208 30	Whiskies	1 400	50 (max. 45 % <i>ad valorem</i>)

2. Imports into the Community of the following products originating in Romania shall be subject to the concessions set out below.

CN code	Description	Annual quantity (hl)	Applicable duty
ex 2204 10 ex 2204 21 ex 2204 29	Wine of fresh grapes	300 000	free

3. For the purposes of this Agreement, wine will be deemed to originate in the Community or in Romania:

- (a) if it has been produced from fresh grapes entirely produced and harvested in the territory of the Party in question, and
- (b) if it has been produced in accordance with the rules governing the oenological practices and processes referred to in Title V of Regulation (EC) No 1493/1999.

4. Imports of wine under the concessions provided for in this Agreement will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on a list to be drawn up jointly, to the effect that the wine in question complies with point 3(b).

5. The Parties shall ensure that the trade concessions granted reciprocally are not called into question by other measures.
6. Consultations are to take place at the request of either Party on any problem relating to the way this Agreement operates.
7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, in the territory of Romania.
8. This Agreement will be approved by the Parties in accordance with their respective procedures.

This Agreement shall enter into force on 1 January 2001. It shall expire on the entry into force of the additional Protocol to the Europe Agreement on wines and spirits.

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.'

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

For the Government of Romania



A. Herlea

COMMISSION REGULATION (EC) No 679/2001
of 3 April 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 4 April 2001.

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

Done at Brussels, 3 April 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 3 April 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	80,7
	204	50,3
	212	117,1
	999	82,7
0707 00 05	052	156,7
	624	89,6
	628	147,2
	999	131,2
0709 90 70	052	121,3
	204	74,3
	624	63,1
	999	86,2
0805 10 10, 0805 10 30, 0805 10 50	052	78,4
	204	46,6
	212	47,8
	220	57,2
	624	63,7
	999	58,7
0808 10 20, 0808 10 50, 0808 10 90	388	100,9
	400	94,8
	404	114,0
	508	88,4
	512	96,7
	528	86,6
	720	128,1
	999	101,4
	388	78,9
0808 20 50	512	69,4
	528	74,5
	999	74,3

⁽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 680/2001
of 3 April 2001
amending Regulation (EC) No 2097/2000 on a special intervention measure for cereals in Finland
and Sweden

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⁾,

Whereas:

- (1) Commission Regulation (EC) No 2097/2000 ⁽⁵⁾, as amended by Regulation (EC) No 393/2001 ⁽⁶⁾, opened an invitation to tender for the refund for the export of oats produced in Finland and Sweden to all third countries. In the present situation, it is appropriate to increase the quantity put up for tender.

- (2) 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

Article 1(1) of Regulation (EC) No 2097/2000 is hereby amended as follows:

‘1. A special intervention measure in the form of an export refund shall be implemented in respect of 700 000 tonnes of oats produced in Finland and Sweden and intended for export from Finland and Sweden to all third countries.

Article 13 of Regulation (EEC) No 1766/92 and the provisions adopted for the application of that Article shall apply, *mutatis mutandis*, to the said refund.’

Article 2

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

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

Done at Brussels, 3 April 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.

⁽⁶⁾ OJ L 58, 28.2.2001, p. 8.

COMMISSION REGULATION (EC) No 681/2001**of 3 April 2001****derogating temporarily from Regulation (EC) No 1370/95 laying down detailed rules for implementing the system of export licences in the pigmeat sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EC) No 1365/2000 ⁽²⁾, and in particular Article 8(2), Article 13(12) and Article 22 thereof,

Whereas:

- (1) Article 3(3) of Commission Regulation (EC) No 1370/95 ⁽³⁾, as last amended by Regulation (EC) No 2898/2000 ⁽⁴⁾, provides that export licences are to be issued on the Wednesday following the week in which licence applications are lodged, provided that no special measures are taken by the Commission in the meantime.
- (2) Given the dates of public holidays in 2001 and the consequent irregular publication of the *Official Journal of the European Communities*, the period for consideration is too short to ensure effective market management and it should therefore be extended temporarily.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 3(3) of Regulation (EC) No 1370/95, licences for which applications are lodged during the following periods shall be issued on the dates indicated, provided that none of the special measures referred to in paragraph 4 of that Article is taken before the dates concerned:

- from 9 to 13 April 2001, to be issued on 19 April 2001,
- from 23 to 27 April 2001, to be issued on 4 May 2001,
- from 28 May to 1 June 2001, to be issued on 7 June 2001,
- from 17 to 21 December 2001, to be issued on 3 January 2002,
- from 24 to 28 December 2001, to be issued on 7 January 2002.

*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 3 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ L 282, 1.11.1975, p. 1.⁽²⁾ OJ L 156, 29.6.2000, p. 5.⁽³⁾ OJ L 133, 17.6.1995, p. 9.⁽⁴⁾ OJ L 336, 30.12.2000, p. 32.

COMMISSION REGULATION (EC) No 682/2001**of 3 April 2001****granting a temporary derogation from Regulations (EC) No 1371/95 and (EC) No 1372/95 laying down detailed rules for implementing the system of export licences in the egg and poultrymeat sectors**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, as last amended by Commission Regulation (EC) No 1516/96 ⁽²⁾, and in particular Article 3(2), Article 8(13) and Article 15 thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽³⁾, as last amended by Commission Regulation (EC) No 2916/95 ⁽⁴⁾, and in particular Article 3(2), Article 8(12) and Article 15 thereof,

Whereas:

- (1) Article 3(3) of Commission Regulation (EC) No 1371/95 ⁽⁵⁾, as last amended by Regulation (EC) No 2336/1999 ⁽⁶⁾, and Commission Regulation (EC) No 1372/95 ⁽⁷⁾, as last amended by Regulation (EC) No 2337/1999 ⁽⁸⁾, provides that export licences are to be issued on the Wednesday following the week in which the licence applications are lodged provided that no particular measures have been taken by the Commission in the meantime.
- (2) Because of public holidays in 2001 and the irregular publication of the *Official Journal of the European Communities* during those holidays, the period for consideration will be too brief to guarantee proper

administration of the market. It should therefore be extended temporarily.

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

HAS ADOPTED THIS REGULATION:

Article 1

By derogation from Article 3(3) of Regulations (EC) No 1371/95 and (EC) No 1372/95, licences for which applications are lodged during the periods specified below shall be issued on the corresponding dates provided that no specific action as indicated in paragraph 4 of that Article has been taken prior to those dates:

- from 9 to 13 April 2001, to be issued on 19 April 2001,
- from 23 to 27 April 2001, to be issued on 4 May 2001,
- from 28 May to 1 June 2001, to be issued on 7 June 2001,
- from 17 to 21 December 2001, to be issued on 3 January 2002,
- from 24 to 28 December 2001, to be issued on 7 January 2002.

Article 2

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

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

Done at Brussels, 3 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 49.

⁽²⁾ OJ L 189, 30.7.1996, p. 99.

⁽³⁾ OJ L 282, 1.11.1975, p. 77.

⁽⁴⁾ OJ L 305, 19.12.1995, p. 49.

⁽⁵⁾ OJ L 133, 17.6.1995, p. 16.

⁽⁶⁾ OJ L 281, 4.11.1999, p. 16.

⁽⁷⁾ OJ L 133, 17.6.1995, p. 26.

⁽⁸⁾ OJ L 281, 4.11.1999, p. 21.

COMMISSION REGULATION (EC) No 683/2001**of 3 April 2001****on the issue of system B export licences in the fruit and vegetables sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 298/2000 ⁽²⁾, and in particular Article 5(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 397/2001 ⁽³⁾ fixes the indicative quantities for system B export licences other than those sought in the context of food aid.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for oranges will shortly be exceeded. This overrun will prejudice the

proper working of the export refund scheme in the fruit and vegetables sector.

- (3) To avoid this situation, applications for system B licences for oranges exported after 3 April 2001 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for oranges submitted pursuant to Article 1 of Regulation (EC) No 397/2001, export declarations for which are accepted after 3 April 2001 and before 14 May 2001 are hereby rejected.

Article 2

This Regulation shall enter into force on 4 April 2001.

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

Done at Brussels, 3 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 34, 9.2.2000, p. 16.

⁽³⁾ OJ L 58, 28.2.2001, p. 16.

**COMMISSION REGULATION (EC) No 684/2001
of 3 April 2001**

correcting Regulations (EC) No 1/2001, (EC) No 7/2001, (EC) No 18/2001, (EC) No 30/2001, (EC) No 37/2001, (EC) No 39/2001, (EC) No 79/2001, (EC) No 83/2001, (EC) No 95/2001, (EC) No 107/2001 and (EC) No 122/2001 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) Commission Regulations (EC) No 1/2001 ⁽³⁾, (EC) No 7/2001 ⁽⁴⁾, (EC) No 18/2001 ⁽⁵⁾, (EC) No 30/2001 ⁽⁶⁾, (EC) No 37/2001 ⁽⁷⁾, (EC) No 39/2001 ⁽⁸⁾, (EC) No 79/2001 ⁽⁹⁾, (EC) No 83/2001 ⁽¹⁰⁾, (EC) No 95/2001 ⁽¹¹⁾, (EC) No 107/2001 ⁽¹²⁾ and (EC) No 122/2001 ⁽¹³⁾ established a standard import value for determining the entry price of tomatoes originating in certain third countries.
- (2) An error has been discovered in the Annex to those Regulations. The Regulations in question should therefore be corrected.
- (3) Article 4(3) of Regulation (EC) No 3223/94 provides that, where no standard import value is in force for a product for a given origin, the average of the standard import values in force for that product is to apply. As a result, that average should be recalculated if one of its component standard import values is corrected.

- (4) Application of the corrected standard import value must be requested by the party concerned so that they are not placed retroactively at a disadvantage,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values applicable to tomatoes originating in certain third countries listed in the Annex to Regulations (EC) No 1/2001, (EC) No 7/2001, (EC) No 18/2001, (EC) No 30/2001, (EC) No 37/2001, (EC) No 39/2001, (EC) No 79/2001, (EC) No 83/2001, (EC) No 95/2001, (EC) No 107/2001 and (EC) No 122/2001 are replaced, as regards the third-country codes indicated in the table in the Annex hereto, by the standard import values listed there.

Article 2

At the request of the party concerned, the customs office where the import was recorded shall refund part of the customs duties for the tomatoes originating in the third countries concerned and released for free circulation during the period of application of the corrected Regulations. Refund applications must be lodged no later than the last day of the third month following that in which this Regulation enters into force and must be accompanied by the declaration of release for free circulation for the import concerned.

Article 3

This Regulation shall enter into force on 4 April 2001.

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

Done at Brussels, 3 April 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.

⁽³⁾ OJ L 1, 4.1.2001, p. 1.

⁽⁴⁾ OJ L 2, 5.1.2001, p. 6.

⁽⁵⁾ OJ L 3, 6.1.2001, p. 1.

⁽⁶⁾ OJ L 4, 9.1.2001, p. 1.

⁽⁷⁾ OJ L 5, 10.1.2001, p. 1.

⁽⁸⁾ OJ L 6, 11.1.2001, p. 1.

⁽⁹⁾ OJ L 13, 17.1.2001, p. 1.

⁽¹⁰⁾ OJ L 14, 18.1.2001, p. 1.

⁽¹¹⁾ OJ L 17, 19.1.2001, p. 1.

⁽¹²⁾ OJ L 19, 20.1.2001, p. 5.

⁽¹³⁾ OJ L 21, 23.1.2001, p. 5.

ANNEX

(EUR/100 kg)			
Regulation	CN code	Third country code	Standard import value
(EC) No 1/2001	0702 00 00	052	100,9
		204	72,2
		624	92,0
		999	88,4
(EC) No 7/2001	0702 00 00	052	120,2
		204	64,2
		999	92,2
(EC) No 18/2001	0702 00 00	052	107,0
		204	56,9
		999	82,0
(EC) No 30/2001	0702 00 00	052	112,3
		204	51,2
		999	81,8
(EC) No 37/2001	0702 00 00	052	81,6
		204	44,8
		999	63,2
(EC) No 39/2001	0702 00 00	052	104,1
		204	39,9
		624	73,1
		999	72,4
(EC) No 79/2001	0702 00 00	052	101,3
		204	42,6
		624	89,8
		999	77,9
(EC) No 83/2001	0702 00 00	052	98,4
		204	47,3
		624	89,8
		999	78,5
(EC) No 95/2001	0702 00 00	052	100,9
		204	48,4
		624	89,8
		999	79,7
(EC) No 107/2001	0702 00 00	052	82,9
		204	46,3
		624	89,8
		999	73,0
(EC) No 122/2001	0702 00 00	052	84,3
		204	45,7
		624	89,8
		999	73,3

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 3 April 2001

amending Decision 2001/234/EC concerning certain protection measures with regard to foot-and-mouth disease in Ireland

(notified under document number C(2001) 1038)

(Text with EEA relevance)

(2001/267/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular Article 10 thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 9 thereof,

Whereas:

- (1) Following the reports of outbreaks of foot-and-mouth disease in Ireland, the Commission, pending the meeting of the Standing Veterinary Committee and in close co-operation with the Member State concerned, adopted Decision 2001/234/EC of 22 March 2001 concerning certain protection measures with regard to foot-and-mouth disease in Ireland ⁽⁴⁾.
- (2) The foot-and-mouth disease situation in certain parts of Ireland is liable to endanger the herds in other parts of the territory of Ireland and in other Member States in view of the placing on the market and trade in live biungulate animals and certain of their products.
- (3) Ireland has taken measures in the framework of Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease ⁽⁵⁾, as last amended by the Act

of Accession of Austria, Finland and Sweden, and furthermore has introduced further measures within the affected areas, including the measures laid down in Decision 2001/172/EC ⁽⁶⁾, as last amended by Decision 2001/239/EC ⁽⁷⁾.

- (4) In the light of the disease evolution it appears appropriate to prolong the measure introduced by Decision 2001/234/EC.
- (5) The situation shall be reviewed at the meeting of the Standing Veterinary Committee scheduled for 4 April 2001 and the measures adapted where necessary.
- (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 date in Article 14 of Commission Decision 2001/234/EC is replaced by '19 April 2001'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 April 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 395, 30.12.1989, p. 13.

⁽⁴⁾ OJ L 84, 23.3.2001, p. 62.

⁽⁵⁾ OJ L 315, 26.11.1985, p. 11.

⁽⁶⁾ OJ L 62, 2.3.2001, p. 22.

⁽⁷⁾ OJ L 86, 27.3.2001, p. 33.

COMMISSION DECISION
of 3 April 2001
amending for the fourth time Decision 2001/172/EC concerning certain protection measures with
regard to foot-and-mouth disease in the United Kingdom

(notified under document number C(2001) 1039)

(Text with EEA relevance)

(2001/268/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular Article 10 thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 9 thereof,

Whereas:

- (1) Following the reports of outbreaks of foot-and-mouth disease in the United Kingdom, the Commission adopted Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom ⁽⁴⁾, as last amended by Decision 2001/239/EC ⁽⁵⁾.
- (2) The foot-and-mouth disease situation in the United Kingdom is liable to endanger the herds in other parts of the Community in view of the placing on the market and trade in live biungulate animals and certain of their products.
- (3) In the light of the disease evolution it appears appropriate to prolong the measures introduced by Decision 2001/172/EC and at the same time to adjust the regionalisation.

- (4) The situation shall be reviewed at the meeting of the Standing Veterinary Committee scheduled for 4 April 2001 and the measures adapted where necessary.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 2001/172/EC is amended as follows:

1. In Article 14 the date is replaced by '19 April 2001'.
2. In Annex I the words 'United Kingdom' are replaced by 'Great Britain and the district Newry and Mourne in County Armagh in Northern Ireland'.
3. In Annex II the words 'United Kingdom' are replaced by 'Great Britain, Northern Ireland'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 April 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 395, 30.12.1989, p. 13.

⁽⁴⁾ OJ L 62, 2.3.2001, p. 22.

⁽⁵⁾ OJ L 86, 27.3.2001, p. 33.

COMMISSION DECISION

of 3 April 2001

amending for the third time Decision 2001/208/EC concerning certain protection measures with regard to foot-and-mouth disease in France

(notified under document number C(2001) 1052)

(Text with EEA relevance)

(2001/269/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Decision 2001/208/EC ⁽¹⁾ concerning certain protection measures with regard to foot-and-mouth disease in France, as last amended by Decision 2001/250/EC ⁽²⁾, and in particular Article 13a thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽³⁾, as last amended by Directive 92/118/EEC ⁽⁴⁾, and in particular Article 10 thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽⁵⁾, as last amended by Directive 92/118/EEC, and in particular Article 9 thereof,

Whereas:

- (1) Following the reports of new outbreaks of foot-and-mouth disease in France the Commission by adopting Decision 2001/250/EC extended and prolonged the measures introduced by Decision 2001/208/EC concerning certain protection measures with regard to foot-and-mouth disease in France.
- (2) The geographic scope for the areas subjected to the measures provided for in this Decision should not be maintained any longer than necessary under objectively defined circumstances, and therefore, in accordance with Article 13a of the Decision, the measures applicable in areas in Annex I should be limited to certain departments as of 3 April 2001 by Commission Decision.
- (3) In accordance with this same Article, France has notified the Commission on 2 April that no further outbreaks of foot and mouth disease were reported since 30 March 2001, and that all clinical examinations and laboratory

tests undertaken in the relevant holdings had given negative results.

- (4) The Commission informed the other Member States immediately by fax of the need to adapt their measures according to the new situation.
- (5) The situation shall be reviewed at the meeting of the Standing Veterinary Committee scheduled for 4 April 2001 and the measures adapted where necessary,

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 2001/208/EC is amended as follows:

1. The date referred to in Article 2(2)(a), Article 3(3)(a) and (c), Article 5(2)(a) and (3)(b), Article 6(3), Article 7(2) and Article 8(1) is replaced by '25 February 2001'.
2. In Annex I the words 'All departments of mainland France' are replaced by 'Seine-et-Marne, Seine-Saint-Denis and Val d'Oise'.
3. In Annex II the words 'All departments of mainland France' are replaced by 'All departments of mainland France except those in Annex I'.

Article 2

This Decision is addressed to the Member States. It shall apply with effect from 3 April 2001.

Done at Brussels, 3 April 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 73, 15.3.2001, p. 38.

⁽²⁾ OJ L 90, 30.3.2001, p. 63.

⁽³⁾ OJ L 224, 18.8.1990, p. 29.

⁽⁴⁾ OJ L 62, 15.3.1993, p. 49.

⁽⁵⁾ OJ L 395, 30.12.1989, p. 13.

COMMISSION DECISION
of 29 March 2001
amending Decision 2000/418/EC as regards imports from third countries

(notified under document number C(2001) 830)

(Text with EEA relevance)

(2001/270/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾, and in particular Article 22 thereof,

Whereas:

- (1) Commission Decision 2000/418/EC of 29 June 2000 regulating the use of material presenting risks as regards transmissible spongiform encephalopathies and amending Decision 94/474/EC ⁽²⁾, as last amended by Decision 2001/233/EC ⁽³⁾, provides for the removal and destruction of certain specified risk materials. It also imposes restrictions on the production of certain materials and of certain slaughter techniques and on certain imports. It is to be reviewed in the light of new scientific evidence.
- (2) The exposure of humans to the risks stemming from bovine spongiform encephalopathy (BSE) has been largely associated with the consumption of meat mechanically recovered from the bones of the head and vertebral column. However, for control reasons the prohibition on the use of bones of the head and vertebral column from bovine, ovine and caprine animals of all ages for the production of mechanically recovered meat should be extended to all bones of those species. This should also apply to imported products.
- (3) In its opinions of 6 July 2000, 12 January 2001 and 8 and 9 February 2001 on the Geographic BSE Risk of the concerned third countries, the Scientific Steering Committee (SSC) concluded that the occurrence of BSE in native cattle is only highly unlikely in the following countries: Australia, Argentina, Botswana, Chile, Namibia, New-Zealand, Nicaragua, Paraguay, Uruguay, and Swaziland. For all other countries for which the evaluation by the SSC has been finalised it concluded

that the occurrence of BSE in native cattle is at best unlikely but not excluded. Preliminary results of similar studies carried out under the responsibility of the SSC further indicate that it may, for a very limited number of additional countries, conclude that the occurrence of BSE in native cattle is highly unlikely. All other third countries either sent no dossier or an incomplete dossier precluding a timely and conclusive evaluation.

- (4) Therefore it was demonstrated by the SSC risk assessment that the risk of BSE being present in native cattle is highly unlikely only in Australia, Argentina, Botswana, Chile, Namibia, New-Zealand, Nicaragua, Paraguay, Uruguay, and Swaziland. For all other countries that assessment either demonstrated a certain risk of BSE being present in native cattle, or could not be carried out in absence of complete data. Therefore only Australia, Argentina, Botswana, Chile, Namibia, New-Zealand, Nicaragua, Paraguay, Uruguay, and Swaziland should be exempt from the provisions of Decision 2000/418/EC.
- (5) The Commission will review the provisions for the import of products of animal origin as soon as possible in the light of additional scientific assessments, as well as the development of the recommendations of the World Organisation for Animal Health (OIE). As before the Commission will use the information submitted in accordance with Recommendation 98/477/EC ⁽⁴⁾ of 22 July 1998 concerning information necessary to support applications for the evaluation of the epidemiological status of countries with respect to transmissible spongiform encephalopathies. It therefore repeats its invitation to submit a dossier in accordance with that Recommendation for those countries that have not yet done so and will make every effort to obtain a scientific assessment within the shortest possible time of the dossier submission.
- (6) Considering that a new certification regime is established, a transitional arrangement should be provided for products dispatched before the entry into force of this Decision.

⁽¹⁾ OJ L 24, 30.1.1998, p. 9.

⁽²⁾ OJ L 158, 30.6.2000, p. 76.

⁽³⁾ OJ L 84, 23.3.2001, p. 59.

⁽⁴⁾ OJ L 212, 30.7.1998, p. 58.

- (7) The vertebral column must be removed at the latest at the point of sale to the consumer, and thus carcasses or parts of carcasses of bovine animals that still contain vertebral column may be placed on the domestic market and traded between Member States. In order to respect the Community's obligations under international agreements, it is necessary also to authorise imports from third countries of such carcasses containing vertebral column.
- (8) Decision 2000/418/EC should therefore be amended accordingly.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2000/418/EC is amended as follows:

1. Article 6 is replaced by the following:

'Article 6

Import into the Community

1. The specified risk materials referred to in Annex I, point 1(a) shall not be imported into the Community after 31 March 2001.
2. (a) Where the products of animal origin listed in Annex II, containing material derived from bovine, ovine or caprine animals, are imported into the Community after 31 March 2001 from third countries or regions thereof, the appropriate health certificate shall be supplemented by a declaration signed by the competent authority of the country of production, worded as follows:

"The product of animal origin does not contain, and is not derived from, specified risk material as defined in Annex I, point 1(a) of Decision 2000/418/EC, produced after 31 March 2001, or mechanically recovered meat obtained from the bones of bovine, ovine or caprine animals, produced after 31 March 2001. The animals have not been slaughtered, after 31 March 2001, after stunning by means of a gas injected into the cranial cavity or killed instantaneously by the same method, or slaughtered after laceration, after stunning, of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity."

- (b) Any reference to "products of animal origin" in this Article is a reference to the products of animal origin listed in Annex II, not to other products of animal origin containing or derived from those products of animal origin.

3. The provisions of paragraphs 1 and 2 shall not apply to:

- (a) the third countries listed in Annex III;
- (b) without prejudice to the national measures in place before 31 March 2001, consignments which have left third countries prior to the entry into force of this Decision, and which are presented at the Community inspection post for importation before 15 April 2001.'

2. In Article 7(b) the last subparagraph is replaced by the following:

'However, carcasses containing no specified risk material other than vertebral column, including dorsal root ganglia, may be imported into a Member State, or dispatched to another Member State without the latter's prior agreement.'

3. The following Annex III is added:

'ANNEX III

Third countries referred to in Article 6(3)

Australia
Argentina
Botswana
Chile
Namibia
New-Zealand
Nicaragua
Paraguay
Uruguay
Swaziland'

Article 2

This Decision is addressed to the Member States.

It shall apply from 31 March 2001.

Done at Brussels, 29 March 2001.

For the Commission

David BYRNE

Member of the Commission

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 650/2001 of 30 March 2001 redistributing unused portions of the 2000 quantitative quotas for certain products originating in the People's Republic of China**

(Official Journal of the European Communities L 91 of 31 March 2001)

On page 52 in Article 3:

for: '... 8 April 2001',

read: '... 30 April 2001';

on page 53 in Article 5:

for: '... 12 May 2001',

read: '... 14 May 2001';

on page 57, in Annex IV, the telephone number of the German authority:

for: '(49) 619 64 08-0',

read: '(49) 619 69 08-0'.
