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Legislation

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Price: EUR 19,50

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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1300/2001
of 29 June 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 30 June 2001.

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

Done at Brussels, 29 June 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 29 June 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	72,0
	999	72,0
0707 00 05	052	81,2
	999	81,2
0709 90 70	052	80,5
	999	80,5
0805 30 10	388	68,0
	528	67,2
	999	67,6
0808 10 20, 0808 10 50, 0808 10 90	388	90,5
	400	109,7
	404	115,4
	508	97,6
	512	97,1
	528	75,9
	720	145,4
	804	98,7
	999	103,8
	052	200,7
0809 10 00	999	200,7
	052	305,2
0809 20 95	064	196,9
	066	151,9
	068	143,5
	400	304,1
	616	289,0
	999	231,8
	624	238,5
0809 40 05	999	238,5

⁽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 1301/2001
of 29 June 2001
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 2235/2000 ⁽⁴⁾, and in particular Article 2(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 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 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 256, 10.10.2000, p. 13.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00	0,00
	medium quality ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	0,00	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	0,00	0,00
	medium quality	0,00	0,00
	low quality	32,86	22,86
1002 00 00	Rye	21,16	11,16
1003 00 10	Barley, seed	21,16	11,16
1003 00 90	Barley, other ⁽³⁾	21,16	11,16
1005 10 90	Maize seed other than hybrid	72,80	62,80
1005 90 00	Maize other than seed ⁽³⁾	72,80	62,80
1007 00 90	Grain sorghum other than hybrids for sowing	45,87	35,87

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

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

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

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

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 24 or 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 15 June to 28 June 2001)

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	133,49	129,53	108,26	86,63	205,22 (**)	195,22 (**)	115,02 (**)
Gulf premium (EUR/t)	—	19,10	5,29	11,70	—	—	—
Great Lakes premium (EUR/t)	26,29	—	—	—	—	—	—

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

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: 20,61 EUR/t; Great Lakes — Rotterdam: 30,85 EUR/t.

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

COMMISSION REGULATION (EC) No 1302/2001
of 29 June 2001
fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

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 Commission Regulation (EC) No 1666/2000 ⁽²⁾, and in particular the third subparagraph of Article 13(2) 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 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section.
- (2) In order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid

actions, the level of the refunds granted for these actions should be determined.

- (3) The general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.
- (4) The specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95.
- (5) 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 Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 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 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 288, 25.10.1974, p. 1.

ANNEX

to the Commission Regulation of 29 June 2001 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(EUR/t)

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	0,00
1002 00 00 9000	0,00
1003 00 90 9000	0,00
1005 90 00 9000	42,00
1006 30 92 9100	230,00
1006 30 92 9900	230,00
1006 30 94 9100	230,00
1006 30 94 9900	230,00
1006 30 96 9100	230,00
1006 30 96 9900	230,00
1006 30 98 9100	230,00
1006 30 98 9900	230,00
1006 30 65 9900	230,00
1007 00 90 9000	42,00
1101 00 15 9100	0,00
1101 00 15 9130	0,00
1102 10 00 9500	0,00
1102 20 10 9200	59,18
1102 20 10 9400	50,72
1103 11 10 9200	0,00
1103 13 10 9100	76,09
1104 12 90 9100	13,54

NB: The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), amended.

COMMISSION REGULATION (EC) No 1303/2001
of 29 June 2001
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products
from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 2(6) thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 1055/2001 ⁽⁴⁾, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community

and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex.

- (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

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 43, 19.2.1992, p. 23.

⁽⁴⁾ OJ L 148, 1.6.2001, p. 16.

ANNEX

to the Commission Regulation of 29 June 2001 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(EUR/t)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	21,00	21,00	21,00	25,00
Barley (1003 00 90)	21,00	21,00	21,00	25,00
Maize (1005 90 00)	48,00	48,00	48,00	51,00
Durum wheat (1001 10 00)	21,00	21,00	21,00	25,00
Oats (1004 00 00)	35,00	35,00	—	—

COMMISSION REGULATION (EC) No 1304/2001
of 29 June 2001
amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals
products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 1056/2001 ⁽⁴⁾, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the

world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex.

- (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

The Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 185, 4.7.1992, p. 26.

⁽⁴⁾ OJ L 148, 1.6.2001, p. 18.

ANNEX

to the Commission Regulation of 29 June 2001 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

		(EUR/t)
Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	17,00
Barley	(1003 00 90)	17,00
Maize	(1005 90 00)	45,00
Durum wheat	(1001 10 00)	17,00
Oats	(1004 00 00)	32,00

COMMISSION REGULATION (EC) No 1305/2001
of 29 June 2001
amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals
products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EC) No 1057/2001 ⁽⁴⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and

Madeira should be set at the amounts given in the Annex.

- (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

The Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 185, 4.7.1992, p. 28.

⁽⁴⁾ OJ L 148, 1.6.2001, p. 20.

ANNEX

to the Commission Regulation of 29 June 2001 amending Regulation (EEC) No 1833/92 fixing the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

(EUR/t)

Product (CN code)		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	17,00	17,00
Barley	(1003 00 90)	17,00	17,00
Maize	(1005 90 00)	45,00	45,00
Durum wheat	(1001 10 00)	17,00	17,00

COMMISSION REGULATION (EC) No 1306/2001**of 29 June 2001****setting the amounts of aid for the supply of rice products from the Community to the Canary Islands**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 3 thereof,

Whereas:

- (1) Pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilisation, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin. This aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries.
- (2) Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾, lays down common detailed rules for implementation of the

specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands.

- (3) As a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex.
- (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

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 296, 17.11.1994, p. 23.

⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.

ANNEX

to the Commission Regulation of 29 June 2001 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

(EUR/t)

Product (CN code)	Amount of aid
Milled rice (1006 30)	223,00
Broken rice (1006 40)	49,00

COMMISSION REGULATION (EC) No 1307/2001**of 29 June 2001****setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin. This aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries.
- (2) Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira. Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice

products to the Azores and Madeira and establishing the forecast supply balance for these products ⁽⁵⁾, as last amended by Regulation (EC) No 1683/94 ⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation.

- (3) As a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex.
- (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

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 198, 17.7.1992, p. 37.

⁽⁶⁾ OJ L 178, 12.7.1994, p. 53.

ANNEX

to the Commission Regulation of 29 June 2001 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

(EUR/t)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	223,00	223,00

**COMMISSION REGULATION (EC) No 1308/2001
of 29 June 2001
fixing the import duties in the rice sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1667/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.

- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	264,00	88,06	127,66		198,00
1006 20 13	264,00	88,06	127,66		198,00
1006 20 15	264,00	88,06	127,66		198,00
1006 20 17	211,46	69,67	101,39	0,00	158,60
1006 20 92	264,00	88,06	127,66		198,00
1006 20 94	264,00	88,06	127,66		198,00
1006 20 96	264,00	88,06	127,66		198,00
1006 20 98	211,46	69,67	101,39	0,00	158,60
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 1706/98 (OJ L 215, 1.8.1998, p. 12) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	211,46	416,00	264,00	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	339,97	269,31	240,86	268,37	—
(b) fob price (EUR/tonne)	—	—	—	205,61	233,12	—
(c) Sea freight (EUR/tonne)	—	—	—	35,25	35,25	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 1309/2001**of 29 June 2001****fixing the representative prices and additional import duties for certain products in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed rules for the import of products in the sugar sector other than molasses ⁽²⁾, as last amended by Regulation (EC) No 624/98 ⁽³⁾, and in particular the second subparagraph of Article 1(2) and Article 3(1) thereof,

Whereas:

- (1) Regulation (EC) No 1423/95 stipulates that the cif import price for raw sugar and white sugar, hereinafter known as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 784/68 ⁽⁴⁾, as amended by Regulation (EC) No 260/96 ⁽⁵⁾. That price should be fixed for the standard qualities defined in Annex I, point I and II, to Regulation (EC) No 1260/2001.
- (2) When the representative prices are being fixed, the Commission must take account of all available information on offers on the world market, on quotations on the exchanges which are important for world trade in sugar, on prices recorded on important third-country markets, and on sales concluded in international trade of which it has knowledge either directly or through the agency of the Member States. However, pursuant to Regulation (EEC) No 784/68, the Commission must disregard information if the goods concerned are not of sound and fair marketable quality or if the price quoted in an offer relates to a small quantity which is not representative of the market. Offer prices which can be assumed not to be representative of actual market trends must also be disregarded.

- (3) If information on sugar of the standard quality is to be comparable, the price increases or reductions fixed pursuant to Article 5(1)(a) of Regulation (EEC) No 784/68 must be added to or deducted from the offers taken into consideration in the case of white sugar. In the case of raw sugar, the corrective factors provided for in Article 5(1)(b) must be applied.
- (4) The representative price is modified only if the variation in the elements used to calculate it would entail an increase or a reduction of not less than 1,20 EUR/100 kilograms in relation to the representative price previously fixed.
- (5) Where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1423/95.
- (6) It follows from applying these provisions that the representative prices and additional import duties for the products in question 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to the import of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 141, 24.6.1995, p. 16.

⁽³⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 10.

⁽⁵⁾ OJ L 34, 13.2.1996, p. 16.

ANNEX

to the Commission Regulation of 29 June 2001 fixing representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	26,59	3,31
1701 11 90 ⁽¹⁾	26,59	8,24
1701 12 10 ⁽¹⁾	26,59	3,17
1701 12 90 ⁽¹⁾	26,59	7,81
1701 91 00 ⁽²⁾	33,73	8,37
1701 99 10 ⁽²⁾	33,73	4,22
1701 99 90 ⁽²⁾	33,73	4,22
1702 90 99 ⁽³⁾	0,34	0,32

⁽¹⁾ For the standard quality as defined in Annex I, point II, to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p.1).

⁽²⁾ For the standard quality as defined in Annex I, point I, to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p.1).

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 1310/2001**of 29 June 2001****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

(1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽²⁾, provides that the export refund on 100 kilograms of the products listed in Article 1(1)(d) of Regulation (EC) No 1260/2001 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.

(3) Article 30(3) of Regulation (EC) No 1260/2001 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽³⁾ to the products listed in the Annex to the last mentioned Regulation;

(4) According to the terms of Article 30(1) of Regulation (EC) No 1260/2001, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said Regulation exported in the natural state must be equal to

one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements.

(5) According to the terms of Article 30(4) of Regulation (EC) No 1260/2001, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.

(6) Article 27 of Regulation (EC) No 1260/2001 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 1260/2001 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article 1(1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.

(7) The refunds referred to above must be fixed every month; they may be altered in the intervening period.

(8) Application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation.

(9) The period of validity of export licences issued in July 2001 should be limited so that there is no difference in treatment between operators using the licences by 30 September 2001 and those using them after that date.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

⁽³⁾ OJ L 178, 30.6.2001, p. 72.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d)(f)(g) and (h) of Regulation (EC) No 1260/2001, exported in the natural state, shall be set out in the Annex hereto.

Article 2

Notwithstanding Article 6(3) of Commission Regulation (EC) No 1464/95 ⁽¹⁾, export licences issued in July 2001 shall expire on 30 September 2001.

Article 3

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 144, 28.6.1995, p. 14.

ANNEX

to the Commission Regulation of 29 June 2001 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	A00	EUR/100 kg dry matter	35,66 ⁽²⁾
1702 60 10 9000	A00	EUR/100 kg dry matter	35,66 ⁽²⁾
1702 60 80 9100	A00	EUR/100 kg dry matter	67,75 ⁽⁴⁾
1702 60 95 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3566 ⁽¹⁾
1702 90 30 9000	A00	EUR/100 kg dry matter	35,66 ⁽²⁾
1702 90 60 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3566 ⁽¹⁾
1702 90 71 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3566 ⁽¹⁾
1702 90 99 9900	A00	EUR/1 % sucrose × net 100 kg of product	0,3566 ⁽¹⁾ ⁽³⁾
2106 90 30 9000	A00	EUR/100 kg dry matter	35,66 ⁽²⁾
2106 90 59 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3566 ⁽¹⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.

⁽²⁾ Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.

⁽³⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

⁽⁴⁾ Applicable only to products defined under Article 6 of Regulation (EC) No 2135/95.

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).

COMMISSION REGULATION (EC) No 1311/2001**of 29 June 2001****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the third subparagraph of Article 27(5) thereof,

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1289/2001 ⁽²⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 1289/2001 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 1289/2001 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 176, 29.6.2001, p. 35.

ANNEX

to the Commission Regulation of 29 June 2001 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	32,80 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	32,80 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	32,80 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	32,80 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,3566
1701 99 10 9100	A00	EUR/100 kg	35,66
1701 99 10 9910	A00	EUR/100 kg	35,66
1701 99 10 9950	A00	EUR/100 kg	35,66
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,3566

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 19 (4) of Council Regulation (EC) No 1260/2001.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ L 255, 26.9.1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ L 309, 21.11.1985, p. 14).

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).

COMMISSION REGULATION (EC) No 1312/2001**of 29 June 2001****fixing the rates of refunds applicable to certain products from the sugar sector 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 (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾, and in particular Article 27(5)(a) and (15),

Whereas:

(1) Article 27(1) and (2) of Regulation (EEC) No 1260/2001 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation. 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 ⁽²⁾, as amended by Regulation (EC) No 2390/2000 ⁽³⁾, 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 I to Regulation (EC) No 1260/2001.

(2) In accordance with 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.

(3) Article 27(3) of Regulation (EC) No 1260/2001 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.

(4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.

(5) 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 jeopardized by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

(6) Council Regulation (EC) No 1260/2001 does not provide for the compensation system for storage costs to be extended after 1 July 2001. This should therefore be taken into account when fixing the amounts of refunds, in particular with regard to the advance-fixing options.

(7) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

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 in Article 1(1) and (2) of Regulation (EC) No 1260/2001, exported in the form of goods listed in Annex V to Regulation (EC) No 1260/2001, are fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2001.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 177, 15.7.2000, p. 1.

⁽³⁾ OJ L 276, 28.10.2000, p. 3.

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

Done at Brussels, 29 June 2001.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 29 June 2001 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex I to the Treaty

Product	Rate of refund in EUR/100 kg		
	In case of advance fixing of refunds and export from 1 October 2001	In case of advance fixing of refunds and export up to 30 September 2001	Other
White sugar:	33,66	35,66	35,66

COMMISSION REGULATION (EC) No 1313/2001**of 29 June 2001****fixing the rates of the refunds applicable to certain milk 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 (EC) No 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund. Whereas 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 criteria for fixing the amount of such refunds ⁽³⁾, as amended by Regulation (EC) No 2390/2000 ⁽⁴⁾, 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 the Annex to Regulation (EC) No 1255/1999.

(2) 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.

(3) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products.

(4) Article 11(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(5) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁵⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁶⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1 of Regulation (EC) No 1255/1999, exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 2001.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁴⁾ OJ L 276, 28.10.2000, p. 3.

⁽⁵⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁶⁾ OJ L 76, 25.3.2000, p. 9.

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

Done at Brussels, 29 June 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX

to the Commission Regulation of 29 June 2001 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):	
	(a) On exportation of goods of CN code 3501	—
	(b) On exportation of other goods	5,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):	
	(a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	21,14
	(b) On exportation of other goods	55,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):	
	(a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	55,00
	(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	157,25
	(c) On exportation of other goods	150,00

COMMISSION REGULATION (EC) No 1314/2001**of 29 June 2001****establishing the sugar forecast supply balance for 2001/02 for the smaller Aegean islands provided for in Council Regulation (EEC) No 2019/93**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2019/93 of 19 July 1993 introducing specific measures for the smaller Aegean islands concerning certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 1257/1999 ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) Detailed rules for the application of Regulation (EEC) No 2019/93 as regards the specific arrangements for the supply of certain agricultural products are laid down in Commission Regulation (EEC) No 2958/93 ⁽³⁾, as last amended by Regulation (EC) No 1802/95 ⁽⁴⁾.
- (2) Commission Regulation (EC) No 1291/2000 ⁽⁵⁾, as last amended by Regulation (EC) No 1095/2001 ⁽⁶⁾, lays down common detailed rules for the application of the system of import licences. Commission Regulation (EC) No 1464/95 of 27 June 1995 on special detailed rules for the application of the system of import and export licences in the sugar sector ⁽⁷⁾, as last amended by Regulation (EC) No 1148/98 ⁽⁸⁾, lays down special detailed rules for the sugar sector.
- (3) In order to take account of commercial practices specific to the sugar sector, detailed rules, additional to or derogating from the provisions of Regulation (EEC) No 2958/93, should be laid down.

(4) Pursuant to Article 2 of Regulation (EEC) No 2019/93, the forecast supply balance for sugar for the smaller Aegean islands for the 2001/02 marketing year should be established. That balance may be revised during the year on the basis of trends in the smaller islands' requirements.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 2 of Regulation (EEC) No 2019/93, the forecast supply balance for sugar originating in the Community for the smaller Aegean islands for the 2001/02 marketing year shall be as laid down in the Annex hereto.

Article 2

The validity of aid certificates shall expire on the final day of the second month following their issue.

Article 3

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

It shall apply from 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 184, 27.7.1993, p. 1.

⁽²⁾ OJ L 160, 26.6.1999, p. 80.

⁽³⁾ OJ L 267, 28.10.1993, p. 4.

⁽⁴⁾ OJ L 174, 26.7.1995, p. 27.

⁽⁵⁾ OJ L 152, 24.6.2000, p. 1.

⁽⁶⁾ OJ L 150, 6.6.2001, p. 25.

⁽⁷⁾ OJ L 144, 28.6.1995, p. 14.

⁽⁸⁾ OJ L 159, 3.6.1998, p. 38.

ANNEX

Supply balance for the smaller Aegean islands for the period 1 July 2001 to 30 June 2002*(tonnes of white sugar)*

Product	CN code	Quantity
Sugar:	1701	
— Group A (*)		600
— Group B (*)		9 000
Total		9 600

(*) These groups are defined in Annexes I and II to Regulation (EEC) No 2958/93.

COMMISSION REGULATION (EC) No 1315/2001**of 29 June 2001****establishing the forecast supply balance of the Canary Islands for products of the processed fruit and vegetable sector for the period 1 July 2001 to 31 December 2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Pursuant to Articles 2 and 3 of Regulation (EEC) No 1601/92, the quantities of certain processed fruit and vegetable products in the forecast supply balance, falling within CN codes 2007 99 and 2008 and qualifying for exemption from duty on imports from third countries or for aid for consignments from the rest of the Community, should be determined.
- (2) Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾, lays down common rules for the application of the arrangements for the supply of certain agricultural products to the Canary Islands.
- (3) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements in force, the supply balance should be established for the period 1 July to 31 December 2001.

(4) Pursuant to Regulation (EEC) No 1601/92, the supply arrangements apply from 1 July. As a result, provision should be made for this Regulation to apply immediately.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Processed Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the purpose of applying Articles 2 and 3 of Regulation (EEC) No 1601/92, the quantities covered by the forecast supply balance of processed fruit and vegetable products qualifying for exemption from duty on imports from third countries or for Community aid shall be as set out in the Annex.

2. Without prejudice to a revision of the supply balance during the period concerned, the quantities laid down for the various products listed in Part II of the Annex may be exceeded by up to 20 % provided that the overall quantity is not exceeded.

Article 2

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

It shall apply from 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 296, 17.11.1994, p. 23.

⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.

ANNEX

Forecast supply balance of the Canary Islands for products of the processed fruit and vegetable sector for the period 1 July to 31 December 2001

		(tonnes)
CN code	Description	Quantity
<i>Part I</i>		
2007 99	Preparations other than homogenised, containing fruit other than citrus fruit	2 750 ⁽¹⁾
<i>Part II</i>		
2008	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or sweetening matter or spirit, not elsewhere specified or included:	
2008 20	– Pineapples	1 775
2008 30	– Citrus fruit	250
2008 40	– Pears	1 825 ⁽²⁾
2008 50	– Apricots	100
2008 70	– Peaches	4 000
2008 80	– Strawberries	350 ⁽³⁾
	– Other, including mixtures other than those of subheading 2008 19:	
2008 92	– – Mixtures	1 350 ⁽⁴⁾
2008 99	– – Other than palm hearts and mixtures	800
Total		10 450

⁽¹⁾ Of which 500 tonnes for the processing and/or packaging sector.

⁽²⁾ Of which 1 125 tonnes for the processing and/or packaging sector.

⁽³⁾ Of which 300 tonnes for the processing and/or packaging sector.

⁽⁴⁾ Of which 335 tonnes for the processing and/or packaging sector.

COMMISSION REGULATION (EC) No 1316/2001**of 29 June 2001****amending Regulation (EEC) No 2999/92 laying down detailed rules for the application of the specific measures for the supply of processed fruit and vegetables to Madeira and establishing the forecast supply balance for the period 1 July to 31 December 2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽¹⁾, as last amended by Regulation (EC) No 2826/2000⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The quantities of products eligible for the specific supply arrangements are determined by means of periodic forecast balances which may be revised according to the essential requirements of the market taking into account local production and traditional trade flows.
- (2) Commission Regulation (EEC) No 2999/92⁽³⁾, as last amended by Regulation (EC) No 1376/2000⁽⁴⁾, lays down detailed rules for the application of the specific measures for the supply of processed fruit and vegetables to Madeira and the forecast balance fixing the quantities eligible for the specific supply arrangements for the period 1 July 2000 to 30 June 2001.
- (3) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements in

force, the supply balance should be established for the period 1 July to 31 December 2001.

- (4) The supply arrangements are applicable from 1 July. As a result, provision should be made for this Regulation to apply immediately.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2999/92 is replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 301, 17.10.1992, p. 7.

⁽⁴⁾ OJ L 156, 29.6.2000, p. 28.

ANNEX

'ANNEX

Forecast supply balance covering processed fruit and vegetable products for Madeira for the period 1 July to 31 December 2001

(tonnes)		
CN code	Description	Quantity
2008	Fruits, nuts and other parts of plants, otherwise prepared or preserved, whether or not containing added sugar or sweetening matter or spirit, not elsewhere specified or included:	
2008 20	– Pineapples	390
2008 40	– Pears	
2008 60	– Cherries	
2008 70	– Peaches	
	– Other, including mixtures other than those of subheading 2008 19:	10
2008 92	– – Mixtures	
2008 99	– – Other than palm hearts and mixtures	
Total		400'

COMMISSION REGULATION (EC) No 1317/2001**of 29 June 2001****establishing the supply balance for the Azores and Madeira with products from the eggs and poultrymeat sectors and amending Regulation (EEC) No 1726/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures for the Azores and Madeira concerning certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1726/92 ⁽³⁾, as last amended by Regulation (EC) No 1304/2000 ⁽⁴⁾, fixes for the period 1 July 2000 to 30 June 2001 the quantities of breeding material originating in the Community which benefit from an aid with a view to developing the potential for production in the Azores and Madeira. These quantities should be determined for the egg and the poultrymeat sectors for the period 1 July 2001 to 30 June 2002, taking account of local production and traditional trade flows and ensuring that the proportion of products supplied from the Community is preserved.
- (2) The fact that the Community aid is fixed in the light of the present situation on the market for the products in question and in particular of the prices for such prod-

ucts in the European part of the Community and on the world market results in the aid for the supply of egg and poultrymeat to the Azores and Madeira being fixed at the amounts given in the Annex.

- (3) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements in force, the supply balance should be established for the period 1 July to 31 December 2001.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Eggs and Poultrymeat,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EEC) No 1726/92 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 179, 1.7.1992, p. 99.

⁽⁴⁾ OJ L 148, 22.6.2000, p. 13.

ANNEX

PART 1

Supply in the Azores of breeding material originating in the Community for the period 1 July to 31 December 2001

(EUR/100 units)

CN code	Description of goods	Quantity	Aid
ex 0105 11	Parent or grandparent stock chicks ⁽¹⁾	10 000	13
ex 0407 00 19	Hatching eggs for the production of parent or grandparent stock chicks ⁽¹⁾	50 000	3,60

⁽¹⁾ In accordance with the definition provided for in Article 1 of Council Regulation (EEC) No 2782/75 (OJ L 282, 1.11.1975, p. 100).

PART 2

Supply in Madeira of breeding material originating in the Community for the period 1 July to 31 December 2001

(EUR/100 units)

CN code	Description of goods	Quantity	Aid
ex 0105 11	Parent or grandparent stock chicks ⁽¹⁾	20 000	5
ex 0407 00 19	Hatching eggs for the production of parent or grandparent stock chicks ⁽¹⁾	0	3,60

⁽¹⁾ In accordance with the definition provided for in Article 1 of Regulation (EEC) No 2782/75.

COMMISSION REGULATION (EC) No 1318/2001**of 29 June 2001****adopting the balance and fixing the aid for the supply of products from the eggs and poultrymeat sectors to the Canary Islands under the arrangements provided for in Articles 2, 3 and 4 of Council Regulation (EEC) No 1601/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 3(4) and Article 4(4) thereof,

Whereas:

(1) In application of Articles 2, 3 and 4 of Regulation (EEC) No 1601/92 it is necessary to determine for the eggs and poultrymeat sectors and for the 2001/02 marketing year, on the one hand, the quantities of meat and eggs of the forecast supply balance which benefit from an exemption from the duty on imports from third countries or from an aid for deliveries originating in the rest of the Community, and on the other hand, the quantities of breeding material originating in the Community which benefit from an aid with a view to developing the potential for production in the archipelago of the Canaries.

(2) It is appropriate to fix the amounts of the aids referred to above for the supply to the archipelago, on the one hand, of meat and eggs, and, on the other hand, of breeding materials originating in the rest of the Community. These aids must be fixed taking into account in particular the costs of supply from the world market, conditions due to the geographical situation of the archipelago and the basis of the current prices on export to third countries for the animals or products concerned.

(3) The common detailed implementing rules for the supply regime for the Canary Islands for certain agricultural products were laid down by Commission Regulation (EEC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾.

(4) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements in

force, the supply balance should be established for the period 1 July to 31 December 2001.

(5) Pursuant to Regulation (EEC) No 1601/92, the supply arrangements apply from 1 July; whereas the provisions of this Regulation should enter into force immediately.

(6) 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

In application of Article 2 of Regulation (EEC) No 1601/92, the quantities of the forecast supply balance with products from the eggs and poultrymeat sectors which benefit from the exemption from the import duty on products, or which benefit from Community aid for products coming from the rest of the Community, shall be as fixed in Annex I hereto.

Article 2

1. For application of Article 3(2) of Regulation (EEC) No 1601/92 the aid for products included in the forecast supply balance and which come from the Community market shall be as fixed in Annex II hereto.

2. Products benefiting from the aid shall be specified in accordance with the provisions of Commission Regulation (EEC) No 3846/87 ⁽⁵⁾ and in particular Sectors 8 and 9 of the Annex thereto.

Article 3

The aid provided for in Article 4(1) of Regulation (EEC) No 1601/92 for the supply to the Canary Islands of breeding material of domestic fowl originating from the Community as well as the number of chicks and hatching eggs which benefit from it shall be as fixed in Annex III hereto.

Article 4

This Regulation shall enter into force on 1 July 2001.

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 296, 17.11.1994, p. 23.

⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.

⁽⁵⁾ OJ L 366, 24.12.1987, p. 1.

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

Done at Brussels, 29 June 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

Forecast supply balance for the Canary Islands regarding products from the eggs and poultrymeat sectors for the period 1 July to 31 December 2001

(in tonnes)

CN code	Description of goods	Quantity ⁽¹⁾
ex 0207	Meat and edible offal, frozen, of poultry within heading No 0105, except products falling within subheading 0207 23	18 600 ⁽²⁾
ex 0408	Birds' eggs, not in shell, and egg yolks, dried, whether or not containing added sugar or other sweetening matter, suitable for human consumption	100

⁽¹⁾ Product weight.

⁽²⁾ Of which 200 t for processing and/or packaging.

ANNEX II

Amounts of aid granted for products from the Community market*(EUR/100 kg)*

Product code	Amount of aid
0207 12 10 9900	20
0207 12 90 9190	20
0207 12 90 9990	20
0207 14 20 9900	5
0207 14 60 9900	5
0207 14 70 9190	5
0207 14 70 9290	5
0408 11 80 9100	30
0408 91 80 9100	33

Note: The product codes and the footnotes are defined in Regulation (EEC) No 3846/87.

ANNEX III

Supply to the Canary Islands of breeding material originating in the Community for the period from 1 July to 31 December 2001 – chicks and hatching eggs

(EUR/100 units)

CN code	Description of goods	Number	Aid
ex 0105 11	Parent or grandparent stock chicks ⁽¹⁾	50 000	1,0
ex 0407 00 19	Hatching eggs for the production of parent or grandparent stock chicks	50 000	1,0

⁽¹⁾ In accordance with the definition provided for in Article 1 of Council Regulation (EEC) No 2782/75 (OJ L 282, 1.11.1975, p. 100).

COMMISSION REGULATION (EC) No 1319/2001**of 29 June 2001****adopting the balance and fixing the aid for the supply of breeding rabbits to the Canary Islands under the arrangements provided for in Article 4 of Council Regulation (EEC) No 1601/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 4(4) thereof,

Whereas:

- (1) In application of Article 4 of Regulation (EEC) No 1601/92 it is necessary to determine, for the 2001/2002 marketing year, the quantities of breeding rabbits originating in the Community which may receive aid with a view to developing the production potential of the Canary Islands.
- (2) The amount of aid referred to above for the supply to the Canaries of breeding rabbits originating in the rest of the Community must also be fixed. This aid must reflect, in particular, the costs of supply from the world market, conditions due to the geographical situation of the Canaries and current prices for exports of the animals in question to third countries.
- (3) The common detailed rules for implementation of the arrangements for the supply of certain agricultural products to the Canary Islands are laid down by Commission

Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾.

- (4) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements force, the supply balance should be established for the period 1 July to 31 December 2001.
- (5) Pursuant to Regulation (EEC) No 1601/92, the supply arrangements are applicable from 1 July. The provisions of this Regulation should enter into force immediately.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Eggs and Poultrymeat,

HAS ADOPTED THIS REGULATION:

Article 1

The aid provided for in Article 4(1) of Regulation (EEC) No 1601/92 for the supply to the Canary Islands of breeding rabbits originating in the Community and the number of rabbits for which it may be given are determined in the Annex.

Article 2

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

It shall apply from 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.
⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 296, 17.11.1994, p. 23.
⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.

ANNEX

Supply to the Canary Islands of breeding rabbits originating in the Community for the period 1 July to 31 December 2001

CN code	Description	Number of animals to be supplied	Aid (EUR/head)
ex 0106 00 10	Breeding rabbits:		
	— pure-bred and grand-parents	1 375	30
	— parents	3 000	24

COMMISSION REGULATION (EC) No 1320/2001
of 29 June 2001
establishing a forecast balance and fixing the amount of aid for the supply to the Canary Islands of
beef and veal products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Articles 3(4) and 4(4) thereof,

Whereas:

- (1) Pursuant to Regulation (EEC) No 1601/92, the quantities of the specific supply balances for the beef and veal sector should be established for supplies to the Canary Islands of beef and veal and pure-bred breeding animals.
- (2) The quantities in the forecast supply balance for those products are laid down in Commission Regulation (EC) No 1369/2000 ⁽³⁾ for the period 1 July 2000 at 30 June 2001.
- (3) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements in force, the supply balance should be established for the period 1 July to 31 December 2001.
- (4) Application of the criteria for fixing the amount of Community aid to the current market situation in the sector in question and, in particular, to the exchange rates and prices for those products in the European part of the Community and on the world market, gives rise to aid for the supply of the Canary Islands with beef and

veal products at the levels laid down in the Annex hereto.

- (5) Pursuant to Regulation (EEC) No 1601/92, the supply arrangements are applicable from 1 July. This Regulation should therefore apply immediately.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Articles 2, 3 and 4 of Regulation (EEC) No 1601/92, the quantities in the forecast supply balance in the beef and veal sector benefiting, as appropriate, from exemption from import duties for products from non-Member countries or for Community aid for products from the Community market shall be as set out in Annex I.

Article 2

The amount of aid granted to the products referred to in Annex I and coming from the Community market shall be as set out in Annexes II and III.

Article 3

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

It shall apply from 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 156, 29.6.2000, p. 13.

ANNEX I

Canary Islands: forecast supply balance for beef and veal products from 1 July to 31 December 2001

CN code	Description	Number (*) or quantity (tonnes)
0102 10 00	Pure-bred breeding animals ⁽¹⁾	2 150 (*)
0201	Meat of bovine animals, fresh or chilled	10 000
0202	Meat of bovine animals, frozen	10 000

(*) Head.

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.

ANNEX II

Amounts of aid to be granted to the products referred to in Annex I and coming from the Community market

(EUR/100 kg net)

Product code	Amount of aid
0201 10 00 9110 ⁽¹⁾	43,00
0201 10 00 9120	14,50
0201 10 00 9130 ⁽¹⁾	56,50
0201 10 00 9140	20,50
0201 20 20 9110 ⁽¹⁾	56,50
0201 20 20 9120	20,50
0201 20 30 9110 ⁽¹⁾	43,00
0201 20 30 9120	14,50
0201 20 50 9110 ⁽¹⁾	71,50
0201 20 50 9120	26,00
0201 20 50 9130 ⁽¹⁾	43,00
0201 20 50 9140	14,50
0201 20 90 9700	14,50
0201 30 00 9100 ^{(2) (6)}	102,00
0201 30 00 9120 ^{(2) (6)}	62,50
0201 30 00 9060 ⁽⁶⁾	20,50
0202 10 00 9100	14,50
0202 10 00 9900	20,50
0202 20 10 9000	20,50
0202 20 30 9000	14,50
0202 20 50 9100	26,00
0202 20 50 9900	14,50
0202 20 90 9100	14,50
0202 30 90 9200 ⁽⁶⁾	20,50

NB: The product codes and footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).

ANNEX III

Amount of aid which may be granted in the Canary Islands for pure-bred breeding bovines originating in the Community*(EUR/head)*

CN code	Description	Amount of aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	648

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.

COMMISSION REGULATION (EC) No 1321/2001**of 29 June 2001****amending Regulation (EEC) No 1913/92 laying down detailed rules for implementing the specific arrangements for supplying the Azores and Madeira with beef and veal sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Pursuant to Regulation (EEC) No 1600/92, the quantities of the specific supply balances for the beef and veal sector should be established for supplies to the Azores and Madeira of beef and veal and pure-bred breeding animals.
- (2) The quantities in the forecast supply balance for fresh or chilled meat of bovine animals are laid down in Commission Regulation (EEC) No 1913/92 ⁽³⁾, as last amended by Regulation (EC) No 1370/2000 ⁽⁴⁾.
- (3) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements in force, the supply balance should be established for the period 1 July to 31 December 2001.
- (4) The aid for the products in the forecast supply balance coming from the Community market is laid down in Regulation (EEC) No 1913/92.

- (5) Application of the criteria for fixing the amount of Community aid to the current market situation in the sector in question and, in particular, to the exchange rates and prices for those products in the European part of the Community and on the world market, gives rise to aid for the supply of Madeira and the Azores with beef and veal products at the levels laid down in the Annex hereto.
- (6) Pursuant to Regulation (EEC) No 1600/92, the supply arrangements are applicable from 1 July. This Regulation should therefore apply immediately.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS DECISION:

Article 1

Regulation (EEC) No 1913/92 is amended as follows:

1. Annex I is replaced by Annex I to this Regulation.
2. Annex II is replaced by Annex II to this Regulation.
3. Annex III is replaced by Annex III to this Regulation.

Article 2

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

It shall apply from 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 192, 11.7.1992, p. 35.

⁽⁴⁾ OJ L 156, 29.6.2000, p. 16.

ANNEX I

'ANNEX I

Madeira: forecast supply balance for beef and veal products from 1 July to 31 December 2001

(tonnes)

CN code	Description	Quantity
0201	Meat of bovine animals, fresh or chilled	2 150
0202	Meat of bovine animals, frozen	850'

ANNEX II

'ANNEX II

Amounts of aid to be granted to the products referred to in Annex I and coming from the Community market

(EUR/100 kg net)

Product code	Amount of aid
0201 10 00 9110 ⁽¹⁾	43,00
0201 10 00 9120	14,50
0201 10 00 9130 ⁽¹⁾	56,50
0201 10 00 9140	20,50
0201 20 20 9110 ⁽¹⁾	56,50
0201 20 20 9120	20,50
0201 20 30 9110 ⁽¹⁾	43,00
0201 20 30 9120	14,50
0201 20 50 9110 ⁽¹⁾	71,50
0201 20 50 9120	26,00
0201 20 50 9130 ⁽¹⁾	43,00
0201 20 50 9140	14,50
0201 20 90 9700	14,50
0201 30 00 9100 ^{(2) (6)}	102,00
0201 30 00 9120 ^{(2) (6)}	62,50
0201 30 00 9060 ⁽⁶⁾	20,50
0202 10 00 9100	14,50
0202 10 00 9900	20,50
0202 20 10 9000	20,50
0202 20 30 9000	14,50
0202 20 50 9100	26,00
0202 20 50 9900	14,50
0202 20 90 9100	14,50
0202 30 90 9200 ⁽⁶⁾	20,50

NB: The product codes and footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1).'

ANNEX III

'ANNEX III

PART 1

Azores: supply of pure-bred breeding bovines originating in the Community from 1 July to 31 December 2001

CN code	Description	Number of animals to be supplied	Aid (EUR/head)
0102 10 00	Pure-bred breeding animals ⁽¹⁾	115	518

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.

PART 2

Madeira: supply of pure-bred breeding bovines originating in the Community from 1 July to 31 December 2001

CN code	Description	Number of animals to be supplied	Aid (EUR/head)
0102 10 00	Pure-bred breeding animals ⁽¹⁾	100	564

⁽¹⁾ Entry under this subheading is subject to the conditions laid down in the relevant Community provisions.'

**COMMISSION REGULATION (EC) No 1322/2001
of 29 June 2001**

amending Annexes I and III to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, as last amended by Commission Regulation (EC) No 807/2001 ⁽²⁾, and in particular Articles 6, 7 and 8 thereof,

Whereas:

- (1) In accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals.
- (2) Maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs.
- (3) In establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue).
- (4) For the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of

liver or kidney. However, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues.

- (5) In the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey.
- (6) Florfenicol should be inserted into Annex I to Regulation (EEC) No 2377/90.
- (7) In order to allow for the completion of scientific studies, the duration of the validity of the provisional maximum residue limits previously defined in Annex III to Regulation (EEC) No 2377/90 should be extended for cefalonium, morantel and metamizole.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and III to Regulation (EEC) No 2377/90 are hereby amended as set out in the Annex hereto.

Article 2

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

It shall apply from the 60th day following its publication.

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

Done at Brussels, 29 June 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 1.

⁽²⁾ OJ L 118, 27.4.2001, p. 6.

ANNEX

A. Annex I to Regulation (EEC) No 2377/90 is amended as follows:

1. Anti-infectious agents
- 1.2. Antibiotics
- 1.2.5. Florfenicol and related compounds

Pharmacologically active substance	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Florfenicol	Sum of florfenicol and its metabolites measured as florfenicol-amine	Fin fish	1 000 µg/kg	Muscle and skin in natural proportions'	

B. Annex III to Regulation (EEC) No 2377/90 is amended as follows:

1. Anti-infectious agents
- 1.2. Antibiotics
- 1.2.4. Cephalosporins

Pharmacologically active substance	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Cefalonium	Cefalonium	Bovine	10 µg/kg	Milk	Provisional MRLs expire on 1.1.2003'

2. Antiparasitic agents
- 2.1. Agents acting against endoparasites
- 2.1.3. Tetrahydropyrimides

Pharmacologically active substance	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Morantel	Sum of residues which may be hydrolysed to N-methyl-1,3-propanediamine and expressed as morantel equivalents	Bovine, ovine	100 µg/kg	Muscle	Provisional MRLs expire on 1.7.2003'
			100 µg/kg	Fat	
			800 µg/kg	Liver	
			200 µg/kg	Kidney	
			100 µg/kg	Milk	
		Porcine	100 µg/kg	Muscle	
			100 µg/kg	Skin and fat	
			800 µg/kg	Liver	
			200 µg/kg	Kidney	

- 5. Anti-inflammatory agents
- 5.1. Nonsteroidal anti-inflammatory agents
- 5.1.3. Pyrazolone derivatives

Pharmacologically active substance	Marker residue	Animal species	MRLs	Target tissues	Other provisions
Metamizole	4-Methylaminoantipyrin	Bovine, porcine, equidae	200 µg/kg 200 µg/kg 200 µg/kg 200 µg/kg	Muscle Fat Liver Kidney	Provisional MRLs expire on 1.7.2003. Not for use in animals from which milk is produced for human consumption'

COMMISSION REGULATION (EC) No 1323/2001**of 29 June 2001****fixing the minimum price to be paid to producers for dried plums and the production aid for prunes for the 2001/02 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products ⁽¹⁾, as last amended by Regulation (EC) No 2699/2000 ⁽²⁾, and in particular Article 6b(3) and 6c(7) thereof,

Whereas:

- (1) Article 2 of Commission Regulation (EC) No 449/2001 of 2 March 2001 laying down detailed rules for applying Council Regulation (EC) No 2201/96 as regards the aid scheme for products processed from fruit and vegetables ⁽³⁾ lays down the dates of the marketing years.
- (2) The criteria for fixing the minimum price and the production aid are laid down in Article 6b and 6c respectively of Regulation (EC) No 2201/96.
- (3) The products for which the minimum price and the aid are to be fixed are listed in Article 3 of Commission Regulation (EC) No 464/1999 of 3 March 1999 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards aid arrangements for prunes ⁽⁴⁾ and the characteristics that these products

must possess are laid down in Article 2 of that Regulation. The minimum price and the production aid should therefore be fixed for the 2001/02 marketing year.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Processed Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2001/02 marketing year:

- (a) the minimum price referred to in Article 3 of Regulation (EC) No 2201/96 for dried plums of the 'prunes d'Ente' variety shall be EUR 1 935,23 per tonne net ex-producer's premises;
- (b) the production aid referred to in Article 4 of that Regulation for prunes shall be EUR 655,19 per tonne net.

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, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 29.

⁽²⁾ OJ L 311, 12.12.2000, p. 9.

⁽³⁾ OJ L 64, 6.3.2001, p. 16.

⁽⁴⁾ OJ L 56, 4.3.1999, p. 8.

COMMISSION REGULATION (EC) No 1324/2001**of 29 June 2001****amending Regulation (EEC) No 1617/93 as regards consultations on passenger tariffs and slot allocation at airports**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3976/87 of 14 December 1987 on the application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 2 thereof,

Having published a draft of this Regulation ⁽²⁾,

Having consulted the Advisory Committee on Agreements and Dominant Positions in Air Transport,

Whereas:

- (1) By Commission Regulation (EEC) No 1617/93 ⁽³⁾, as last amended by Regulation (EC) No 1083/1999 ⁽⁴⁾, the Commission granted a block exemption for, among other things, consultation on tariffs for the carriage of passengers and their baggage on scheduled air services and slot allocation at airports and airport scheduling. That Regulation is applicable until 30 June 2001.
- (2) The Commission has initiated a consultation on whether the block exemption for consultations on passenger tariffs should be maintained in its current form. That consultation will be completed by the end of 2001. Following that consultation, the Commission may make proposals for a new block exemption or initiate an individual procedure. The current block exemption for

consultations on passenger tariffs should therefore be extended for one year.

- (3) The reasons obtaining in 1993 for granting a block exemption for agreements and concerted practices on slot allocation and airport scheduling of air services between airports within the Community remain fully valid today. It is therefore appropriate to extend that block exemption. In order to allow for the possibility of adapting this block exemption once the envisaged amendments to Council Regulation (EEC) No 95/93 of 18 January 1993 on common rules for the allocation of slots at Community airports ⁽⁵⁾ are adopted, that extension should be granted for three years.
- (4) Regulation (EEC) No 1617/93 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 7 of Regulation (EEC) No 1617/93, the second paragraph is replaced by the following:

‘It shall apply until 30 June 2002 so far as the exemption for consultations on tariffs for the carriage of passengers with their baggage is concerned and until 30 June 2004 so far as the exemption for slot allocation and airport scheduling is concerned.’

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Mario MONTI

Member of the Commission

⁽¹⁾ OJ L 374, 31.12.1987, p. 9.

⁽²⁾ OJ C 107, 7.4.2001, p. 4.

⁽³⁾ OJ L 155, 26.6.1993, p. 18.

⁽⁴⁾ OJ L 131, 27.5.1999, p. 27.

⁽⁵⁾ OJ L 14, 22.1.1993, p. 1.

COMMISSION REGULATION (EC) No 1325/2001**of 29 June 2001****providing for the continued application of safeguard measures with regard to imports of sugar sector products with EC/OCT originating status from the overseas countries and territories for the period 1 July to 1 December 2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾, as last amended by Decision 2001/161/EC ⁽²⁾, hereinafter referred to as 'the OCT Decision', and in particular Article 109 thereof,

After consulting the Committee set up in accordance with Article 1(2) of Annex IV to that Decision,

Whereas:

- (1) The Commission has noted that imports of sugar (CN code 1701) and of mixtures of sugar and cocoa covered by CN codes 1806 10 30 and 1806 10 90 originating in the overseas countries and territories (hereinafter referred to as 'the OCT'), and in particular imports with EC/OCT originating status, rose sharply from 1997 to 1999. These imports increased from zero tonnes in 1996 to more than 53 000 tonnes in 1999. The products concerned are imported into the Community free of import duties and are allowed in with no limit on quantity in accordance with Article 10(1) of the OCT Decision.
- (2) By Decision of 25 February 2000 extending Decision 91/482/EEC on the association of the overseas countries and territories with the European Economic Community, the Council extended the period of application of the OCT Decision by one year to 28 February 2001. By Decision 2001/161/EC, the Council again extended the period of application of Decision 91/482/EEC by a further period ending on 1 December 2001.
- (3) Commission Regulation (EC) No 396/2001 of 27 February 2001 providing for the continued application of safeguard measures for imports from the overseas countries and territories of sugar sector products with EC/OCT cumulation of origin for the period 1 March to 30 June 2001 ⁽³⁾ limits EC/OCT originating status for the products referred to in recital 1 to a maximum of 3 878 tonnes of sugar for the period 1 March to 30 June 2001.
- (4) In the past few years difficulties have arisen on the Community sugar market. That market is in surplus. Sugar consumption is constant. For the 2000/01 marketing year, it stands at around 12,85 million

tonnes. In accordance with the basic Regulation, production under quota is around 14,2 million tonnes a year (in 2000/01 it stood at around 13,88 million tonnes). Any imports of sugar into the Community therefore generate a need to export a corresponding quantity of Community sugar that cannot be disposed of on that market. Refunds on that sugar — within certain quotas — are charged to the Community budget (at around EUR 430/tonne during 2000/01). However, exports on which refunds are payable are limited in quantity under the Agreement on Agriculture concluded as part of the Uruguay Round ⁽⁴⁾ and have been reduced from 1 555 600 tonnes for the 1995/96 marketing year to 1 273 500 tonnes from 2000/01, which gives total refunds of EUR 499,1 million.

- (5) The operation of the common organisation of the market in sugar may be greatly destabilised by these difficulties. For the 2000/01 marketing year, the Commission reduced Community producers' quotas by 498 800 tonnes ⁽⁵⁾. This measure has already brought about a reduction in areas under sugar-beet. A further substantial reduction cannot be ruled out for the 2001/02 marketing year. Under the reform of the common organisation of the markets (COM) for sugar ⁽⁶⁾, the Council has reduced the Community production quota by 115 000 tonnes. Any further imports of sugar or products with a high sugar content from the OCT will call for a greater reduction in the quota for Community producers and will accordingly entail a greater loss of income for them.
- (6) As a result of these continuing difficulties, there is a risk that a sector of Community activity will deteriorate. On 12 June 2001 the Commission therefore decided to continue to apply the safeguard clause provided for in Article 109 of the OCT Decision in respect of imports from the OCT of certain sugar sector products with EC/OCT originating status.
- (7) Article 100 of the OCT Decision states that its object is to promote trade between the OCT and the Community, taking account of their respective levels of development. In accordance with Article 109(2) of that Decision, priority must be given to such measures as would least disturb the functioning of the association and the Community. Furthermore, such measures must not exceed the limits of what is strictly necessary to remedy the difficulties that have arisen.

⁽¹⁾ OJ L 263, 19.9.1991, p. 1.

⁽²⁾ OJ L 58, 28.2.2001, p. 21.

⁽³⁾ OJ L 58, 28.2.2001, p. 13.

⁽⁴⁾ OJ L 336, 23.12.1994, p. 22.

⁽⁵⁾ Commission Regulation (EC) No 2073/2000 (OJ L 246, 30.9.2000, p. 38).

⁽⁶⁾ Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

(8) To that end, for the period 1 July to 1 December 2001 EC/OCT originating status for products covered by CN codes 1701, 1806 10 30 and 1806 10 90 should be restricted to a maximum of 4 848 tonnes of sugar, which figure represents the sum of the highest quantities of imports of the products in question recorded annually in the three years preceding 1999, the year when imports soared. For the purposes of determining the quantities of sugar concerned, the Commission notes the position adopted by the President of the Court of First Instance in his rulings of 12 July and 8 August 2000 in Cases T-94/00R, T-110/00R and T-159/00R ⁽¹⁾, without, however, recognising it as justified. Consequently, in order to avoid unnecessary procedures and for the sole purpose of adopting these safeguard measures, for sugar covered by CN code 1701 and for 1997, the Commission is basing itself on the figure of 10 372,2 tonnes, i.e. total imports from the OCT of sugar with EC/OCT and ACP/OCT originating status recorded by Eurostat.

(9) Safeguard measures should also be introduced for products covered by CN codes 1806 10 30 and 1806 10 90 in view of their high sugar content and their prejudicial effects on the COM for sugar, which are similar to those of unprocessed sugar. Those measures should ensure that imported OCT-originating sugar-based products do not exceed a quantity that could disturb the COM for sugar, while at the same time guaranteeing them a commercial outlet.

(10) As part of the review of the OCT Decision, the Commission made a proposal to the Council to abolish the rules allowing cumulation of originating status in the sugar sector.

(11) The specific checks on imported goods covered by the measures laid down in this Regulation and the checks applicable in trade with third countries established under the Community rules on release for free circulation and customs value laid down in Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽²⁾, as last amended by European Parliament and Council Regulation (EC) No 2700/2000 ⁽³⁾, should ensure compliance with the provisions of this Regulation. In order to ensure proper management, avoid speculation and permit effective controls on products covered by CN codes 1701, 1806 10 30 and 1806 10 90, detailed rules should be laid down on the lodging of licence applications. For products with EC/OCT originating status, applications must in particular include proof that the applicant normally carries on business in the sugar sector, a declaration that no other applications have been lodged by that person and proof that a special security has been lodged to ensure

performance of the undertakings arising from the licences. In order to create minimal disturbance for operators and at their request, the term of validity of licences should be extended beyond that provided for under the current safeguard measures.

(12) In view of the impact of the imports, the safeguard measures should apply with immediate effect,

HAS ADOPTED THIS REGULATION:

Article 1

For products covered by CN codes 1701, 1806 10 30 and 1806 10 90, cumulation of EC/OCT originating status as referred to in Article 6 of Annex II to Decision 91/482/EEC shall be permitted for a quantity of 4 848 tonnes of sugar during the period of application of this Regulation.

Compliance with that limit shall be ascertained on the basis of the sugar content of imported products other than unprocessed sugar.

Article 2

1. Imports of the products referred to in Article 1 shall be subject to the issue of an import licence in accordance with Commission Regulation (EC) No 1291/2000 ⁽⁴⁾ laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products.

2. Articles 2 to 6 of Commission Regulation (EC) No 2553/97 ⁽⁵⁾ on rules for issuing import licences for certain products covered by CN codes 1701, 1702, 1703 and 1704 and qualifying as ACP/OCT originating products shall apply *mutatis mutandis*.

However:

- licences shall bear the serial number 53.0001,
- licence applications may be for a maximum of 4 848 tonnes,
- Article 4(3) of Regulation (EC) No 2553/97 shall not apply,
- applications shall be lodged with the competent authorities in the first five working days of each month, with the exception of July 2001, when applications shall be lodged by 15 July 2001 at the latest,
- the single reducing coefficient shall be applied and the lodging of new applications suspended where the quantity covered by applications for import licences exceeds 4 848 tonnes during the period of application of this Regulation,

⁽¹⁾ Not yet published.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

⁽³⁾ OJ L 311, 12.12.2000, p. 17.

⁽⁴⁾ OJ L 152, 24.6.2000, p. 1.

⁽⁵⁾ OJ L 349, 19.12.1997, p. 26.

— the term of validity of import licences shall expire on the final day of the fourth month following their issue.

the common organisation of the markets in the sugar sector for the sugar used in those products.

3. On completion of the formalities for release for free circulation in the customs territory of the Community, operators shall present the customs authorities of the Member States with a copy of the export licence issued in accordance with Article 13 of Council Regulation (EC) No 2038/1999 ⁽¹⁾ on

Article 3

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

It shall apply from 1 July to 1 December 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

COMMISSION REGULATION (EC) No 1326/2001**of 29 June 2001****laying down transitional measures to permit the changeover to the Regulation of the European Parliament and of the Council (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, and amending Annexes VII and XI to that Regulation**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽¹⁾, as last amended by Commission Regulation (EC) No 1248/2001 ⁽²⁾, and in particular Article 23 thereof,

Whereas:

(1) Articles 7, 9 and 15 to 18 of Regulation (EC) No 999/2001 lay down rules concerning animal feeding, and impose further restrictions for products of ruminant origin and marketing of live animals and products of animal origin. Their requirements vary depending on the classification of the BSE status of the Member States or third countries concerned. The classification for the determination of BSE status is to be decided according to the criteria laid down in Article 5 of Regulation (EC) No 999/2001. To date no decisions have been taken to place any Member State or third country in a category based on the new provisions under Article 5. The provisions of the Regulation would take effect in their entirety from 1 July 2001, unless transitional measures have been adopted on the basis of Article 23. In absence of decisions on classification Articles 7, 9 and 15 to 18 cannot be applied: transitional measures are therefore necessary.

(2) Transitional measures for certain rules based on classification, namely those concerning specified risk material, are already foreseen by Article 22, which provides that they shall apply at least until 1 January 2002 and shall cease to apply immediately following the date of adoption of a decision on classification in accordance with Article 5, on which date Article 8, concerning specified risk material, shall apply. In the interest of clarity the same rules for the changeover from the transitional rules

to the rules of the Regulation should apply to the other Articles based on classification.

(3) The transmissible spongiform encephalopathy-related Community rules on prohibitions concerning animal feeding, in force immediately prior to the implementation of Regulation (EC) No 999/2001, are laid down in Council Decision 2000/766/EC ⁽³⁾, concerning certain protection measures with regard to transmissible spongiform encephalopathies and the feeding of animal protein and Commission Decision 2001/9/EC ⁽⁴⁾, as amended by Decision 2001/165/EC ⁽⁵⁾, concerning control measures required for the implementation of Decision 2000/766/EC. Decision 2000/766/EC, suspends the feeding, with few exceptions, of processed animal proteins to all farmed animals until 30 June 2001. The Council concluded on 24 April 2001 that the period of application of the Decision should be extended. This latter Decision shall therefore be amended accordingly as a transitional measure. Any further amendments will depend on a decision on the classification of Member States as well as the efficacy of control measures put in place by individual Member States.

(4) The transmissible spongiform encephalopathy-related Community rules on placing on the market and export of live bovine animals and of certain products of bovine animal origin, in force immediately prior to the implementation of Regulation (EC) No 999/2001, are laid down in, or have been adopted pursuant to, Commission Decision 92/290/EEC of 14 May 1992 concerning certain protection measures relating to bovine embryos in respect of bovine spongiform encephalopathy (BSE) in the United Kingdom ⁽⁶⁾, Council Decision 98/256/EC of 16 March 1998 concerning emergency measures to protect against bovine spongiform encephalopathy, amending Decision 94/474/EC and repealing Decision 96/239/EC ⁽⁷⁾, Commission Decision 98/351/EC of 29 May 1998 setting the date on which dispatch from Northern Ireland of bovine products under the Export Certified Herds Scheme may commence by virtue of Article 6(5) of Council Decision 98/256/EC ⁽⁸⁾, Commission Decision 1999/514/EC of 23 July 1999 setting the date on which dispatch from the United Kingdom of bovine products under the date-based export scheme may commence by virtue of Article 6(5) of Council Decision 98/256/EC ⁽⁹⁾, Commission Decision 2000/345/EC of 22 May 2000 setting the date on which dispatch from Portugal to Germany of certain products for the purpose of incineration may commence by virtue

⁽¹⁾ OJ L 147, 31.5.2001, p. 1.

⁽²⁾ OJ L 173, 27.6.2001, p. 12.

⁽³⁾ OJ L 306, 7.12.2000, p. 32.

⁽⁴⁾ OJ L 2, 5.1.2001, p. 32.

⁽⁵⁾ OJ L 58, 28.2.2001, p. 43.

⁽⁶⁾ OJ L 152, 4.6.1992, p. 37.

⁽⁷⁾ OJ L 113, 15.4.1998, p. 32.

⁽⁸⁾ OJ L 157, 30.5.1998, p. 110.

⁽⁹⁾ OJ L 195, 28.7.1999, p. 42.

of Article 3(6) of Decision 98/653/EC⁽¹⁾, Commission Decision 2000/371/EC of 6 June 2000 setting the date on which dispatch of fighting bulls from Portugal to France may commence by virtue of Article 3(7) of Decision 98/653/EC⁽²⁾, Commission Decision 2000/372/EC of 6 June 2000 setting the date on which dispatch of fighting bulls from Portugal to Spain may commence by virtue of Article 3(7) of Decision 98/653/EC⁽³⁾ and Commission Decision 200/376/EC of 18 April 2001 concerning measures made necessary by the occurrence of bovine spongiform encephalopathy in Portugal and implementing a date-based export scheme⁽⁴⁾. These Decisions shall therefore remain in force during the transitional period.

therefore appropriate to extend, as a transitional measure, the list of products covered by restrictions on import pursuant to Decision 2000/418/EC, to include all products containing bovine, ovine or caprine material covered by Community health certificates. However, those third countries that benefit from a derogation for Decision 2000/418/EC should also benefit from a derogation from this transitional measure. In order to respect international obligations under the World Trade Organisation Agreement on the Application of Sanitary and Phytosanitary Measures, in particular the notification procedures, the provisions relating to import should not apply until 1 October 2001.

- (5) The transmissible spongiform encephalopathy related Community rules on specified risk material, in force immediately prior to the implementation of Regulation (EC) No 999/2001, are laid down in, or have been adopted pursuant to, 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⁽⁵⁾, as last amended by Decision 2001/384/EC⁽⁶⁾. This Decision has been amended with respect to bovine vertebral column, mechanically recovered meat and the import from third countries, after the adoption by the Council, on 12 February 2001, of its Common Position (EC) No 8/2001 with a view to adopting Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies⁽⁷⁾. Annex XI to that Regulation sets out the rules on specified risk material which apply during the transitional period. Section A of that Annex should therefore be updated to include the specified risk material provisions adopted since the adoption by Council of its Common Position.

- (7) Annex VII to Regulation (EC) No 999/2001 sets out the detailed rules for the measures to be implemented following confirmation of the presence of a TSE. These rules should be updated to reflect the detailed technical eradication provisions applied by the Member States, taking into account the opinion of the Scientific Steering Committee (SSC) on BSE related culling in cattle of 15 September 2000. The SSC concluded in this opinion that 'already (entire) herd culling is having some effect both in terms of eliminating otherwise not identified cases and in terms of preventing future cases to appear. However, (...) largely the same effect can be reached by culling all animals born and/or raised in the same herds as the confirmed case within approximately 12 months before and after the date of birth of the index case (birth-cohort culling).' The SSC recommended the culling of at least the birth cohort whenever a domestic BSE case appears, irrespective of the prevailing epidemiological situation. It is therefore appropriate to amend the detailed eradication provisions accordingly by making the culling of the entire herd optional depending upon the prevailing local situation.

- (6) Until classification decisions have been made for third countries, and as a precaution, it is appropriate to provide that the minimal protection measures foreseen by Regulation (EC) No 999/2001 for imports from all third countries which are not considered BSE-free should apply to all imports of live bovine animals, embryos and ova. Furthermore, the removal of specified risk material from products destined for food and feed is the single most important public health protection measure. It is

- (8) In the interest of clarity Commission Decision 94/474/EC of 27 July 1994 concerning certain protection measures relating to bovine spongiform encephalopathy and repealing Decisions 89/469/EEC and 90/200/EEC⁽⁸⁾, Commission Decision 94/381/EC of 27 June 1994 concerning certain protection measures with regard to bovine spongiform encephalopathy and the feeding of mammalian derived protein⁽⁹⁾, and Decision 2000/418/EC regulating the use of material presenting risks as regards transmissible spongiform encephalopathies and amending Decision 94/474/EC, should be repealed.

⁽¹⁾ OJ L 121, 23.5.2000, p. 9.

⁽²⁾ OJ L 134, 7.6.2000, p. 34.

⁽³⁾ OJ L 134, 7.6.2000, p. 35.

⁽⁴⁾ OJ L 132, 15.5.2001, p. 17.

⁽⁵⁾ OJ L 158, 30.6.2000, p. 76.

⁽⁶⁾ OJ L 137, 19.5.2001, p. 29.

⁽⁷⁾ OJ C 88, 19.3.2001, p. 1.

⁽⁸⁾ OJ L 194, 29.7.1994, p. 96.

⁽⁹⁾ OJ L 172, 7.7.1994, p. 23.

- (9) The Standing Veterinary Committee has not given an opinion; the Commission has therefore proposed these measures to the Council on 15 June 2001 in accordance with Article 24 of Regulation (EC) No 999/2001, the Council being required to act within three months.
- (10) However, the Council has neither adopted the measures, nor opposed the proposal, and has concluded on the 19 June 2001 that it would not change its position within that period.
- (11) Under such circumstances which should take account of the urgency to implement these measures, the European parliament being informed in accordance with the provisions of Council Decision 1999/468/EC⁽¹⁾, and without prejudice to Article 8 of that Decision, these measures should now lie adopted by the Commission without undue delay,

HAS ADOPTED THIS REGULATION:

Article 1

By way of transitional measure derogating from Regulation (EC) No 999/2001:

1. the provisions of Regulation (EC) No 999/2001 listed in Annex I to this Regulation shall not apply to a Member State or third country until the entry into force of the decision determining the BSE status of that Member State or third country, adopted pursuant to Article 5 of Regulation (EC) No 999/2001. Annex XI, section D, shall apply to the Member State or third country concerned until that date. No such decision shall enter into force before 1 January 2002;

2. Article 7(2), (3) and (4) shall not apply to a Member State until the coming into force of the decision determining the BSE status of that Member State, and until the Community provisions on animal feeding relevant to transmissible spongiform encephalopathies are effectively enforced there. Annex XI, section C, shall apply to that Member State until Article 7(2), (3) and (4) become applicable there.

Article 2

1. In Article 4 of Decision 2000/766/EC, the second and third paragraphs, are hereby deleted.
2. Decisions 94/381/EC, 94/474/EC and 2000/418/EC are repealed.

Article 3

Regulation (EC) No 999/2001 is amended as follows:

1. The text in Annex VII is replaced by the text in Annex II to this Regulation.
2. The text in Annex XI, section A, is replaced by the text in Annex III to this Regulation.
3. The text in Annex XI is completed with the text in Annex IV to this Regulation.

Article 4

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 July 2001.

However, the provisions of Annex XI, section A, point 5, fourth to seventh, ninth and tenth indents, and section D, point 2 and 3, to Regulation (EC) No 999/2001, as amended by the present Regulation, shall apply from 1 October 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

ANNEX I

- Article 9 concerning certain products of ruminant animal origin,
- Article 15(1) concerning the placing on the market of live animals, their semen, embryos and ova,
- Article 16(2), (3), (4) and (6) concerning the placing on the market of products of animal origin,
- Article 17 concerning the health certificates or commercial documents relating to trade,
- Article 18 concerning the health certificates relating to imports,
- Annex VIII, Chapter A(II), concerning the placing on the market of live bovine animals within the Communities,
- Annex VIII, Chapter C, concerning the placing on the market of products of bovine animal origin within the Communities,
- Annex IX, Chapters A, B, C, D, F and G, concerning the import from third countries of live bovine animals, products of bovine animal origin, bovine embryos and ova, and other products of ruminant animal origin.

ANNEX II

‘ANNEX VII

ERADICATION OF TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHY

1. The inquiry referred to in Article 13(1)(b) must identify:
 - (a) in the case of bovine animals:
 - all other ruminants on the holding of the animal in which the disease was confirmed,
 - where the disease was confirmed in a female animal, all its embryos, ova and its progeny collected or born within two years prior to, or after, clinical onset of the disease,
 - all animals of the cohort of the animal in which the disease was confirmed,
 - the possible origin of the disease,
 - other animals, embryos or ova, on the holding of the animal in which the disease was confirmed or on other holdings, which may have become infected by the TSE agent or been exposed to the same feed or contamination source,
 - the movement of potentially contaminated feedingstuffs, of other material or any other means of transmission, which may have transmitted the TSE agent to or from the holding in question;
 - (b) in the case of ovine and caprine animals:
 - all ruminants other than ovine and caprine animals on the holding of the animal in which the disease was confirmed,
 - in so far as they are identifiable, the parents, all embryos, ova and the last progeny of the animal in which the disease was confirmed,
 - all animals of the cohort, to be defined in accordance with the procedure laid down in Article 24(2), of the animal in which the disease was confirmed,
 - all other ovine and caprine animals on the holding of the animal in which the disease was confirmed in addition to those mentioned in the second and third indents,
 - the possible origin of the disease and the identification of other holdings on which there are animals, embryos or ova which may have become infected by the TSE agent or been exposed to the same feed or contamination source,
 - the movement of potentially contaminated feedingstuffs, other material or any other means of transmission, which may have transmitted the BSE agent to or from the holding in question.
2. The measures laid down in Article 13(1)(c) shall comprise at least:
 - (a) in case of confirmation of BSE in a bovine animal, the killing and complete destruction of bovine animals and the destruction of embryos and ova identified by the inquiry referred to in point 1(a), first, second and third indent. The Member State may decide not to kill and destroy all bovine animals on the holding of the animal in which the disease was confirmed as referred to in the first indent of point 1(a), depending upon the epidemiological situation and traceability of the animals on that holding;
 - (b) in case of confirmation of BSE in an ovine or caprine animal, killing and complete destruction of all animals, embryos and ova identified by the inquiry referred to in point 1(b), second to sixth indents.

ANNEX III

'ANNEX XI

A. Concerning the removal of specified risk material

1. Member States shall ensure that the specified risk material designated below is removed and destroyed in accordance with points 7 to 11.

(a) The following tissues are designated as specified risk material:

- (i) the skull including the brain and eyes, the tonsils, the vertebral column excluding the vertebrae of the tail and the transverse processes of the lumbar vertebrae, but including dorsal root ganglia and spinal cord of bovine animals aged over 12 months, and the intestines from the duodenum to the rectum of bovine animals of all ages;
- (ii) the skull including the brain and eyes, the tonsils and the spinal cord of ovine and caprine animals aged over 12 months or which have a permanent incisor erupted through the gum, and the spleen of ovine and caprine animals of all ages.

A decision may be taken in accordance with the procedure referred to in Article 24(2) in particular with a view to adjust the age for the removal of bovine vertebral column, in the light of the statistical probability of the occurrence of BSE in the relevant age groups of the Community's bovine population, based on the results of BSE monitoring, with particular reference to testing of bovine animals, as established by Annex III.

(b) In addition to the specified risk material listed in (a), the following tissues must be designated as specified risk material in the United Kingdom of Great Britain and Northern Ireland and in Portugal, with the exception of the Autonomous Region of the Azores:

- the entire head excluding the tongue, including the brain, eyes, trigeminal ganglia and tonsils; the thymus, the spleen and the spinal cord of bovine animals aged over six months.

2. Specified risk material or processed material derived from it may be despatched only with a view to subsequent incineration, in accordance with point 11 or, where appropriate, point 7(b).
3. Member States shall ensure that bones of bovine, ovine and caprine animals are not used for the production of mechanically recovered meat.
4. Member States shall ensure that laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity is not effected within their territory with regard to bovine, ovine or caprine animals whose meat is intended for human or animal consumption.
5. The specified risk material referred to in point 1(a) shall not be imported into the Community after 31 March 2001.

The products of animal origin listed below shall be subject to restrictions on import into the Community:

- fresh meat: the meat defined by Directive 64/433/EEC,
- minced meat and meat preparations: the minced meat and meat preparations defined by Directive 94/65/EC⁽¹⁾;
- meat products: the meat products defined by Directive 77/99/EEC⁽²⁾,
- other products of animal origin: other products of animal origin as defined by Directive 77/99/EEC,
- rendered fats as referred to by Directive 92/118/EEC,
- gelatin as referred to by Directive 92/118/EEC,
- petfood as referred to by Directive 92/118/EEC,
- the processed animal protein referred to in Directive 92/118/EEC,
- bones and bone products as referred to by Directive 92/118/EEC,
- raw material for the manufacture of animal feedingstuffs as referred to by Directive 92/118/EEC,
- bovine intestines as referred to in Article 2(b)(v) of Directive 77/99/EEC.

(a) When the abovementioned products of animal origin, containing material from bovine, ovine or caprine animals are imported into the Community from third countries or regions thereof, the health certificates shall be accompanied by a declaration signed by the competent authority of the country of production, worded as follows:

⁽¹⁾ Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations (OJ L 368, 31.12.1994, p. 10).

⁽²⁾ Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products (OJ L 26, 31.1.1977, p. 85). Directive as last amended by Council Directive 97/76/EC (OJ L 10, 16.1.1998, p. 25).

"The product of animal origin does not contain, and is not derived from specified risk material as defined in Annex XI, section A, to Regulation (EC) No 999/2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, produced after 31 March 2001, or mechanically recovered meat obtained from bones of bovine, ovine or caprine animals, produced after 31 March 2001. After 31 March 2001 the animals have not been slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity.

Carcasses, half carcasses and quarter carcasses may contain vertebral column on import."

- (b) Any reference to "products of animal origin" designates products of animal origin listed in this point and does not concern other products of animal origin containing or derived from those products of animal origin.

6. Point 5 shall not apply to imports from:

Australia
Argentina
Botswana
Brazil
Chile
Costa Rica
Namibia
New Zealand
Nicaragua
Paraguay
Uruguay
Singapore
Swaziland.

7. Member States shall carry out frequent official inspections to verify the correct application of this Section and shall ensure that measures are taken to avoid any contamination, particularly in slaughterhouses, cutting plants, animal waste processing plants, high-risk processing plants or premises approved by the Member States in accordance with Article 7 of Directive 90/667/EEC, points of sale to the consumer, landfill sites and other facilities for storage or incineration. Member States shall in particular set up a system to ensure and check that:

- (a) specified risk material used in the production of products referred to in Article 1(2) are used solely for authorised purposes;
- (b) specified risk material, especially where the removal takes place at establishments or premises other than slaughterhouses, is completely separated from other waste not intended for incineration, is collected separately and is disposed of in accordance with point 1 and points 8 to 11. Member States may decide to allow dispatch of heads or carcasses containing specified risk material to another Member State after that other Member State has agreed to receive the material and has approved the specific conditions applicable to such transport.

However, carcasses, half carcasses and quarter 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.

8. Member States shall ensure that specified risk material is removed at:

- (a) slaughterhouses;
- (b) cutting plants, high-risk processing plants or premises referred to in Articles 3 and 7 of Directive 90/667/EEC, under the supervision of a designated agent appointed by the competent authority. Those establishments shall be approved for that purpose by the competent authority.

However, Member States may provide for the vertebral column to be removed at points of sale to the consumer.

Where specified risk material is not removed from dead animals which have not been slaughtered for human consumption, the parts of the body containing specified risk material or the entire body must be treated as specified risk material.

9. Member States shall ensure that all specified risk material is stained with a dye and, as appropriate, marked immediately on removal, and completely destroyed:

- (a) by incineration without pre-processing; or,

- (b) provided that the dye or marking remains detectable, after pre-processing:
- (i) in accordance with the systems described in Chapters I to IV, VI and VII of the Annex to Decision 92/562/EEC:
 - by incineration,
 - by co-incineration;
 - (ii) in accordance at least with the standards set out in Annex I to Decision 1999/534/EC, by burial in an approved landfill site.
10. Member States may derogate from the provisions of points 8 and 9 to allow the incineration or burial of specified risk material or entire bodies, without prior staining, or, as appropriate, without removal of the specified risk material, in the circumstances set out in Article 3(2) of Directive 90/667/EEC and by a method which precludes all risk of transmission of a TSE and is approved and verified by the competent authority, in particular where animals have died or have been killed in the context of disease control measures.
11. Member States may despatch specified risk material or the material processed therefrom to other Member States for incineration under the conditions laid down in Article 4(2) of Decision 97/735/EC, where applicable.
- This point may be amended at the request of a Member State to allow the despatch of specified risk material or the material processed therefrom to third countries for incineration, conditions governing such export having been adopted.
12. By way of derogation from point 1(a)(i), a decision may be taken in accordance with the procedure referred to in Article 24(2) to allow the use of vertebral column and dorsal root ganglia from bovine animals:
- (a) born, continuously reared and slaughtered in Member States for which a scientific evaluation established that the occurrence of BSE in native bovine animals is highly unlikely, or unlikely but not excluded; or
 - (b) born after the date of effective enforcement of the prohibition on the feeding of mammalian protein to ruminants in Member States with reported BSE in native animals or for which a scientific evaluation established that the occurrence of BSE in native bovine animals is likely.

The United Kingdom, Portugal, Finland, Sweden and Austria may benefit from this derogation on the basis of previously submitted and evaluated evidence. Other Member States may apply for this derogation by submitting conclusive supporting evidence to the Commission regarding point (a) or (b), as appropriate.

Member States benefiting from this derogation shall, in addition to the requirements laid down in Annex III, Chapter A, section I, ensure that one of the approved rapid tests listed in Annex X, Chapter C, point 4, is applied to all bovine animals over 30 months of age which:

- (a) have died on the farm or in transport, but which have not been slaughtered for human consumption, with the exception of those dead animals in remote areas with a low animal density situated in Member States where the occurrence of BSE is unlikely;
- (b) were subject to normal slaughter for human consumption.

This derogation shall not be granted to allow the use of vertebral column and dorsal root ganglia from bovine animals aged over 30 months from the United Kingdom or from Portugal with the exception of the Autonomous Region of the Azores.

Experts from the Commission may carry out on-the-spot checks to further verify the submitted evidence in accordance with Article 21.'

ANNEX IV

'C. Concerning prohibitions on animal feeding

Council Decision 2000/766/EC concerning certain protection measures with regard to transmissible spongiform encephalopathies and the feeding of animal protein, and Commission Decision 2001/9/EC concerning control measures required for the implementation of Council Decision 2000/766/EC, remain in force.

A decision may be taken in accordance with the procedure referred to in Article 24(2) to adapt Decision 2000/766/EC to the situation of each Member State in the light of the results of Commission inspections and the incidence of BSE, based on the results of BSE monitoring, with particular reference to testing of bovine animals, as established by Annex III.

D. Concerning placing on the market and export

1. The following provisions remain in force as transitional measures:

Commission Decision 92/290/EEC of 14 May 1992 concerning certain protection measures relating to bovine embryos in respect of bovine spongiform encephalopathy (BSE) in the United Kingdom.

Council Decision 98/256/EC of 16 March 1998 concerning emergency measures to protect against bovine spongiform encephalopathy, amending Decision 94/474/EC and repealing Decision 96/239/EC.

Commission Decision 98/351/EC of 29 May 1998 setting the date on which dispatch from Northern Ireland of bovine products under the Export Certified Herds Scheme may commence by virtue of Article 6(5) of Council Decision 98/256/EC.

Commission Decision 1999/514/EC of 23 July 1999 setting the date on which dispatch from the United Kingdom of bovine products under the date-based export scheme may commence by virtue of Article 6(5) of Council Decision 98/256/EC.

Commission Decision 2000/345/EC of 22 May 2000 setting the date on which dispatch from Portugal to Germany of certain products for the purpose of incineration may commence by virtue of Article 3(6) of Decision 98/653/EC.

Commission Decision 2000/371/EC of 6 June 2000 setting the date on which dispatch of fighting bulls from Portugal to France may commence by virtue of Article 3(7) of Decision 98/653/EC.

Commission Decision 2000/372/EC of 6 June 2000 setting the date on which dispatch of fighting bulls from Portugal to Spain may commence by virtue of Article 3(7) of Decision 98/653/EC.

Commission Decision 2001/376/EC of 18 April 2001 concerning measures made necessary by the occurrence of bovine spongiform encephalopathy in Portugal and implementing a date-based export scheme.

2. Imports of bovine animals are to be subject to the presentation of an international animal health certificate attesting that:
- (a) the feeding of ruminants with proteins derived from mammals has been banned and the ban has been effectively enforced;
 - (b) the bovine animals intended for export to the Community are identified by a permanent identification system enabling them to be traced back to the dam and herd of origin and are not the progeny of BSE suspected females.
3. Imports of bovine embryos and ova are to be subject to the presentation of an international animal health certificate attesting that the feeding of ruminants with proteins derived from mammals has been banned and the ban has been effectively enforced.
4. Points 2 and 3 shall not apply to imports from:
- Australia
 - Argentina
 - Botswana
 - Brazil
 - Chile
 - Costa Rica
 - Namibia
 - New Zealand
 - Nicaragua
 - Paraguay
 - Uruguay
 - Singapore
 - Swaziland.'
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COMMISSION REGULATION (EC) No 1327/2001
of 29 June 2001
fixing the production refund on white sugar used in the chemical industry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular Article 7(5) thereof,

Whereas:

- (1) Pursuant to Article 7(3) of Regulation (EC) No 1260/2001, production refunds may be granted on the products listed in Article 1(1)(a) and (f) of that Regulation, on syrups listed in Article 1(1)(d) thereof and on chemically pure fructose covered by CN code 1702 50 00 as an intermediate product, that are in one of the situations referred to in Article 23(2) of the Treaty and are used in the manufacture of certain products of the chemical industry.
- (2) Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽²⁾ lays down the rules for determining the production refunds and specifies the chemical products the basic products used in the manufacture of which attract a production refund. Articles 5, 6 and 7 of Regulation (EC) No 1265/2001 provide that the production refund applying to raw sugar, sucrose syrups and unprocessed isoglucose is to be derived from the refund fixed for white sugar in accordance with a method of calculation specific to each basic product.
- (3) Regulation (EC) No 1265/2001 also lays down provisions for establishing the production refund. Article 9 of that Regulation provides that the production refund on white sugar is to be fixed at monthly intervals commencing on the first day of each month. It may be adjusted in the intervening period where there is a significant change in the prices for sugar on the Community and/or world markets. The application of

those provisions results in the production refund fixed in Article 1 of this Regulation for the period shown.

- (4) As a result of the amendment to the definition of white sugar and raw sugar in Article 1(2)(a) and (b) of Regulation (EC) No 1260/2001, flavoured or coloured sugars or sugars containing any other added substances are no longer deemed to meet those definitions and should thus be regarded as 'other sugar'. However, in accordance with Article 1 of Regulation (EC) No 1265/2001, they attract the production refund as basic products. A method should accordingly be laid down for calculating the production refund on these products by reference to their sucrose content.
- (5) The period of validity of refund certificates applied for in July 2001 should be limited so that there is no difference in treatment between operators using the refund certificates by 30 September 2001 and those using them after that date.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The production refund on white sugar referred to in Article 4 of Regulation (EC) No 1265/2001 shall be equal to EUR 33,936/100 kg net.

Article 2

Notwithstanding Article 15 of Regulation (EC) No 1265/2001, refund certificates applied for in July 2001 shall expire on 30 September 2001.

Article 3

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 178, 30.6.2001, p. 72.

**COMMISSION REGULATION (EC) No 1328/2001
of 29 June 2001**

fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 78th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽³⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁴⁾, to sell by invitation to tender certain quantities of butter that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award

in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The minimum selling prices and the maximum aid and processing securities applying for the 78th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

2. No award shall be made under the invitation to tender in respect of the following products:

- butter with tracers — 80 % — Formula A,
- concentrated butter with tracers — Formula B,
- concentrated butter without tracers — Formula A.

Article 2

This Regulation shall enter into force on 30 June 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 29 June 2001 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 78th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Processing security		Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Maximum aid	Butter ≥ 82 %		85	81	—	81
	Butter < 82 %		—	79	—	—
	Concentrated butter		105	—	—	93
	Cream		—	—	36	34
Processing security	Butter		94	—	—	—
	Concentrated butter		116	—	—	—
	Cream		—	—	40	—

COMMISSION REGULATION (EC) No 1329/2001**of 29 June 2001****concerning offers for the 250th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽³⁾, as last amended by Regulation (EC) No 124/1999 ⁽⁴⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of

96 % or a decision is to be taken to make no award; whereas the end-use security must be fixed accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 250th tender under the standing invitation to tender opened by Regulation (EEC) No 429/90 no award shall be made.

Article 2

This Regulation shall enter into force on 30 June 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

COMMISSION REGULATION (EC) No 1330/2001**of 29 June 2001****fixing the maximum subsidy on exports of husked long grain rice to Réunion pursuant to the invitation to tender referred to in Regulation (EC) No 2285/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1667/2000 ⁽²⁾, and in particular Article 10(1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion ⁽³⁾ as amended by Regulation (EC) No 1453/1999 ⁽⁴⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2285/2000 ⁽⁵⁾ opens an invitation to tender for the subsidy on rice exported to Réunion.
- (2) Article 9 of Regulation (EEC) No 2692/89 allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum subsidy.

(3) The criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89 should be taken into account when fixing this maximum subsidy. Successful tenderers shall be those whose bids are at or below the level of the maximum subsidy.

(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

A maximum subsidy on exports to Réunion of husked long grain rice falling within CN code 1006 20 98 is hereby set on the basis of the tenders lodged from 25 to 28 June 2001 at 320,00 EUR/t pursuant to the invitation to tender referred to in Regulation (EC) No 2285/2000.

Article 2

This Regulation shall enter into force on 30 June 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 261, 7.9.1989, p. 8.

⁽⁴⁾ OJ L 167, 2.7.1999, p. 19.

⁽⁵⁾ OJ L 260, 14.10.2000, p. 19.

COMMISSION REGULATION (EC) No 1331/2001

of 29 June 2001

fixing the maximum buying-in price and the quantities of beef to be bought in under the 270th partial invitation to tender as a general intervention measure pursuant to Regulations (EEC) No 1627/89 and (EC) No 1136/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

quantities which may be bought in should be fixed for category A and no award made for category C.

Having regard to the Treaty establishing the European Community,

(4) Article 1(7) of Regulation (EC) No 590/2001 also opens buying-in of carcasses and half-carcasses of store cattle and lays down special rules in addition to those laid down for the buying-in of other products. After consideration of the tenders submitted, it has been decided not to proceed with the tendering procedure.

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 47(8) thereof,

(5) In the light of developments, this Regulation should enter into force immediately.

Whereas:

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

(1) Commission Regulation (EC) No 562/2000 of 15 March 2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef ⁽²⁾, as amended by Regulation (EC) No 590/2001 ⁽³⁾, lays down buying standards. Pursuant to the above Regulation, an invitation to tender was opened under Article 1(1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽⁴⁾, as last amended by Regulation (EC) No 1236/2001 ⁽⁵⁾, and Article 1 of Commission Regulation (EC) No 1136/2001 of 8 June 2001 opening intervention in accordance with Article 47(5) of Regulation (EC) No 1254/1999 ⁽⁶⁾.

HAS ADOPTED THIS REGULATION:

Article 1

Under the 270th partial invitation to tender opened pursuant to Regulations (EEC) No 1627/89 and (EC) No 1136/2001:

- (2) Article 13(1) of Regulation (EC) No 562/2000 lays down that a maximum buying-in price is to be fixed for quality R3, where appropriate, under each partial invitation to tender in the light of tenders received while Article 13(2) of that Regulation states that a decision may be taken to make no award. In accordance with Article 36 of that Regulation, only tenders quoting prices not exceeding the maximum buying-in price and not exceeding the average national or regional market price, plus the amount referred to in Article 1(6) of Regulation (EC) No 590/2001 are to be accepted.
- (3) Once tenders submitted in respect of the 270th partial invitation to tender have been considered pursuant to Article 47(8) of Regulation (EC) No 1254/1999, and taking account of the requirements for reasonable support of the market and the seasonal trend in slaughtering and prices, the maximum buying-in price and the

(a) for category A:

(i) in the Member States or regions thereof meeting the conditions laid down in Article 47(2) of Regulation (EC) No 1254/1999:

- the maximum buying-in price shall be EUR 225,50/100 kg of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses and half-carcasses accepted shall be 9 220 t;

(ii) in the Member States or regions thereof meeting the conditions laid down in Article 47(5) of Regulation (EC) No 1254/1999, no award shall be made;

(b) for category C no award shall be made;

(c) for carcasses and half-carcasses of store cattle as referred to in Article 1(7) of Regulation (EC) No 590/2001, no award shall be made.

Article 2

This Regulation shall enter into force on 30 June 2001.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 68, 16.3.2000, p. 22.

⁽³⁾ OJ L 86, 27.3.2001, p. 30, Regulation as last amended by Regulation (EC) No 1082/2001 (OJ L 149, 22.6.2001, p. 19).

⁽⁴⁾ OJ L 159, 10.6.1989, p. 36.

⁽⁵⁾ OJ L 168, 23.6.2001, p. 18.

⁽⁶⁾ OJ L 154, 9.6.2001, p. 12.

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

Done at Brussels, 29 June 2001.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1332/2001
of 29 June 2001
fixing the maximum purchase price for beef under the sixth partial invitation to tender pursuant to
Regulation (EC) No 690/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾,

Having regard to Commission Regulation (EC) No 690/2001 of 3 April 2001 on special market support measures in the beef sector ⁽²⁾, and in particular Article 3(1) thereof,

Whereas:

- (1) In application of Article 2(2) of Regulation (EC) No 690/2001, Commission Regulation (EC) No 713/2001 of 10 April 2001 on the purchase of beef under Regulation (EC) No 690/2001 ⁽³⁾, as last amended by Regulation (EC) No 1223/2001 ⁽⁴⁾, establishes the list of Member States in which the tendering is open for the sixth partial invitation to tender on 25 June 2001.
- (2) In accordance with Article 3(1) of Regulation (EC) No 690/2001, where appropriate, a maximum purchase price for the reference class shall be fixed in the light of the tenders received, taking into account the provisions of Article 3(2) of that Regulation.

- (3) Because of the need to support in a reasonable way the market for beef a maximum purchase price should be fixed in the Member States concerned. In the light of the different level of market prices in those Member States, different maximum purchase prices should be fixed.
- (4) Due to the urgency of the support measures, this Regulation should enter into force immediately.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Under the sixth partial invitation to tender on 25 June 2001 opened under Regulation (EC) No 690/2001 the following maximum purchase price shall be fixed:

- Germany: EUR 164,00/100 kg,
- France: EUR 211,50/100 kg,
- Ireland: EUR 185,10/100 kg.

Article 2

This Regulation shall enter into force on 30 June 2001.

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

Done at Brussels, 29 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 95, 5.4.2001, p. 8.

⁽³⁾ OJ L 100, 11.4.2001, p. 3.

⁽⁴⁾ OJ L 167, 22.6.2001, p. 3.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 February 2001

on State aid which Italy plans to grant to Fiat Sata SpA at Melfi

(notified under document number C(2001) 683)

(Only the Italian text is authentic)

(Text with EEA relevance)

(2001/489/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 regard to the Agreement on the European Economic Area, and in particular Article 62(1)(a) thereof,

Having regard to Council Regulation (EC) No 659/1999 of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty ⁽¹⁾, and in particular Article 7(3) thereof,

Having called on interested parties to submit their comments pursuant to the provisions cited above ⁽²⁾ and having regard to their comments,

Whereas:

deadline, Italy supplied partial replies by letter dated 11 October 1999.

- (2) By letter dated 25 January 2000 ⁽³⁾ the Commission informed Italy that it had decided to initiate the procedure laid down in Article 88(2) of the EC Treaty in respect of the aid.
- (3) The Commission Decision to initiate the procedure was published in the *Official Journal of the European Communities* ⁽⁴⁾. The Commission called on interested parties to submit their comments.
- (4) After a meeting with Commission representatives in Rome on 1 March, by letter dated 18 April 2000, registered on 25 April 2000, Italy submitted its comments and provided information which it considered necessary for assessing the aid.
- (5) The Commission did not receive any comments from interested parties.

I. PROCEDURE

- (1) By letters dated 17 March and 16 April 1999 the Italian authorities notified the Commission of a plan to grant regional aid to Sata SpA for an investment in its car plant at Melfi (Basilicata). The case was registered on 22 March 1999 as notified aid under number N 167/99. On 19 May 1999 the Commission sent the Italian authorities a request for information, to which they replied by letter dated 24 June 1999. A site visit was made to Poland and to Melfi, following which additional information was requested by the Commission by letter dated 27 July 1999. After requesting an extension of the

II. DETAILED DESCRIPTION

- (6) The recipient of the aid would be Sata SpA, a wholly owned subsidiary of Fiat Auto SpA. The Fiat group is active in the motor vehicle sector mainly through the following three companies: Fiat Auto for passenger cars, Iveco for commercial vehicles and Magneti Marelli for components. Fiat Auto operates plants in Italy, Poland, Turkey and South America and sells vehicles of the Alfa Romeo, Ferrari, Fiat, Lancia and Maserati makes.

⁽¹⁾ OJ L 83, 27.3.1999, p. 1.

⁽²⁾ OJ C 110, 15.4.2000, p. 27.

⁽³⁾ SG 2000 D/100810.

⁽⁴⁾ See footnote 3.

- (7) At present, the Melfi plant manufactures the segment B vehicles Fiat Punto and Lancia Y and has an overall capacity of 1 600 vehicles/day (two shifts working six days a week) broken down as follows: 1 200 Fiat Punto and 400 Lancia Y models. The notified project, which does not involve any change in capacity, is essentially intended to develop new, flexible bodywork and assembly lines in connection with the launch of the new Punto (given the code name 'model 188' by Fiat). Commercial production of this model began during 1999.

- (8) The following investments totalling ITL 436 billion have been carried out over the period 1997 to 2000 (in ITL million):

Type of investment	Amount
Project management	308
Building refurbishment	6 150
Machinery	429 450
Total	435 908

- (9) The Italian authorities asserted that the investment could have been carried out at an alternative site, namely the Fiat group's plant at Tychy in Poland, for a mobile volume of 400 vehicles/day. A cost-benefit analysis was prepared by Italy to compare the cost of manufacturing 1 200 model 188 cars a day at Melfi with that of splitting production between Melfi (800 vehicles/day) and Tychy (400 vehicles/day). This gave, according to the Italian authorities, a handicap for Melfi of 273 %, which would be sufficient to authorise an aid intensity of 15,3 %. The notified aid, granted under Law No 488 of 19 December 1992, takes the form of a regional grant of ITL 78 billion (EUR 40 million).

III. COMMENTS FROM INTERESTED PARTIES

- (10) The Commission has not received any comments from third parties.

IV. COMMENTS FROM ITALY

- (11) After requesting an extension of the deadline for submitting comments on the decision to initiate the procedure and following a meeting held on 1 March 2000 between representatives of the Italian authorities, Fiat and the Commission's Competition Directorate-General, Italy submitted its comments by letter dated 18 April 2000,

registered by the Commission on 25 April 2000. Those comments have been taken into account.

- (12) Firstly, with regard to the question whether aid had been granted to suppliers in the Melfi area, Italy replied that there had been no aid requests under Law No 488/92 in the Basilicata region for projects ascribable to industries linked to Fiat Sata.
- (13) Secondly, Italy points out that Fiat does not at present intend to increase its structural capacity in Europe. As a consequence, if it had been decided to produce the model 188 partly in Poland, the production of this model would have been reduced by the same amount at Melfi, without increasing production of the other model produced there, the Lancia Y, which already fully satisfies demand.
- (14) Thirdly, Italy explained in greater detail the necessary technical changes to the production structure at the two alternative sites. In the alternative scenario of producing the model 188 partly in Poland, it would have been possible at the Melfi plant to deactivate one production line and transform it, with the adoption of cheaper technological solutions, to reduced production status while continuing production at maximum speed on the other production line. On the other hand, in the chosen alternative of producing all the cars at Melfi, it was necessary to adopt new and more costly technological solutions with a view to minimising disruption of production while carrying out the necessary transformations.
- (15) Italy stressed the genuine mobility of the project and submitted further documentation to demonstrate that the investor's real intention of carrying out the investment at the alternative site was in fact taken into consideration at the time.
- (16) Lastly, Italy expressed its views and provided further information with regard to assumptions and cost factors applied in the cost-benefit analysis.

V. ASSESSMENT OF THE AID

- (17) The measure notified by the Italian authorities for Fiat Sata SpA constitute State aid within the meaning of Article 87(1) of the Treaty. It would be financed by the State or through State resources. Furthermore, as it constitutes a significant proportion of the funding of the project, the aid is liable to distort competition in the Community by giving Fiat Sata SpA an edge over competitors not receiving aid. Lastly, there is extensive trade between Member States in the motor vehicle market.

- (18) The aid in question is intended for a firm which manufactures and assembles cars. The firm is therefore part of the motor vehicle industry within the meaning of the Community framework on State aid to the motor vehicle industry ⁽⁵⁾ (hereinafter 'the relevant Community guidelines').
- (19) The aid in question, notified on 17 March 1999 and 16 April 1999, is to be granted under Law No 488/92, which was approved by the Commission under the new Italian regional aid map on 12 July 2000. Law No 488/92 allows two years' retroactivity as regards eligible investments.
- (20) The relevant Community guidelines specify that aid which the public authorities plan to grant to an individual project under an authorised aid scheme for a firm operating in the motor vehicle industry must, in accordance with Article 88(3) of the Treaty, be notified before being granted if either of the following thresholds is reached: (i) total cost of the project equalling EUR 50 million, (ii) total gross aid for the project, whether State aid or aid from Community instruments, equalling EUR 5 million.
- (21) Both the total cost of the project and the total gross aid exceed the notification thresholds. Thus, in notifying the proposed aid for Fiat Sata SpA, the Italian authorities have complied with the requirements of Article 88(3) of the Treaty.
- (22) Article 87(2) of the Treaty specifies certain types of aid that are compatible with the Treaty. In view of the nature and purpose of the aid and the geographic location of the investment, Article 87(2)(a), (b) and (c) are not applicable. Article 87(3) specifies other forms of aid which may be regarded as compatible with the common market. Their compatibility with the Treaty must be assessed from the standpoint of the Community as a whole and not in a purely domestic context. In order to maintain the proper functioning of the common market and having regard to the principle enshrined in Article 3(g) of the Treaty, the exceptions in Article 87(3) must be construed narrowly. With regard to the exceptions in Article 87(3)(b) and (d), it is clear that the aid in question is not intended for the execution of an important project of common European interest or to remedy a serious disturbance in the Italian economy or to promote culture and heritage conservation. As regards the exceptions in Article 87(3)(a) and (c), the Commission notes that the Melfi plant is located in the region of Basilicata, which qualifies for assistance under Article 87(3)(a).
- (23) In order to decide whether the planned regional aid is compatible with the common market under the exception in Article 87(3)(a) of the Treaty, the Commission must check whether the conditions specified in the relevant Community guidelines have been met.
- (24) To authorise aid under the guidelines, the Commission, after checking that the region in question is eligible for aid under Community law, establishes whether the investor could have chosen an alternative site for its project, so as to demonstrate the need for the aid, with special reference to the mobility of the project. Under the new Italian regional map, approved by the Commission on 1 March 2000 for the Article 87(3)(a) regions ⁽⁶⁾, (the Melfi (Basilicata) car plant is located in an assisted area under Article 87(3)(a) in which regional aid may be allowed up to a ceiling of 35 % nge, corresponding to 50,67 % gge, for large firms.
- (25) The Commission has, with the help of its external motor industry consultant, studied the geographic mobility of the project. It considers that it is technically possible to produce a volume of 400 vehicles/day at the Tychy plant in Poland, which constitutes a viable alternative. This has been confirmed by a visit to the Polish plant and the documents provided by Italy. Following the initiation of the procedure, Italy submitted additional documentation, dating from before the investments began, showing that Fiat did in fact consider locating part of the production of the model 188 at Tychy. Thus, the project is mobile in character and can therefore be considered eligible for regional aid, since the aid is necessary to attract the investment to the assisted region.
- (26) Regional aid intended for modernisation and rationalisation, which is generally not mobile, is not authorised in the motor vehicle sector. However, a transformation involving a radical change in production structures on an existing site could be eligible for regional aid. The external expert appointed by the Commission has confirmed that the investments in question concern the radical renovation of an existing plant, involving a total investment of ITL 436 billion, together with the complete renewal of a model. Many transfer lines have been extended in order to make room for and set up new machinery. On the basis of the layouts provided by Italy, the report by the external motor industry experts and the site visit, the Commission considers that the investments in the context of the launch of the new model 188 constitute a transformation.

⁽⁵⁾ OJ C 279, 15.9.1997, p. 1.

⁽⁶⁾ OJ C 175, 24.6.2000, p. 11.

(27) However, the Commission can consider eligible only the costs relating to the mobile aspects of the project. Italy has split the investments into two categories: 'eligible mobile investments', amounting to ITL 149,1 billion, and 'other eligible investments' amounting to ITL 287,0 billion. The Commission considers that the latter are not mobile since they are determined by the fixed share of 800 model 188 vehicles per day that would have been produced at Melfi whatever the option chosen by Fiat. The Commission has therefore regarded as eligible only investments amounting to ITL 149,1 billion, which significantly changes the aid intensity and the regional handicap ratio of the project.

(28) The Commission has, with the help of its external consultant, evaluated the cost-benefit analysis with a view to ascertaining whether the proposed regional aid is in proportion to the regional problems it is intended to solve. Detailed examination of the cost-benefit analysis has made it possible to clarify certain points that were raised when it was decided to initiate the procedure. The relative handicap of the Melfi plant is mainly due to the fact that labour costs are significantly higher in Italy than in Poland. As regards the investment costs, which are slightly higher for the option of producing all 1 200 model 188 cars at Melfi, the different technological solutions that would have been adopted in both cases have been taken into consideration, resulting in a more capital-intensive investment at Melfi than in Poland. Other factors, such as transport costs for spare parts and finished vehicles, were also considered in the analysis. Taking into account the additional information received from Italy following the initiation of the procedure, some aspects of the CBA were modified:

— as regards the set-up costs, in its reply to the opening of the investigation Italy agreed on the need to modify the amount related to these costs and submitted corrected figures. The Commission has taken into account, for the option of shifting part of the production to Poland, a handicap of ITL 2,4 billion, as opposed to the initially notified handicap of ITL 4 billion. Consequently, the handicap for Melfi in the CBA as regards set-up costs was reduced by ITL 1,6 billion

— as regards the inclusion of redundancy costs at Melfi in the CBA, Italy has not included in its CBA any extra costs to cover charges in connection with redundancies as a consequence of a shift of production to Poland. In this respect, Italy refers to the lack of skilled labour with adequate industrial experience in the region. If the number of jobs at the Melfi plant were reduced, workers would be released for automotive suppliers and other industries in the region. Readjustment of the workforce at the Melfi plant

would have been easy to achieve both by not making turnover replacements and by enabling workers made redundant at the Melfi plant to be hired by supplier companies in the region. The Commission nevertheless considers that a reduction of 400 cars per day in capacity, and consequently in production, at the Melfi plant resulting from a shift of production to Poland would also have an influence on the level of employment at Fiat suppliers in the Melfi area. Given their dependence on production at the Melfi plant, instead of hiring new workers they too would be obliged to lay off personnel. The Italian authorities have not provided any evidence that dispels the Commission's doubts in this respect. The Commission therefore considers that the CBA has to include redundancy costs in order to assess the comparative disadvantages of Melfi with respect to Poland. The Commission has to take its decision on the basis of the information in its possession, in particular that provided by Italy in response to the decision to initiate the procedure. As the Italian authorities did not quantify this element, the Commission has estimated the redundancy costs that would arise at Melfi as a consequence of a shift of production of 400 model 188 cars to Poland: those costs would amount to ITL 19 415 million. The Commission has included these costs in its assessment of the comparative disadvantages of Melfi with respect to Poland,

— as explained above, the Commission has considered only the costs relating to the mobile aspects of the project, amounting to ITL 149,1 billion, as eligible, which significantly increases both the aid intensity and the regional handicap ratio of the project.

(29) The above modifications introduced in the analysis produce cost-benefit results that differ from those initially notified by Italy. The net present value of the eligible investment is ITL 134,1 billion and that of the aid is ITL 60,0 billion; the aid intensity of the project is therefore 44,7 % gge (compared to the initially notified 15,3 % gge) and the project handicap amounts to ITL 89 366 million, giving a handicap intensity of 66,6 % (compared to the initially notified 27,3 %).

(30) Lastly, the Commission considered the question of a possible 'top-up', which is an increase in the allowable aid intensity intended as a further incentive for the investor to invest in the region in question. Such top-ups are authorised on condition that the investment does not increase the capacity problems facing the motor vehicle industry. However, the results of the cost-benefit analysis obviate the need to include a top-up in this particular case.

VI. **CONCLUSION**

- (31) The aid intensity of the project is less than both the disadvantage identified by the cost-benefit analysis and the regional aid ceiling. The regional aid that Italy plans to grant Fiat Sata SpA is therefore compatible with the common market under Article 87(3)(a) of the Treaty,

Implementation of the aid, amounting to ITL 78 billion, is accordingly authorised.

Article 2

This Decision is addressed to Italy.

HAS ADOPTED THIS DECISION:

Done at Brussels, 28 February 2001.

Article 1

The State aid which Italy plans to grant to Fiat Auto at Melfi, amounting to ITL 78 billion, is compatible with the common market within the meaning of Article 87(3)(a) of the Treaty.

For the Commission

Mario MONTI

Member of the Commission

COMMISSION DECISION

of 18 June 2001

on the implementation of Decision 507/2001/EC of the European Parliament and of the Council concerning a set of actions relating to the trans-European network for the collection, production and dissemination of statistics on the trading of goods within the Community and between the Community and non-member countries (Edicom)

(notified under document number C(2001) 1529)

(2001/490/EC)

THE EUROPEAN COMMISSION,

Having regard to the Treaty establishing the European Community,

Having regard to Decision No 507/2001/EC of the European Parliament and of the Council of 12 March 2001 concerning a set of actions relating to the trans-European network for the collection, production and dissemination of statistics on the trading of goods within the Community and between the Community and non-member countries (Edicom) ⁽¹⁾, and in particular Article 3 thereof,

Whereas:

- (1) Decision No 507/2001/EC lays down the reference framework for an information network for the collection, production and dissemination of statistics on the trading of goods within the Community and between the Community and non-member countries.
- (2) The measures set out in this Decision meet the aims and conditions established by Decision No 507/2001/EC.
- (3) Some measures are taken at a centralised level, whilst others are taken directly in those Member States which collect and produce statistical information. The objectives remain the same in each case.
- (4) In accordance with Decision No 507/2001/EC, the Commission approves the annual work programme including the distribution of annual expenditure.

- (5) The measures set out in this Decision are in accordance with the opinion of the Committee on statistics relating to the trading of goods between Member States and the Committee on statistics relating to the trading of goods with non-member countries, established by Council Regulation (EEC) No 3330/91 ⁽²⁾ and Council Regulation (EEC) No 1172/93 ⁽³⁾,

HAS ADOPTED THIS DECISION:

Article 1

For the 2001 work programme, the measures qualifying for Community funding are set out in Annex I up to the amounts stated in Annex II to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 June 2001.

For the Commission

Pedro SOLBES MIRA

Member of the Commission

⁽¹⁾ OJ L 76, 16.3.2001, p. 1.

⁽²⁾ OJ L 316, 16.11.1991, p. 1.

⁽³⁾ OJ L 118, 25.5.1995, p. 10.

ANNEX I

EDICOM MEASURES — GENERAL WORK PROGRAMME

Measures relating to the implementation of a higher-quality information network, which is less costly and available more quickly, in line with the requirements of Community policy

The 2001 work programme will pursue the following objectives:

1. *Production of advanced estimators*

The general objective of the proposed measures is to produce preliminary results at European level (EU and euro zones) which comply with minimum quality requirements at their level of aggregation. By comparing monthly statistics, as published initially and after revision, it will be possible to anticipate the final values of regularly revised data using appropriate econometric modelling or other suitable methodologies.

2. *Improvement in the quality of basic statistics in external trade*

The recent development of an outlier detection package by the Commission (Eurostat) shows that an integrated and portable approach to control the quality of basic statistics in infra and extra-EU trade would be more efficient. In particular, it appears that the control of values, quantities and unit values in the production of these three types of statistics should be better integrated. Methods developed in the Member States and the Commission (Eurostat) in the quality control of basic statistics should be synthesised and lead to a common platform. Such a package would perform editing, allow for follow-up of businesses with dubious or erroneous statistical information, combine with the management of the data collection, and perform the necessary imputation of missing data.

The objective of the proposed measures is therefore to improve the quality of the statistics and to analyse the methods developed in Member States to control the individual data/records coming from companies and the methods developed in Member States and the Commission (Eurostat) to control data at a more aggregated level of product and geographical classifications. The outcome will be a thorough evaluation of the current methods in use and an assessment of the feasibility of the common platform at EU level.

3. *Improvement in quality measurement and control of the external trade statistics*

Traditionally, external flows have been measured by the customs administration, which has its own culture. In particular, as a tax administration, it makes extensive use of accounting practices, i.e. an apparently clear-cut distinction between true values and errors. Therefore, there is no tradition of quality control, error measurement and communication on reliability of external trade statistics in many Member States. This is no longer a satisfactory situation, especially following the introduction of Intrastat (a system of direct collection of information from companies), where data is collected for statistical purposes, based on a close link with the VAT system.

The aim of the proposed measures is to respond to this unsatisfactory situation by enhancing quality measurement, control and assurance.

4. *Improvement in the updating process for statistical results*

The aim of the proposed measures is to determine a harmonised updating procedure for reducing the impact of factors affecting the quality of statistics. A high level of variability in the updating process applied to monthly data reduces the degree of harmonisation of external trade statistics. To identify the best methods, the updating process applied by each Member State must therefore be studied both from the methodological point of view and from the publication policy (how often, over what period, etc.) perspective. Then, a more harmonised procedure/approach at Union level (either the 'best' practice used by one or more of the Member States, or a completely new approach) will be proposed.

5. *Improvement in the methods of adjusting statistical results*

In Intrastat as in Extrastat, thresholds for data collection are used by the Member States in order to limit the burden on traders. There is currently no harmonisation of the methods or the tools for the adjustments that are required. Member States have developed various adjustment methods to compensate the under-estimation of external trade statistics — especially that of intra-EU trade. Although these adjustments help to improve the quality of statistics by compensating under declaration due to non-responses and trade below the assimilation threshold, they generate significant differences between the statistics of the Member States since there is no harmonisation of these methods. As a first step, a study on descriptive and comparative methods used by Member States was carried out analysing differences and similarities of the used methods. It turned out that, even though these methods vary from one Member State to another, they still have considerable similarities.

In order to select best practices and improve current methods, it is important to carry out simulations with the Member States' data at company level in order to validate and propose a more harmonised approach/set of methods from methodological, administrative, IT and human resource perspectives to be used in the Member States and the Commission (Eurostat). The objective of the proposed measures is to find the best adjustment methods and develop a user-friendly and portable application to test alternative methods in the Member States.

6. *Dealing with asymmetries in Intrastat*

The collection system of the statistics on intra-EU trade, Intrastat, 9 generates sets of statistics which are not coherent at the level of intra-EU trade. Two of the main reasons for the mirror discrepancies are related to the Intrastat system itself:

1. the collection system applies a threshold to exempt small traders from declaration;
2. there is non-response, since Intrastat no longer relies on customs control but on companies declaring directly to the competent national authorities.

Other factors contributing to the discrepancies are confidentiality rules, the classification of goods, reporting time lags, provisional results and updating processes, triangular trade, etc.

The asymmetries are very important because they affect the reliability of the euro zone trade balance as well as the balance of payments and national accounts (rest of the world account). Asymmetries are not limited to intra-EU trade and may occur with extra-EU partners.

In order to address these problems and improve the situation of users at European level (EU, euro zone), the aim of the proposed measures is to compare and implement specific models to reconcile the divergent data, on the basis of several methods.

7. *Reconciliation of external trade statistics*

External trade statistics is a statistical area which is unique in that two trading partners compile corresponding sets of data. The export flows from country A to country B registered in country A should be the same as the import flows from country A registered in country B. The reality, however, is quite different. Export and import flows between two countries concerning the same goods and the same period show differences.

The differences are identified by comparing import and export flows, i.e. by undertaking a 'mirror statistics exercise'. The next step is to find explanations and make adjustments to the identified discrepancies as far as possible, i.e. to conduct a reconciliation exercise. The ultimate aim, of course, is to improve the quality of trade statistics.

A reconciliation exercise of external trade statistics between partner countries is an important activity within the framework of the statistical cooperation programs. In addition, reconciliation exercises are carried out with major trading partners on quite a regular basis depending on the amount of resources available and other varying circumstances.

However, statisticians face a challenging task when analysing the mirror data to reconcile the trade statistics. In particular, several adjustment methods have to be applied in order to reach a common basis for such reconciliation work, e.g. for transport and insurance costs, impact of re-exports, problems of under-valuation, etc.

A reconciliation exercise with partner countries is a very efficient way of checking and improving the quality of the trade statistics. The actions planned therefore aim to produce a statistical methodology and computer tool that can be applied in different circumstances when reconciling trade data between two or more partners. The tool being developed will be tested by reconciling trade statistics between EU and two of its major trading partners, Canada and the USA. Accurate, uncontested and reconciled external trade statistics are vital when trade negotiations take place.

Measures relating to the implementation of a network of information that is relevant and appropriate to users' changing needs, within the framework of Economic and Monetary Union and the international economic environment

The 2001 work programme will pursue the following objectives:

1. *Improvement in the management of disclosure avoidance for foreign trade statistics*

The collection and dissemination of foreign trade statistics is a very detailed process covering more than 10 000 products. In many cases, this level of detail is not compatible with the rules on confidentiality which protect individual data provided by enterprises. Where necessary, the Member States apply their own rules for disguising data at national level and forward the initial data and the relevant authorised levels of publication to the Commission (Eurostat).

The current techniques for disguising data are defined at Member State level and applied directly to the aggregates of the European Union and the Monetary Union. By using statistical algorithms, it should be possible to disseminate information at Union level with no risk of disclosing individual data. Moreover, users of the COMEXT database are not yet aware of the possible impact of disclosure avoidance on data taken from this database: the risk of error of appreciation is great because the data used are, at best, incomplete.

The methods defined at national level cannot be consistent at Community level. A two-way flow may therefore be confidential for one Member State, but public for the partner country. On the other hand, detailed confidential data for one Member State are not integrated into the aggregate calculated at EU or Monetary Union level, whereas the European aggregate could often include national information with no risk of divulging individual data.

The objective of the proposed measures is therefore to improve and standardise the methodology implemented by the Member States and by the Commission (Eurostat) to respect the confidentiality of individual data while also ensuring that the most relevant data are disseminated.

2. Development of external trade price indices

The close and short-term monitoring of foreign trade prices is very important for economic and monetary policy, in particular, for the following reasons:

for exports, to measure the competitiveness of the European Union and the euro zone products in relation to those of competitors on the external markets,

for imports, to measure the risk of imported inflation,

for exports and imports, to construct suitable deflators of foreign trade, used for example in economic accounts.

The measurement of foreign trade prices has not yet been the subject of methodological harmonisation on Community level. Sources of price information are diverse, and so are the techniques for calculation of indices. Only some countries of the euro zone conduct direct sample surveys to follow the export and/or import prices. This information is not sufficient to compile European aggregates for the EU or the euro zone.

The indices that come closest to import and export prices are the unit value indices that are derived from trade data. These indices exist for both directions, imports and exports and also provide information on the source and destination countries of the flow of goods. Thus, this data can be aggregated to European indices for the EU and the euro zone. However, there are some inherent shortcomings of unit value indices that severely limit their potential usage for the objectives of economic and monetary analysis as stated above.

In this context, the actions planned aim at exploring and analysing existing national methodologies for export and import price indices in detail.

Measures relating to the implementation of an information network better integrated into the general statistical system and adapted to developments in the administrative environment

The 2001 work programme will pursue the following objectives:

1. Development of trade registers and attention to globalisation

For the open economies of the EU, external trade statistics are a major source of information that is widely used by economists, policy-makers and business associations. However, to make full use of these data, most users need them to be linked with enterprise statistics for which a full set of variables is already available at EU level.

On the other hand, it is important to provide the users with additional data measuring the impact of international groups on trade statistics. Connections between trade and business registers should play a key role in this respect. Provided enterprise groups are identified in the business register, the link with trade statistics would give estimates of the part of external trade carried out by transnational groups.

To achieve these goals, the Commission (Eurostat) has proposed an action plan over the next five years, that is divided into the two following topics: trade registers and globalisation. It is proposed that this work be continued.

— Trade registers

The objective of the proposed measures is to establish connections between the trade and business registers so that a broad range of new analysis of external trade statistics can be carried out. For instance, it would be possible to measure the part of trade carried out by each economic sector, for any reporter/partner/commodity combination. The links between trade and structural business statistics could also be analysed, for instance, the effect of trade on employment.

— Globalisation

The fundamental implication of globalisation is that the activities of enterprises need to be analysed and measured in a global as well as a national context. Traditionally, statistical data have focused on the international trade area with much less attention to other important cross-border economic relationships such as the activities of multinational firms and intra-firm flows. The result is that statistics may fail to fully capture the scope of cross-border economic activities.

The objective of the proposed measures is to examine the extent to which existing external trade statistics can contribute to the collection of this information and determine possible technical modifications to existing systems which can facilitate this collection.

2. *Adaptation and modernisation of Extrastat*

Customs declarations (single administrative documents) are the main source of statistical information on trade in goods between the EU and non-member countries. However, there are obvious limits to the statistical use of the single administrative document (SAD). It is planned to assess user needs and make fuller use of customs declarations in order to obtain better statistical information in several domains: financial statistics, taxes, application of customs measures, nature of transaction, etc. This information should be collected, checked and processed using harmonised methods and stored in a general database, from which various types of statistics could be compiled as required. Special attention would be focused on external trade statistics by mode of transport and links with the system of statistical information on transport. The information required for trade negotiations and, in particular, the statistical functions of the TARIC (Community's integrated tariff) database should be analysed and improved.

The objectives of the proposed measures are therefore:

- to make an inventory of the available data on the customs declaration that are not used for statistical purposes and to analyse the consequences of fuller use of the customs declaration in connection with the system of collecting and processing data by national administrations and with the system of dissemination,
- to assess the precise information needs with regard to trade negotiations,
- to increase the statistical potential of the TARIC database.

3. *Reassessment of the burden of the Intrastat system on statistical information providers*

In 1995/1996 the Commission (Eurostat) conducted two surveys, one among users of Intrastat data and the other among Intrastat statistical information providers. Some 4 700 information providers were questioned in the 12 Member States that comprised the European Union when Intrastat was introduced in 1993. The findings of this opinion poll were analysed and published in April 1996. In the months following publication, proposals to simplify the Intrastat system were examined as part of the SLIM initiative (simpler legislation for the internal market), resulting in amendments to Community rules.

The objective of the proposed measures is to make a new assessment of the burden of the Intrastat system on statistical information providers, based on the results of the 1995/1996 assessment, with a view to examining whether there is a need for further adaptations to the system.

Measures relating to the implementation of a network improving the statistical service provided to administrations and users and providers of data

The 2001 work programme will pursue the following objectives:

1. *Dissemination of data*

The users of external trade statistics require rapid access to pertinent data. Rapid dissemination of the most up-to-date data possible, adapted to the needs of different users, will establish the ESS as the preferred supplier of data on the external and intra-trade of the EU and euro zone. While other parts of the work programme foresee the development of new indicators and the improvement of existing data, this part puts in place the systems and tools necessary to ensure the rapid dissemination of these data. In accordance with Decision 1999/1719/EC, the common generic services and tools developed for IDA will be used where appropriate. A number of projects designed to meet this goal are planned for 2001.

The rapid dissemination of existing and new types of data will be ensured by the development of a macroeconomic database bringing together data on the main product and partner aggregates required by the ECB and other users of external trade data. The now-casting and estimation techniques developed under other actions will be used to ensure that the data are as complete as possible. As well as raw value data, the database will hold seasonally adjusted and index data.

A second project will develop modern, flexible dissemination outputs from this database, using standard formats and tools, such as XML. These will allow for rapid dissemination of data either on paper or using the World Wide Web.

To ensure that the database fully meets the needs and expectations of users such as the ECB, it is vital to fill in gaps in historical data, for example those due to the non-availability of data for Member States before their date of accession. A third project will research and develop the outputs needed to ensure the completeness of the historical part of the database.

A fourth project will develop concise, informative and interesting analysis of the external trade of the EU and euro zone using a mixture of tables, graphs and text. This will lead to two types of publication: regular short analyses of the latest trade data, and a longer annual review of the structure and evolution of the trade of the EU and euro zone.

2. Development of a tool for classifying goods

As part of the Edicom 2 programme, a number of projects designed to promote interoperability between computer systems and networks are planned, including the development of tools and software for the collection of statistical data with a view to facilitating the work of administrations and information providers alike.

The projects include the adoption of data collection methods which use computerised data exchange for compiling and transmitting statistical returns on the trading of goods between Member States.

As collection is done on the basis of coded statistical data, it is important to provide foreign trade operators with a tool for classifying goods in existing nomenclatures.

The main purpose of the proposed measures is to design and develop a common software product allowing the automatic classification of goods.

The product must be modular and interoperable at Community level, so that it can be adapted to existing information collection tools, and should lend itself to use in all the official languages of the Community. On-line use via an Internet server will also have to be envisaged in the longer term.

3. Dissemination of metadata

As part of the Edicom 2 programme, a number of projects designed to promote interoperability between computer systems and networks are planned, including the creation of a network to improve the statistical service offered to administrations, data providers and data users.

A major feature of the projects is the basic information on foreign trade statistics, including metadata such as nomenclatures, classifications and derived products.

The objective of the proposed measures is to design and develop computer modules which will make it possible to improve access to and dissemination of information on trade nomenclatures and their various derived products (explanatory notes, key words, alphabetical indexes, transposition or correlation tables, etc.), in a coherent and user-friendly relational set.

It is primarily intended for users of foreign trade statistics who require access to statistical concepts and methods, but also, more specifically, for the administrations of the Member States which use and disseminate foreign trade classifications established at Community level (CN, nomenclature of countries and territories, etc.) and their by-products, and any person or organisation interested by the setting in computer file layout of nomenclatures and derived products.

Measures relating to the implementation of a network based on tools for the collection of information in the light of the latest technological advances in order to improve functions available to information providers

The 2001 work programme aims to develop the tools for collecting statistical information

The collection of data from companies and their initial treatment is a fundamental component of the external trade statistic system. One of the successes of the programme Edicom I was the development and implementation of collection tools for the Intrastat system used by a large number of companies (electronic forms IDEP/CN8 and IRIS, and Web forms). Owing to modifications of the technological environment, and in the light of the experience gained, the objective of the measures proposed during this first stage of the programme will be to:

- ensure the continuity and development of these tools by making the necessary technological and functional modifications,
- take into account new methodological requirements,
- take into account developments in message standardisation,
- ensure the promotion of modern collection tools.

Measures relating to the implementation of an integrated and interoperable network

The 2001 work programme will pursue the following objectives:

The Edicom programme has methodological, organisational, legislative and computer components which require a coherent, integrated and synergic approach. The following measures are therefore proposed for the first year:

1. *Development of an information system on methodology*

All methodological measures proposed must be coordinated to ensure their consistency and must aim at better integration of statistics on the trade of goods into the European statistical system. They must also be linked to existing methodology (including the *acquis communautaire*) and accompanied by teaching guides.

It is also proposed to start development of a comprehensive, coherent and consistent documentary base to support the overall project and enable the methodological information to be disseminated interactively in a user-friendly way using the latest technology.

2. *Analysis of the existing system*

The Edicom programme consists of a wide range of measures aimed at modernising and improving the trans-European network for the collection, production and dissemination of statistics on the trading of goods within the Community and between the Community and non-member countries. It is proposed from the start of the programme to undertake an analysis of all elements making up the existing network (its structure, standards, methods and processes, etc.) to ensure the consistency and synergy of the programme's measures and to examine the extent to which IDA generic services can be used. In conjunction with this measure and in anticipation of future needs, the memory facilities and functions of the software for disseminating external trade statistics (Comext) will be enhanced and training in the new functions will be provided to network users.

ANNEX II

EDICOM MEASURES — INDICATIVE COST BREAKDOWN

(EUR 1 000)

	Year 2001
Measures relating to the implementation of a higher-quality information network which is less costly and available more quickly, in line with the requirements of Community policy	
— Centralised measures:	1 556
— Measures to be taken in the Member States:	1 683
Belgium	167
Denmark	210
Germany	155
Greece	50
Spain	271
Italy	121
Luxembourg	4
Netherlands	84
Portugal	154
Finland	132
Sweden	115
United Kingdom	220
Measures relating to the implementation of an information network that is relevant and appropriate to users' changing needs, within the framework of Economic and Monetary Union and the international economic environment	
— Centralised measures:	481
— Measures to be taken in the Member States:	673
Belgium	19
Denmark	55
Germany	80
Greece	142
Italy	64
Austria	25
Portugal	28
Finland	86
Sweden	99
United Kingdom	75
Measures relating to the implementation of an information network better integrated into the general statistical system and adapted to developments in the administrative environment	
— Centralised measures:	531
— Measures to be taken in the Member States:	318
Germany	60
Greece	56
Italy	30
Portugal	79
Finland	63
Sweden	30

(EUR 1 000)

	Year 2001
Measures relating to the implementation of a network improving the statistical service provided to administrations and users and providers of data	
— Centralised measures:	1 038
Measures relating to the implementation of a network based on tools for the collection of information in the light of the latest technological advances in order to improve functions available to information providers	
— Centralised measures:	629
— Measures to be taken in the Member States:	1 155
Belgium	5
Denmark	29
Greece	148
Spain	91
France	73
Ireland	92
Luxembourg	6
Netherlands	268
Portugal	132
Finland	101
Sweden	102
United Kingdom	108
Measures related to the implementation of an integrated and interoperable network	
— Centralised measures:	1 220
Measures relating to technical and administrative assistance; support measures	630
Total	9 914

COMMISSION DECISION

of 29 June 2001

concerning certain protection measures relating to classical swine fever in Spain and repealing
Decision 2001/457/EC

(notified under document number C(2001) 1734)

(Text with EEA relevance)

(2001/491/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

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(3) thereof,

Whereas:

- (1) Outbreaks of classical swine fever have occurred in Spain.
- (2) In view of the trade in live pigs, these outbreaks are liable to endanger the herds of other Member States.
- (3) Spain has taken measures within the framework of Council Directive 80/217/EEC of 22 January 1980, introducing Community measures for the control of classical swine fever ⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden.
- (4) Pending the meeting of the Standing Veterinary Committee and in collaboration with the Member State concerned the Commission took interim protection measures by Decision 2001/457/EC ⁽⁴⁾ concerning certain protection measures relating to classical swine fever in Spain.
- (5) In the light of the evolution of the situation and following results of the epidemiological enquiries, it is necessary to adapt the interim measures and, forthwith, to repeal Decision 2001/457/EC.
- (6) This Decision is in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 47, 21.2.1980, p. 11.

⁽⁴⁾ OJ L 159, 15.6.2001, p. 41.

Article 1

1. Spain shall not dispatch pigs unless the pigs:
 - (a) come from an area outside the areas described in Annex I, and
 - (b) have been resident on the holding of origin for at least 30 days prior to loading, or since birth if less than 30 days of age, and
 - (c) come from a holding where no live pigs have been introduced during the 30-day period immediately prior to the dispatch of the pigs in question, and
 - (d) are transported directly to the holding or slaughterhouse of destination in officially sealed vehicles, without passing through an assembly centre. Transit through the area described in Annex I may only occur via major roads or railways, without any stopping of the vehicle.

2. Movements of pigs coming from areas outside the areas described in Annex I shall only be allowed following three days advance notification dispatched by the competent veterinary authority to the central and local veterinary authorities of the place of destination and any Member State of transit.

Article 2

1. Spain shall not dispatch porcine semen unless the semen originates from boars kept at a collection centre referred to in Article 3(a) of Council Directive 90/429/EEC ⁽⁵⁾ and situated outside the areas described in Annex I.
2. Spain shall not dispatch ova and embryos of swine unless the ova and embryos originate from swine kept at a holding situated outside the areas described in Annex I.

Article 3

1. The health certificate provided for in Council Directive 64/432/EEC ⁽⁶⁾ accompanying pigs sent from Spain must be completed by the following:

‘Animals in accordance with Commission Decision 2001/491/EC ⁽⁷⁾ of 29 June 2001 concerning certain protection measures relating to classical swine fever in Spain’.

⁽⁵⁾ OJ L 224, 18.8.1990, p. 62.

⁽⁶⁾ OJ 121, 29.7.1964, p. 1977/64.

⁽⁷⁾ OJ L 177, 30.6.2001, p. 90.

2. The health certificate provided for in Directive 90/429/EEC accompanying boar semen sent from Spain must be completed by the following:

‘Semen in accordance with Commission Decision 2001/491/EC of 29 June 2001 concerning certain protection measures relating to classical swine fever in Spain’.

3. The health certificate provided for in Commission Decision 95/483/EEC ⁽¹⁾ accompanying embryos and ova of swine sent from Spain must be completed by the following:

‘Embryos/ova ⁽²⁾ in accordance with Commission Decision 2001/491/EC ⁽³⁾ of 29 June 2001 concerning certain protection measures relating to classical swine fever in Spain’.

Article 4

Spain shall ensure that vehicles which have been used for the transport of pigs are cleaned and disinfected after each operation and the transporter shall furnish proof to the competent veterinary authority of such disinfection.

Article 5

Spain shall at eight day intervals provide to the Commission, for examination by the Standing Veterinary Committee, data

on the classical swine fever situation in the format indicated in Annex II.

Article 6

The Member States shall amend the measures they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 7

This Decision is applicable until 15 July 2001.

Article 8

Decision 2001/457/EC is repealed.

Article 9

This Decision is addressed to the Member States.

Done at Brussels, 29 June 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 275, 18.11.1995, p. 30.

⁽²⁾ Delete as appropriate.

⁽³⁾ OJ L 177, 30.6.2001, p. 90.

ANNEX I

In the Comunidad Autonoma de Cataluña: the Provinces of Lerida, Barcelona and Tarragona.

In the Comunidad Autonoma de Aragon: the comarcas of Binefar, Fraga, Tamarite de Litera in the Province of Huesca.

In the Comunidad Autonoma de Valencia: the Province of Castellón.

ANNEX II

CLASSICAL SWINE FEVER REPORT

Province:

Reporting period:

Province ⁽¹⁾	Pigs ⁽²⁾	Outbreaks		Suspected herd ⁽⁵⁾	Serology ⁽⁶⁾	
		Total ⁽³⁾	Last ⁽⁴⁾		Positive	Negative

⁽¹⁾ Province: name and animal disease notification system code.

⁽²⁾ Pigs: total pig population in Province.

⁽³⁾ Total: total number of outbreaks recorded since ... (reporting period).

⁽⁴⁾ Last: date of last outbreak recorded in ... (reporting period).

⁽⁵⁾ Suspected herd: number of suspected herds in accordance with the provisions of Article 4 of Directive 80/217/EEC in reporting period.

⁽⁶⁾ Serology: number of positive and negative samples examined during the reporting period.