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(Acts adopted pursuant to Title V of the Treaty on European Union)

COUNCIL JOINT ACTION
of 29 June 2001
concerning the appointment of the Special Representative of the European Union in the Former Yugoslav Republic of Macedonia

(2001/492/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14 and Article 18(5) thereof,

Whereas:

- (1) On 15 June 2001 the European Council declared that the European Union stands ready to build on progress made in the current talks and to engage further in facilitation of the political dialogue in the Former Yugoslav Republic of Macedonia. In this context it agreed to appoint, for a limited period of time, a representative of the EU, resident in Skopje, who will act under the authority of the High Representative.
- (2) For this purpose, the Council agreed on 25 June 2001 to appoint the candidate proposed by France.
- (3) In accordance with the guidelines on appointing procedure and administrative arrangements of EU Special Representatives adopted by the Council on 30 March 2000, Member States' and the Commission's missions can provide on request from their own resources appropriate and reasonable support to the mission of the Special Representative,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Mr François LEOTARD is hereby appointed EU Special Representative in the Former Yugoslav Republic of Macedonia.

Article 2

The mandate of the Special Representative shall be to act, under the authority of the High Representative, in the following areas:

- (a) establishing and maintaining close contact with the Government of the Former Yugoslav Republic of Macedonia and with the parties involved in the political process;
- (b) offering the EU's advice and facilitation in the political process;
- (c) liaising closely with the local Presidency, the Heads of Mission and the European Commission, as well as with the European Union Monitoring Mission (EUMM);

- (d) establishing and maintaining close contact with other relevant international and regional actors, including local representatives of NATO, OSCE and the UN with a view to ensuring the required coordination;
- (e) contributing, where requested, to the implementation of agreements reached;
- (f) following closely developments and initiatives in the field of security and liaising with all relevant bodies.

Article 3

1. Given the urgency of the situation, and exceptionally, most administrative expenditure of the Special Representative shall be covered by France.
2. The financial reference amount intended to cover any operational expenditure related to the mission of the Special Representative will be covered by a future decision of the Council in accordance with the guidelines adopted by the Council on 30 March 2000.

Article 4

The EU Special Representative shall submit regular reports on the implementation of his political mandate, on his own initiative or when requested, to the Council through the High Representative.

Article 5

1. This Joint Action shall enter into force on the day of its adoption. It shall expire on 29 October 2001.
2. This Joint Action shall be regularly reviewed.

Article 6

This Joint Action shall be published in the Official Journal.

Done at Brussels, 29 June 2001.

For the Council
The President
A. LINDH

COUNCIL DECISION

of 25 June 2001

implementing Joint Action 1999/878/CFSP with a view to contributing to the European Union Cooperation Programme for Non-proliferation and Disarmament in the Russian Federation

(2001/493/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 23(2) thereof,

Having regard to Council Joint Action 1999/878/CFSP of 17 December 1999 establishing a European Union Cooperation Programme for Non-proliferation and Disarmament in the Russian Federation ⁽¹⁾, and in particular Article 2(2) thereof,

Whereas:

- (1) This Decision is intended to implement Joint Action 1999/878/CFSP by making a financial contribution to projects under the European Union Cooperation Programme for Non-proliferation and Disarmament in the Russian Federation.
- (2) The Commission has agreed to be entrusted with the task of supervising the proper implementation of these projects.
- (3) The Union wishes to continue its support to the Russian Federation in her pursuit of a safe and environmentally sound dismantlement or reconversion of infrastructure, equipment and scientific capabilities linked to weapons of mass destruction,

HAS DECIDED AS FOLLOWS:

Article 1

In accordance with Article 2(2) of the Joint Action 1999/878/CFSP the following projects shall be included on the European Union Cooperation Programme for Non-Proliferation and Disarmament in the Russian Federation:

- support to the Russian Nuclear Safety Authority for developing the regulatory basis and documents for the disposition of weapons grade plutonium;
- support for studies and experimental studies for mixed oxides fuel (MOX) demonstration and licensing;
- a cooperative feasibility study for immobilisation of Russian waste containing weapons grade plutonium;

— support to the Russian Ammunition Agency to fulfil the Russian Federation's responsibilities under the Chemical Weapons Convention (CWC);

— support for infrastructure-building related to the destruction of nerve gases stored at the Shchuch'ye site.

A full description of the above activities is set out in Annexes I, II, III, IV and V respectively.

Article 2

1. The financial reference amount for the purposes referred to in Article 1 shall be EUR 6 080 000.
2. The management of the expenditure financed by the amount specified in paragraph 1 shall be subject to the procedures and rules of the Community applying to budget matters.

Article 3

The Commission shall report on the implementation of this Decision in accordance with the provisions of Article 3(1) of the Joint Action 1999/878/CFSP.

Article 4

1. This Decision shall take effect on the date of its adoption. It shall expire on the date of expiry of the Joint Action 1999/878/CFSP.
2. This Decision shall be reviewed within 12 months from the date of its adoption.

Article 5

This Decision shall be published in the Official Journal.

Done at Luxembourg, 25 June 2001.

For the Council
The President
A. LINDH

⁽¹⁾ OJ L 331, 23.12.1999, p. 11.

ANNEX I

SUPPORT TO THE RUSSIAN NUCLEAR SAFETY AUTHORITY (GOSATOMNADZOR) FOR DEVELOPING THE REGULATORY BASIS AND DOCUMENTS FOR THE DISPOSITION OF WEAPONS GRADE PLUTONIUM**1. Description****1.1. Background**

Under the US-Russia Intergovernmental Agreement of September 2000, each side will dispose 34 tonnes of weapons grade plutonium.

In the Russian Federation, it is the role of the independent Russian Nuclear Safety Authority to set these requirements, and to verify that they are met, before the license can be issued to allow the start of the activities. The independent Safety Authority is Gosatomnadzor (GAN) and its technical advisor the Scientific and Technical Centre (STC).

Under the Joint Action 1999/878/CFSP, EUR 500 000 were already earmarked to support the start of the development, by the GAN/STC, of first priority documents needed for the activities of plutonium disposition to take place. It was agreed that the project would be implemented under the French-German-Russian Agreement of 1998 and implemented by the CEA (Commissariat à l'Énergie Atomique), who would pass contracts with the GAN and experienced selected EU regulator(s) for drafting and reviewing the regulatory documents of concern.

In January 2001, during a meeting in Moscow, the list of 'level 3 documents' required for the plutonium disposition mission was presented by the GAN/STC and discussed. The 'level 3 documents' are federal regulations; they are complemented by 'level 4 safety guides' when needed. As a result of the Moscow meeting an updated list of regulatory documents required was provided by GAN. This list was further discussed in a meeting in Paris in March 2001 between the EU and the US, since each side had decided to contribute financially to support the GAN in its task.

The documents to be produced will specifically be drafted in the framework of the weapons grade plutonium (WGP) disposition mission. The outcome of the Moscow and Paris meetings constitutes the basis and justification for this continuation project, proposed here under the 2001 budget of the Joint Action 1999/878/CFSP.

1.2. Scope of activities to be performed under the project

Pursuant to pre-project consultations with the Russian and the US side, the EU will finance the drafting by GAN/STC of 12 to 16 necessary regulatory documents. The drafting by GAN/STC of remaining documents will be financed either by the United States Department of Energy (USDOE) or by the Russian Federation, with no overlap between the partners' efforts. The EU will also finance the review of documents by selected EU Regulator(s).

2. Objective**Overall objective**

To develop a regulatory base for the safe disposition of WGP disposition in the Russian Federation.

Project purpose

To establish the regulatory documents by the GAN defining the safety requirements and serving as a basis to support the licensing process of the installations and activities which are specifically foreseen for the plutonium disposition mission.

Project results

The quantifiable outcome of the project is the regulatory documents produced by GAN/STC, commented by the selected EU Regulator(s). The final payment to GAN/STC will occur only when the documents are formally approved by GAN.

3. Duration

The first contract with GAN/STC for the first documents (under the existing budget commitments) is expected to be signed in July 2001.

The Financing Agreement between the European Commission and the Implementing Agency for the implementation of this project is expected to be signed in the second half of 2001. The follow-up contracts between the Implementing Agency and the GAN/STC and the EU regulators under the 2001 budget are expected to be signed at the end of 2001.

The expected duration for the full drafting, review and implementation work is two years. The project shall terminate by the expiry date of the Joint Action 1999/878/CFSP on 4 June 2003.

The evaluation of the work is proposed six months after the contract with GAN/SEC has been signed.

4. Beneficiary

The GAN is the beneficiary of the project. The technical work is envisaged to be completed by its technical advisory staff under direct contract with the EU Implementing Agency. The GAN will have to endorse the work before the final payment will be made. The GAN will nominate from its organisation a high ranking official contact person for the project (not financed by the project), having sufficient capacity and explicit responsibility for ensuring an efficient cooperation with the implementing agency. This would facilitate access to information required for the successful implementation of the project.

5. Entity to be charged with the material and financial execution

Because this project is a continuation and an extension of the project financed under the EU 1999 and 2000 budgets, the same implementation scheme is proposed:

- financial Agreement between the European Commission and the French Ministry of Foreign Affairs;
- delegation of the material and financial execution from the French Ministry of Foreign Affairs to the CEA as Implementing Agency;
- direct contracts with the GAN/STC staff for the work to be performed by the Russian side and direct contracts with the selected experienced EU Regulator(s) for the review work.

6. Third party contributor

As mentioned, the USDOE will finance a part of the drafting effort of the regulatory documents by GAN/STC; 10 to 12 documents will be financed by the USDOE.

A very close coordination has been established between the US and EU sides on this specific topic, which will prevent duplication and ensure full complementarity. Similar approaches will be followed in contracting the work to GAN/STC.

7. Required means

Based on the US evaluation, the person-power required by GAN for the drafting of one document is on average of the order of eight person-months, including first draft and inclusion of comments. In addition there will be some secretarial and management overhead costs. This figure is only an estimate and depends on the scope of each and every document.

The EU will finance 12 to 16 documents, or more if deemed appropriate.

The EU would also finance the review of 38 documents by the selected EU Regulator(s). The review would take two person-weeks on an average basis.

The documents produced by GAN/STC will be in Russian. Translations will be needed into English.

Some meetings and corresponding travel costs might also be necessary in order to clarify specific points.

8. Financial reference amount to cover the costs of the project

Budget: EUR 1 300 000

This amount should cover the completion of the work of drafting, reviewing and bringing into force the 38 regulations, proposed by GAN, assuming the US and Russian financing is forthcoming as expected.

Detailed terms of reference will be negotiated with the different contractors involved.

ANNEX II

**SUPPORT FOR STUDIES AND EXPERIMENTAL STUDIES FOR MIXED OXIDES FUEL (MOX)
DEMONSTRATION AND LICENSING****1. Description****1.1. Background**

Under the US-Russian Intergovernmental Agreement of September 2000, each side will dispose 34 tonnes of weapons grade plutonium (WGP). The Russian Federation has declared its intention to implement its commitments by transforming the WGP into the form of MOX fuel for reactors. Before this can happen, a certain number of studies and experiments have to take place to demonstrate the feasibility and serve as the basis for the licensing process.

The overall programme for MOX demonstration was elaborated by the Bochvar Institute and approved by the Minatom on 16 October 2000, and accepted by the Safety Authority Gosatomnadzor (GAN), Mr Dmitriev on the 18 October 2000. The cost of this programme was estimated by the Russian side at USD 33 000 000.

It is proposed that the EU continue to concentrate on two required studies and experiments:

The first of these involves the testing of three LTAs (lead test fuel assemblies) in a Russian VVER reactor (Balakovo). As it concentrates on the fuel aspects up to three LTAs, this study is also referred to as the '3 LTAs programme'.

The second EU study is dedicated to the reactor aspects, including the studies and experiments required to validate the calculation codes used for safety studies.

Both these programmes are critical for the timely implementation of the WGP disposition mission and necessary steps in the safety and licensing process of the use of MOX fuel in Russian reactors.

Under the EU Joint Action 1999/878/CFSP, EUR 1 300 000 has been allocated to the launch of the above programmes.

- EUR 1 000 000 was allocated for the financing of the design and construction of the experimental facility needed to perform the tests to validate the calculation codes to be used to demonstrate the safety of using of MOX in VVERs. The decision to go ahead with this part of the project was nevertheless depending on the demonstration, through a small feasibility study, of the need to build such a facility;
- EUR 300 000 was allocated for the financing of the very first steps of the MOX fuel demonstration programme developed by the Bochvar, with an option for more steps for an additional EUR 1 000 000, should the experimental facility mentioned above appeared not to be required at this early stage of the experimental programme.

The present project proposes to continue the financing of further steps of the MOX demonstration programme developed by Bochvar, approved by Minatom and accepted by GAN. The implementation will follow one of two possible tracks, depending on whether it is decided that a critical facility should be built in order to carry out the necessary experiments.

The safe, secure and technologically sound implementation of the Russian pledges regarding the disposition of WGP is a priority issue under the Joint Action. This project is justified as being necessary in this perspective. The project should start without delay to respect the destruction schedules mentioned in the US-Russian Agreement of September 2000.

The Council will be informed in due course whether the project can be carried out as foreseen in point 2.2 in the terms of reference of the Joint Action 1999/878/CFSP or whether the alternative strategy, outlined in Annex II to the contract between the European Commission and the French Implementing Agency is selected on the basis of a feasibility study.

1.2. Scope of activities to be performed under the project

- (a) In case the critical facility for code validation is needed and will use the EUR 1 000 000 of the 1999 and 2000 budgets, EUR 300 000 from the 2000 budget will be used for the three first steps out of the '3 LTA programme'. The present project of EUR 1 500 000 will then complement the financing of further steps of the '3 LTA programme'.

Identified steps in the '3 LTA programme' covers:

- technical specifications for the fuel assemblies, and the drafting of the technical documentation for the draft design of the MOX ampoules and the short rods;
 - technical documentation for the preliminary design of the MOX ampoules, technical documentation for the preliminary design of the short rods;
 - definition of acceptance criteria for normal/abnormal/accidental transients analysis;
 - development of irradiation programme in test reactors MIR/BIGR;
 - development of Post Irradiation Experiments programme;
 - technical Specification for the VVER 1000 pilot rod fabrication;
 - identification of reactor facilities and plant modifications for loading the pilot fuel assemblies;
 - fabrication of MOX fuel ampoules and short rods for their irradiation in the MIR and BIGR reactors;
 - modernisation of the equipment and modification of the analytical control procedure.
- (b) In the case where the critical facility for code validation will not be built at this stage, EUR 1 300 000 of the 1999 and 2000 budgets will be entirely reserved for the MOX fuel demonstration programme and will finance several steps in the '3 LTA programme'.

The present project will then finance additional activities:

- preparation of the MOX fuel pellets fabrication line;
- modernisation and preparation of a processing line for fabrication of ampoules and short rods;
- development of technical specifications and designing of a facility for fabrication of pilot fuel rods for the 3 LTAs;
- preparation of documents to get the licenses;
- development of tech specs for VVER1000 pellet and rod fabrication area;
- development of tech spec for the equipment;
- design of the equipment and the fabrication area.

2. Objectives

Overall objective

To have further developed, building on the results of the component 2 of the plutonium disposition project, the capacity for plutonium destruction in Russian reactors.

Project purpose

To have produced studies and experiments to demonstrate the feasibility of plutonium disposition in the form of MOX fuel for reactors, preparing for the placing of three Lead Test Assemblies in a VVER reactor in Balakovo.

The present project has selected a number of specific priority steps out of the '3 LTA programme', taking into account the time frame of the present Joint Action 1999/878/CFSP (to end on 4 June 2003).

Project results

Outputs (e.g. reports, installed equipment) of different activities are described in point 1.2.

3. Duration

The activities have been selected out of the '3 LTA programme' so as to make it possible to implement them before the 4 June 2003 expiry date for the Joint Action 1999/878/CFSP. Assuming the Financial Agreement between the European Commission and the Implementing Agency is signed in the second half of 2001, the planned duration for the project implementation is 18 months.

An intermediary review will take place six months after placing the first implementation contract, in order to evaluate the effectiveness and take corrective measures if required.

4. Beneficiary

Minatom of the Russian Federation is the beneficiary of this project. Minatom will nominate from its organisation a high ranking official contact person for the project (not financed by the project), having sufficient capacity and explicit responsibility for ensuring an efficient cooperation with the implementing agency. This will in particular ease access to information required for the successful implementation of the project.

5. **Entity to be charged with material and financial execution**

This project is a continuation and an extension of the project financed under the 1999 and 2000 EU budgets. The same implementation scheme is proposed:

- financial Agreement between the European Commission and the French Ministry of Foreign Affairs.
- delegation of the material and financial execution from the Ministry of Foreign Affairs to the CEA as Implementing Agency.
- contracts placed by the CEA following the rules described in the Financial Agreement for the 1999 and 2000 budgets. In case of call for tender the European Commission rules will be followed.

6. **Third party contributor**

The CEA will be responsible to ensure full coherence and avoid duplication with activities financed under the French-German-Russian trilateral and the US-Russian bilateral programmes.

7. **Required means**

The details in terms of required person-power and equipment costs would only be provided after a thorough review of the Russian figures by the Implementing Agency. The figures used at this stage were estimated by the Russian side.

8. **Financial reference amount to cover the costs of the action**

Based on the Russian figures provided in the '3 LTAs programme' the project, regardless of whether a critical facility is deemed appropriate, is estimated at EUR 1 500 000. These funding amounts are complementing the EUR 1 300 000 already committed under the 1999 and 2000 budgets.

ANNEX III

COOPERATIVE FEASIBILITY STUDY FOR IMMOBILISATION OF RUSSIAN WASTE CONTAINING WEAPONS GRADE PLUTONIUM**1. Description****1.1. Background**

The US-Russian Intergovernmental Agreement of September 2000 had brought to the forefront the great challenges posed by the existence of large supplies of weapons grade plutonium (WGP), and how to dispose of these. The United States is planning to use a mixture of the MOX method and immobilisation to handle its share of 34 metric tonnes of WGP. The Russian Federation has stated its intention of using the MOX method to handle the first 34 tonnes to be submitted under the US-Russian Agreement. It is clear that the technology will play an important part within the framework of the Agreement. The Russian Federation is interested in researching the best possible uses for the immobilisation technology, different technological options and ways and means of making disposition irreversible. Some cooperation is ongoing between Russian and German scientists.

The European Commission Joint Action Team hosted a preparatory project development meeting in Brussels on 19 April 2001 that was attended by experts from Germany (GRS), Belgium (Belgonucléaire and Ondraf), United Kingdom (UKAEA), Sweden (FOI) and France (CEA). After an introduction by the Commission, the German representative gave an overview of the initial discussions, which have taken place between German and Russian experts, and provided a preliminary proposal for a possible project, based on these bilateral talks. It was noted that two sources of Russian waste containing WGP were most likely to be subject to immobilisation, namely, (1) sludge and (2) waste produced in the production of MOX fuel respectively.

Sludge: According to Russian sources, 15 tonnes of waste/sludge containing up to 1,2 tonnes of WGP, uranium and other material are stored in the Russian Federation. The EU could work to determine more precisely the content and form of this waste, as a basis for developing a disposition strategy.

In this context, the EU could carry out a multi-attribute study determining the best option on the basis of weighting parameters such as the environmental impact, the proliferation risk and the cost.

MOX waste: In the process of converting the WGP from metallic to oxide form and in the process to fabricate the MOX fuel, some wastes will be produced which will contain traces of WGP. This waste could also be immobilised.

Justification

The disposition of WGP in the Russian Federation is a priority for the EU under the Joint Action, and it is carrying out a series of studies and experimental studies in this field. Immobilisation will likely play a part in the future mix of technologies for plutonium disposition, notably in the context of sludge and MOX waste and the EU has a clear interest in carrying out a project in this field.

1.2. Scope of activities to be performed under the project

A project meeting between the EU expert group and the Russians to determine the focus and in particular what type of waste should be the main target of the immobilisation study.

In case of sludge:

Characterisation of the plutonium containing sludge (specification of plutonium and uranium content and isotopic composition, content of fission products, range of activity and radiation level, physical and chemical composition etc.); Characterisation of the vessels/containers (location of the storage sites, type and number of the storage vessels/containers, design characteristics, systems foreseen for sludge removal and tank cleaning, needed shielding, etc.); Feedback regarding experience with the storage (potential contamination due to leaks or mishandling, other safety related occurrences, specific technical features, etc.); Development of an approach for a strategy on how to handle this waste (establishment of model — multi-attribute or other — to be able to judge pros and cons of different handling methods and to select the best one).

In case of MOX waste:

Exchange of information and preliminary design of methods and techniques to handle the conversion and MOX fabrication process wastes containing traces of WGP.

2. Objectives**Overall objective**

The Russian Federation has increased capacity for proliferation-resistant immobilisation of WGP, through a first cooperative project involving EU and Russian experts.

Project purpose

The Russian Federation has the capacity to use immobilisation methods and techniques for proliferation-resistant disposition of plutonium, in line with safety and environmental standards comparable to those used in Europe.

Project results

A document effectively used by the Russian Federation, containing a strategy to handle plutonium containing wastes.

3. **Duration**

One year.

4. **Beneficiary**

Minatom of Russia will be the beneficiary of the project. Minatom will nominate from its organisation a high ranking official contact person for the project (not financed by the project), having sufficient capacity and explicit responsibility for ensuring an efficient cooperation with the implementing agency. This will in particular ease the access to the information required for the successful implementation of the project.

5. **Entity to be charged with the material and financial execution**

Through a bilateral Agreement between Germany and the Russian Federation (to be confirmed).

The members of the EU expert group on immobilisation are expected to play the role of either a contractor or, collectively, as a project steering group.

6. **Third party contributor**

Some studies have already been performed in the field of immobilisation between the US and Russian experts. These studies will be analysed at the start of the project.

The International Atomic Energy Agency (IAEA) Contact Expert Group on Waste Sites has collected a lot of information on the radioactive wastes in the Russian Federation. Contact will also be taken.

In the case of MOX waste, complementarity will be ensured with the projects ongoing under the French-German-Russian Agreement and concerning the development and design of technologies related to the conversion and MOX fabrication facilities.

7. **Required means**

Financing of meetings

EU contractor: six person-months

Russian actors: two person-years

8. **Financial reference amount to cover the cost of the action**

Budget: EUR 400 000.

ANNEX IV

SUPPORT TO THE RUSSIAN AMMUNITION AGENCY (RAA) TO FULFIL THE RUSSIAN FEDERATION'S RESPONSIBILITIES UNDER THE CHEMICAL WEAPONS CONVENTION (CWC)**1. Description***1.1. Background*

In October 2000, the Russian Ammunition Agency (RAA) took over the responsibility for chemical weapons destruction from the Ministry of Defence. The Chemical Weapons Convention (CWC) calls for the total destruction of the 40 000 tonnes of chemical weapons agents stored in the Russian Federation before 2007, with a possible extension for five years up to 2012. The financial costs for this have been estimated at some USD 6 billion.

Until now only the plant in Gorny is under construction. Realistic start-up time is at the end of 2002. In Shchuch'ye, design is under way, but the construction of the destruction facility has not yet started. The US funding for Shchuch'ye was frozen by the US Congress in 1999, pending different conditions to be met, including ensuring the successful outcome of the overall exercise, which includes improving management capabilities at the responsible Russian agency and increasing co-financing by the Russian Federation and other states.

European support so far has been limited compared with the US announced figures. It seems nevertheless that there is a new impetus from the European side, but still limited compared to the overall financial needs mentioned above. For the year 2001, the Russian Federation has committed USD 100 000 000, which is six times more than in the previous years and more than what the US Congress has set as a condition for deciding to overturn their decision to freeze the funds to Shchuch'ye. On the Russian side a State Committee on chemical weapons destruction has been created under the leadership of Mr Kirienko to facilitate the coordination of organisations at local level. It will support the RAA in its implementation responsibility.

The RAA comes into the picture at a very difficult time, when the deadlines of the CWC are not met and when the international community is rethinking its financial support. It will have to be able to build both a global and detailed view of programmes and projects, based on a realistic and credible technical and financial approach. It will have to, with the help of the newly created State Committee, coordinate the Russian organisations involved at federal, regional and local level. It will also have to inform and communicate with the international community to foster possible further more extensive financial contributions, without which the implementation of the CWC in the Russian Federation will seriously be put in jeopardy.

1.2. Scope of activities to be performed under the project.

To provide technical assistance to the RAA in order to help reinforce its capabilities in two domains:

(i) Interaction with external contributors

- coordination of the different assistance projects provided by the international community;
- translation of Russian priorities and plans for chemical weapons destruction into projects and programme documents as a basis for technical cooperation with the international community, using modern project management tools for:
 - objective-oriented programming and planning
 - realistic cost evaluation and budgeting
 - programme and projects management.

(ii) Communication with local actors

- provision of assistance in ways and means of communicating with the public opinion in the regions of concern, in collaboration with regional and local authorities.

The assistance will be provided in the form of consulting support in the domains indicated above. This will include a training phase mainly focused on practical work on real programmes and projects. After the training phase, agreed priority task assignments will be given to selected staff members of the RAA. Support will be provided by the consultant for the realisation of the tasks. The selected tasks will be directly related to the priorities of the Russian programme. One of the tasks will be the preparation of a document by the RAA, presenting the global complete planning and costing of all the activities to be performed in the Russian Federation for the implementation of the CWC requirements. This document will constitute a justified common base for the further contacts between the RAA and the international community.

The need for appropriate tools to improve the RAA's capabilities of programming, planning, costing and budgeting, communicating in the specific domain of chemical weapons destruction will be evaluated by the consulting firm. Priority elements of these tools will be purchased and delivered.

2. Objectives

Overall objective

The RAA will have assumed its responsibilities for chemical weapons destruction, in line with Russia's commitments and obligations as a party to the CWC. Thereby the project will have strengthened the management of the destruction process in the Russian Federation.

The project does not reduce or replace the exclusive responsibility of the Russian Federation for CWC implementation, but reinforces the Russian Federation's own capabilities to fulfil her responsibilities.

The project will help to ensure the effectiveness of present and future European assistance projects in this field, increase European visibility and increase the understanding between the Russian Federation and the EU regarding Russian modes of operation in the chemical weapons destruction sector. The project therefore perfectly complements ongoing EU projects on the sites of chemical agent destruction and meets the objectives of the Joint Action 1999/878/CFSP.

Project purpose

The RAA shall increase its capacity of interaction with external contributors and communication with local actors.

Project results

1. Document presenting a complete global planning and costs of implementation of the Russian Federation's obligation according to the CWC, with regard to the destruction of chemical weapons.
2. The RAA and its staff are able to use effectively its programming, planning, costing and budgeting tools.

3. Duration

The estimated duration of the project is one year.

The project is expected to start during the first quarter of 2002. The project shall terminate by the expiry date of the Joint Action 1999/878/CFSP (June 2003).

An analysis of the effectiveness of the implementation will be performed six months after the beginning of the project. This will lead to a decision whether to continue or to redefine the project.

4. Beneficiary

The RAA is the beneficiary of this project. Its staff will be directly involved in the implementation of the project. The RAA will nominate from its organisation a high ranking official contact person for the project (not financed by the project), having sufficient capacity and explicit responsibility for ensuring an efficient cooperation with the implementing agency. Access to information and facilities required for the successful outcome of the project will be ensured.

5. Entity to be charged with material and financial execution

The project will be implemented under the umbrella of a Financial Agreement between the European Commission and the Swedish Ministry of Foreign Affairs (to be confirmed). If needed, the Swedish Ministry of Foreign Affairs may delegate, under its responsibility, the implementation to a Swedish Implementing Agency who will then be responsible for the operational and financial execution. The work will be contracted to an expert EU contractor. The EU contractor must combine an expertise in analysis, organisation and management of complex industrial projects in the Russian Federation, specific technical knowledge of the chemical sector. The EU contractor must be able to communicate in the Russian language with its counterparts. The EU contractor will be selected on the basis of a call for tender following European Commission rules and procedures for public procurement. The EU contractor will subcontract a part of the work to local Russian experts on the basis of an agreed work scope (tasks assignments mentioned before) and plan for the project (time schedule with clear indications of deliveries to trigger payments). The local experts may be from the RAA.

6. Required means

A budget of 12 months for the EU technical assistance.

On the Russian side, the equivalent of three persons should be occupied full time on this project and financed by the EU consultant (subcontract).

Computer hardware and software required to perform the tasks will be defined, purchased and extensively used during the project. The material will be left at the RAA at the end of the project.

Some other justified priority tools might be purchased according to the availability of budget.

7. Financial reference amounts to cover the costs of the action

Estimated budget:

- EUR 500 000 for the person-power (EU contractor and sub-contracts).
 - EUR 200 000 for the equipment/tools.
-

ANNEX V

SUPPORT FOR INFRASTRUCTURE-BUILDING RELATED TO THE DESTRUCTION OF NERVE GASES AT THE SHCHUCH'YE SITE**1. Description****1.1. Background**

In October 2000, the Russian Ammunition Agency took over the responsibility for chemical weapons destruction from the Ministry of Defence. The Chemical Weapons Convention (CWC) calls for the total destruction of the 40 000 tonnes of chemical weapons agents stored in the Russian Federation before 2007, with a possible extension for five years up to 2012. The financial costs for this have been estimated at some USD 6 billion. Up to now only the plant in Gornyy has been under construction. Realistic start-up time is at the end of 2002. In Shchuch'ye, design is under way, but the construction of the destruction facility has not yet started. The US funding in Shchuch'ye has been frozen by the US Congress in 1999, pending different conditions to be met, including ensuring the successful outcome of the overall exercise, which includes improving management capabilities at the responsible Russian agency and increasing and co-financing by the Russian Federation and other states.

European support so far has been limited compared with the US announced figures. It seems nevertheless that there is a new impetus from the European side, but still limited compared to the overall financial needs mentioned above. For the year 2001, the Russian Federation has committed USD 100 000 000, which is six times more than in the previous years and more than what the US Congress has set as a condition for deciding to overturn their decision to freeze the funds to Shchuch'ye. Within the EU, Germany and the Netherlands nationally, as well as the EU, are active at Gornyy. Italy has started a project in Shchuch'ye, and the UK and Sweden, as well as the EU have declared their willingness to launch project on that site, not least in order to ensure visibility and to augment the impact of the US-Russian efforts. The EU will launch a project for the critical industrial infrastructure necessary for the chemical weapons destruction in Shchuch'ye, complementing the activities financed by other international actors.

State of play in Shchuch'ye

The United States have been active in the Shchuch'ye site for many years and are finalising the design of the plant for the destruction process of nerve agents (USD 229 000 000 contributed so far). Later in the spring the US will start the construction work (piling, foundation etc.) at the site. In cooperation with the Russian authorities, the US have listed necessary infrastructure projects (e.g. transportation, gas, electricity, water) that are needed for the destruction plant.

So far a number of countries have supported or will support the Shchuch'ye site with different industrial infrastructure projects needed for the destruction plant:

- Canada (to complement the US funding regarding design studies for a road — USD 100 000)
- Italy (part of a gas pipeline — USD 7 700 000)
- the UK (electricity/water supply or railway — around USD 12 000 000 over three years)
- Sweden (not yet decided, maybe a dedicated telecommunication system — announced USD 1 000 000)
- Denmark (USD 120 000)
- Norway (to supplement the US funding — USD 1 000 000)

The EU project will help build critical industrial infrastructure necessary to enable chemical weapons destruction at Shchuch'ye.

Justification

There are several compelling arguments why the EU should expand its activities in chemical weapons destruction to also include the Shchuch'ye site:

The Gornyy site contains old chemical blister agents (lewisite) stored in bulk. This is an important site since this will be the first site where actual destruction can be initiated. However, it is of utmost importance that the more modern chemical nerve agents stored in projectiles are also destroyed since they are more relevant with regard to a risk of proliferation. The EU has a clear interest in making sure that this will happen and visibly in the context of destruction of modern chemical weapons. It would be wrong for the EU to only concentrate on outdated and less weapons-ready substances.

The Russian Federation clearly assigns the highest priority to the construction of destruction plants at the chemical weapons storage sites at Gorny and Shchuch'ye. Gorny will serve as a pilot case for destruction of old lewisite supplies, to be followed by destruction at the larger, Kambarka site. Accordingly, international support is being focussed on — and in some cases redirected to — these two sites in order to correspond to the priorities set by the Russian Federation in order to meet international commitments and obligations.

Furthermore, the United States is deeply involved financially and technically in Shchuch'ye. However, the US is not in a position to push implementation of necessary infrastructure projects, since their funding is strictly for projects within the Industrial Area for the Destruction Facility ('inside the fence') and therefore cannot be used for industrial infrastructure projects needed to allow the destruction facility to operate. If US support can be supplemented by the EU support, there are obvious synergies. Furthermore, the EU should also be visible in connection with nerve gas destruction.

1.2. *Scope of activities to be performed under the project*

The EU would make a contribution towards the completion of a necessary infrastructure project in order to enable operation of a nerve agents destruction facility at Shchuch'ye. This could be a road, supply of electricity or water, a railway or a pipeline.

- A 4-kilometre road to the destruction site would be built as a stand-alone project by the EU. The cost estimate for such a road amounts to USD 2 450 000. The Russian Federation and Italy have indicated that the cost might be reduced. Design of the road exists and can be performed by local firms.
- Through the UK-Russia project the EU would contribute to the supply of electricity and/or water, or to a railroad to transport the agents from the storage site to the destruction plant.
- Through the Italy-Russia project the EU would finance a substantial part of the gas pipeline, the rest of which is to be financed by Italy and the Russian Federation.

As of today, the situation in terms of agreements with the Russian Federation are as follows:

- Italy has concluded an implementation framework agreement by delegating full implementation to the Russian Ministry of Defence.
- An agreement is in development between the UK and the Russian Ammunition Agency, but might take some time before conclusion.

2. **Objectives**

Overall objective

The Russian Federation has obtained increased capacity to destroy chemical weapons. The project also ensures a visible presence for the EU, alongside some of its Member States, on the Shchuch'ye site. As a result of implementing this project, the EU will be the sole entity active on both Gorny and Shchuch'ye and plays a prominent role in the chemical weapons field, also its specific project in support of the Russian Ammunition Agency.

Project purpose

To have constructed a critical infrastructure support component of a plant designed for the destruction of modern chemical agents.

Results of the project

Construction of the access road, delivery/installation/test of electrical or water supply or railroad equipment/construction of a part of the gas pipeline.

3. **Duration**

Expecting a start of the project in the first half of 2002, the duration is maximum 18 months, with an end no later than the 4 June 2003, on the date of expiry of the Joint Action 1999/878/CFSP.

4. **Beneficiary**

The RAA is the beneficiary of this project. The RAA will nominate from its organisation a high ranking official contact person for the project (not financed by the project), having sufficient capacity and explicit responsibility for ensuring an efficient cooperation with the implementing agency. That will facilitate access to information necessary for the successful execution of the project.

5. Entity to be charged with material and financial execution

The preferred way is for the European Commission to sign a Financial Agreement with a Member State having an existing (or under development) bilateral Agreement with the Russian Federation for the implementation of an infrastructure project at Shchuch'ye.

The Member State nominates an Implementing Agency to manage the material and financial execution of the project, following the European Commission rules and procedures, as appropriate.

Work would be mostly performed by the Russian contractors. If needed, the technical supervision of the work could be delegated to an EU contractor. Equipment could be purchased in the EU or in the Russian Federation.

6. Third party contributors/participants

The project will be implemented under the umbrella of a Financial Agreement between the European Commission and the Foreign and Commonwealth Office (FCO) of the United Kingdom (to be confirmed). If needed, the FCO of the United Kingdom may delegate, under its responsibility, the implementation to a UK Implementing Agency who will then be responsible for the operational and financial execution. The work will be contracted to an expert EU contractor.

7. Required means

To be further determined subject to the selected project.

8. Financial reference amounts to cover the costs of the project

Budget: EUR 2 000 000 (full financing of the road, partial financing of the electricity/water; railroad/gas pipe projects).

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1333/2001
of 2 July 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 3 July 2001.

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

Done at Brussels, 2 July 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 2 July 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	80,9
	999	80,9
0805 30 10	388	64,0
	528	70,5
	999	67,3
0808 10 20, 0808 10 50, 0808 10 90	388	91,9
	400	113,2
	508	91,9
	512	91,6
	524	61,7
	528	75,7
	720	145,4
	804	101,0
	999	96,6
	052	200,7
0809 10 00	999	200,7
	052	334,4
0809 20 95	064	192,1
	066	151,9
	068	143,5
	400	327,1
	616	289,0
	999	239,7
	624	238,5
	999	238,5
0809 40 05		

⁽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 1334/2001
of 2 July 2001
concerning the provisional authorisation of a new additive in feedingstuffs
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾, as last amended by Commission Regulation (EC) No 2697/2000 ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) Directive 70/524/EEC provides that new additives may be authorised following the review of an application made in accordance with Article 4 of the Directive.
- (2) Article 9e(1) of the Directive provides that provisional authorisation of a new additive may be given if the conditions of Article 3a(b) to (e) of the Directive are satisfied and if it is reasonable to assume, in view of the available results, that when used in animal nutrition it has one of the effects referred to in Article 2(a). Such provisional authorisation may be given for a period up to four years in the case of additives referred to in Part II of Annex C to the Directive, including growth promoters.
- (3) Article 2(aaa) of Directive 70/524/EEC requires authorisations for growth promoters to be linked to the person responsible for putting them into circulation
- (4) The assessment of the dossier submitted in respect of the authorisation of potassium diformate belonging to the group of 'Growth promoters' described in the Annex shows that it satisfies the abovementioned conditions and may therefore be authorised on a provisional basis for a four-year period.

- (5) The assessment of the dossier shows that certain procedures may be required to protect workers from exposure to the additive. Such protection should however be assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work ⁽³⁾.
- (6) The Scientific Committee for Animal Nutrition has delivered a favourable opinion with regard to the safety for animals, users, consumers and the environment of the growth promoter under the conditions described in the said Annex.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS REGULATION:

Article 1

The additive belonging to the group 'Growth promoters' listed in the Annex to the present Regulation is provisionally authorised for use as an additive in animal nutrition under the conditions laid down in that Annex.

Article 2

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.

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

Done at Brussels, 2 July 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 270, 14.12.1970, p. 1.

⁽²⁾ OJ L 319, 16.12.2000, p. 1.

⁽³⁾ OJ L 183, 29.6.1989, p. 1.

ANNEX

Registration number of additive	Name and registration number of person responsible for putting additive into circulation	Additive (trade name)	Composition, chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						(mg of active substance /kg of complete feedingstuff)			
Growth promoters									
1	Norsk Hydro Ltd	Potassium diformate (Formi™ LHS)	Additive composition: Potassium diformate, solid 98 g/ 100 g, Silicate 1,5 g/100 g, Water 0,5 g/100 g	Piglets	2 months	6 000	6 000	—	30.6.2005
			Active substance: Potassium diformate, solid KH(COOH) ₂ CAS No 20642-05-1	Pigs for fattening	—	6 000	6 000	—	30.6.2005

COMMISSION REGULATION (EC) No 1335/2001
of 2 July 2001
amending Regulation (EEC) No 2921/90 on aid for the production of casein and caseinates from skimmed milk

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 15 thereof,

Whereas:

- (1) Article 2(1) of Commission Regulation (EEC) No 2921/90 ⁽³⁾, as last amended by Regulation (EC) No 502/2001 ⁽⁴⁾, sets the aid for skimmed milk processed into casein or caseinates. Given the market trend for these products and that for skimmed milk powder, the aid should be decreased.

- (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

In Article 2(1) of Regulation (EEC) No 2921/90 'EUR 4,40' is replaced by 'EUR 3,80'.

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, 2 July 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 279, 11.10.1990, p. 22.

⁽⁴⁾ OJ L 73, 15.3.2001, p. 15.

COMMISSION REGULATION (EC) No 1336/2001**of 2 July 2001****amending Regulation (EC) No 2300/97 on detailed rules to implement Council Regulation (EC) No 1221/97 laying down general rules for the application of measures to improve the production and marketing of honey**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1221/97 of 25 June 1997 laying down general rules for the application of measures to improve the production and marketing of honey ⁽¹⁾, as amended by Regulation (EC) No 2070/98 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2300/97 ⁽³⁾, as last amended by Regulation (EC) No 704/2001 ⁽⁴⁾, lays down provisions for the implementation of measures to improve the production and marketing of honey.
- (2) There have been changes to the number of hives in the Member States' communications to update the structural data on the situation in the sector as provided for in Article 1(a) of Regulation (EC) No 2300/97. As a result, Annex I to that Regulation should be amended.
- (3) Article 2(2) of Regulation (EC) No 2300/97 lays down a final date for implementation of measures under annual programmes. As a result, the new Annex I is to apply

for the first time to the annual programmes covering the 2001/02 marketing year.

- (4) 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

Annex I to Regulation (EC) No 2300/97 is replaced by 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 for the first time to the annual programmes covering the 2001/02 marketing year.

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

Done at Brussels, 2 July 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 1.7.1997, p. 1.

⁽²⁾ OJ L 265, 30.9.1998, p. 1.

⁽³⁾ OJ L 319, 21.11.1997, p. 4.

⁽⁴⁾ OJ L 98, 7.4.2001, p. 14.

ANNEX

ANNEX I

Member State	No of hives
B	100 000
DK	155 000
D	899 000
GR	1 380 000
E	2 238 064
F	1 446 900
IRL	20 000
I	1 100 000
L	10 213
NL	80 000
A	363 967
P	632 500
FIN	42 000
S	145 000
UK	200 000
EUR-15	8 812 644'

**COMMISSION REGULATION (EC) No 1337/2001
of 2 July 2001
amending 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) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 1301/2001 ⁽⁵⁾.

- (2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1301/2001,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1301/2001 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 3 July 2001.

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

Done at Brussels, 2 July 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.

⁽⁵⁾ OJ L 177, 30.6.2001, p. 3.

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	14,02	4,02
1003 00 10	Barley, seed	14,02	4,02
1003 00 90	Barley, other ⁽³⁾	14,02	4,02
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	38,73	28,73

⁽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

(for 29 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 (**)	120,87 (**)
Gulf premium (EUR/t)	—	19,10	5,29	11,70	—	—	—
Great Lakes premium (EUR/t)	26,29	—	—	—	—	—	—

(*) A discount of EUR 10/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: 32,13 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 DIRECTIVE 2001/48/EC**of 28 June 2001****amending the Annexes to Council Directives 86/362/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals and certain products of plant origin, including fruit and vegetables respectively****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals ⁽¹⁾, as last amended by Commission Directive 2001/39/EC ⁽²⁾, and in particular Article 10 thereof,Having regard to Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin including fruit and vegetables ⁽³⁾, as last amended by Directive 2001/39/EC, and in particular Article 7 thereof,Having regard to Council Directive 91/414/EEC of 15 July 1991 on the placing of plant protection products on the market ⁽⁴⁾, as last amended by Commission Directive 2001/47/EC ⁽⁵⁾, and in particular Article 4(1)(f) thereof,

Whereas:

- (1) The new active substances, azoxystrobin and kresoxim methyl, were included in Annex I to Directive 91/414/EEC by Commission Directives 98/47/EC ⁽⁶⁾ and 1999/1/EC ⁽⁷⁾, respectively, for use as fungicides only, without specifying particular conditions having an impact on crops which may be treated with plant protection products containing these active ingredients.
- (2) Maximum residue levels in and on all commodities covered by Directives 86/362/EEC and 90/642/EEC were fixed by Commission Directives 1999/71/EC ⁽⁸⁾ and 2000/48/EC ⁽⁹⁾ for azoxystrobin residues, and by Commission Directive 2000/58/EC ⁽¹⁰⁾ for kresoxim methyl residues.
- (3) In fixing the said maximum residue levels, it was recognised that these levels should be kept under review and should be changed to take account of new information and data. Directives 1999/71/EC, 2000/48/EC and 2000/58/EC acknowledged that national provisional maximum residue levels for other cereals and fruit and vegetables should be fixed by Member States as a part of their authorisation of plant protection products containing azoxystrobin or kresoxim methyl and should be notified to the Commission under the requirements of Article 4(1)(f) to Directive 91/414/EEC. To facilitate this eventuality, some of the levels set in Directives 1999/71/EC and 2000/48/EC and all of the levels set in Directive 2000/58/EC were fixed on a provisional basis, enabling Member States to grant further authorisations for new uses and to notify the Commission under the procedure described by the said Article. This Article provides that where a provisional Community maximum residue level exists and where the new authorised use would lead to higher levels, the authorising Member State shall establish a national provisional maximum residue level in accordance with Article 4(1)(f) of Directive 91/414/EEC before the authorisation may be granted.

⁽¹⁾ OJ L 221, 7.8.1986, p. 37.⁽²⁾ OJ L 148, 1.6.2001, p. 70.⁽³⁾ OJ L 350, 14.12.1990, p. 71.⁽⁴⁾ OJ L 230, 19.8.1991, p. 1.⁽⁵⁾ OJ L 175, 28.6.2001, p. 21.⁽⁶⁾ OJ L 191, 7.7.1998, p. 50.⁽⁷⁾ OJ L 21, 28.1.1999, p. 21.⁽⁸⁾ OJ L 194, 27.7.1999, p. 36.⁽⁹⁾ OJ L 197, 3.8.2000, p. 26.⁽¹⁰⁾ OJ L 244, 29.9.2000, p. 78.

- (4) To ensure that the consumer is adequately protected from exposure to residues in or on products for which no authorisations have been granted, it was considered prudent, in adopting Directives 1999/71/EC, 2000/48/EC and 2000/58/EC, to set provisional maximum residue levels at the lower level of analytical determination for such products. The setting at Community level of such provisional maximum residue levels is without prejudice to the granting of provisional authorisations by the Member States for uses of azoxystrobin and/or kresoxim methyl on such products in accordance with Article 4(1)(f) of Directive 91/414/EEC.
- (5) In order to authorise a plant protection product, Member States must apply the uniform principles provided for in Annex VI to Directive 91/414/EEC in evaluating, in particular, a dossier conforming to the requirements of Annex III to Directive 91/414/EEC, submitted by the applicant for authorisation. Annex III, Part A, section 8 of Directive 91/414/EEC requires applicants to submit certain information including proposed maximum residue levels together with full justification and estimations of the potential and actual exposure through diet and other means. Annex VI, part B, section 2.4.2 and Part C, section 2.5 of Directive 91/414/EEC requires Member States to evaluate the information submitted concerning impact on human or animal health arising from residues and the impact on the environment and to take decisions on authorisations which ensure that residues occurring reflect the minimum quantities of the plant protection product necessary to achieve adequate control corresponding to good agricultural practice, applied in such a manner that the residues at harvest, slaughter or after storage, as appropriate, are reduced to a minimum.
- (6) New data has been provided for uses of azoxystrobin on aubergines, peppers, oats, hops, peas (fresh and dry) and for uses of kresoxim methyl on asparagus, strawberries and other small fruits and berries. This new data has been evaluated and it is considered appropriate to revise the provisional maximum residue levels fixed for these products in Directives 1999/71/EC, 2000/48/EC and 2000/58/EC.
- (7) At the inclusion in Annex I to Directive 91/414/EEC the technical and scientific evaluation of azoxystrobin has been finalised on 22 April 1998 in the format of the Commission review report for azoxystrobin. In this review report the acceptable daily intake (ADI) for azoxystrobin was set at 0,1 mg/kg bw/day. At the inclusion in Annex I to Directive 91/414/EEC the technical and scientific evaluation of kresoxim methyl has been finalised on 16 October 1998 in the format of the Commission review report for kresoxim methyl. In this review report the acceptable daily intake (ADI) for kresoxim methyl was set at 0,4 mg/kg bw/day. The lifetime exposure of consumers of food products treated with azoxystrobin or kresoxim methyl has been assessed and evaluated in accordance with the procedures and practices used within the European Community, taking account of guidelines published by the World Health Organisation⁽¹⁾ and it has been calculated that the maximum residue levels fixed in this Directive do not give rise to an exceedence of these ADIs.
- (8) Acute toxic effects requiring the setting of an acute reference dose were not noted during the evaluation and discussion that preceded the inclusion of azoxystrobin and kresoxim methyl in Annex I to Directive 91/414/EEC.
- (9) The Community's trading partners have been consulted about the levels set out in this Directive through the World Trade Organisation and their comments on these levels have been considered. The possibility of fixing import tolerance maximum residue levels for specific pesticide/crop combinations will be examined by the Commission on the basis of the submission of acceptable data.
- (10) The advice and recommendations of the Scientific Committee for Plants, in particular concerning the protection of consumers of food products treated with pesticides, have been taken into account.
- (11) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

⁽¹⁾ Guidelines for predicting dietary intake of pesticide residues (revised), prepared by the GEMS/Food Programme in collaboration with the Codex Committee on Pesticide Residues, published by the World Health Organisation 1997 (WHO/FSF/FOS/97.7)

HAS ADOPTED THIS DIRECTIVE:

Article 1

In part A of Annex II to Directive 86/362/EEC the following entry shall be added in respect of azoxystrobin:

Pesticide residue	Maximum level in mg/kg
'Azoxystrobin	0,3 ^(p) Oats

^(p) Indicates provisional maximum residue level established in accordance with Directive 91/414/EEC Article 4(1)(f); all provisional maximum residue levels for these pesticide residues will be treated as definitive in accordance with Article 10 of the Directive with effect from 1 August 2003.'

Article 2

In Annex II to Directive 90/642/EEC the columns headed 'azoxystrobin', and 'kresoxim methyl' are replaced by those set out in the Annex to this Directive.

Article 3

The provision in Article 3(2) of Directive 2000/42/EC where 'The maximum level for residues of acephate on peaches shall be fixed at 0,02(*) mg/kg' shall be applied by the Member States as of 1 December 2001.

Article 4

1. This Directive shall enter into force on the day following that of its publication in the *Official Journal of the European Communities*.
2. Member States shall adopt and publish the legislative, regulatory or administrative measures to comply with this Directive by 28 February 2002 at the latest. They shall forthwith inform the Commission thereof.
3. They shall apply these measures as from 1 March 2002.
4. When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 28 June 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX

Groups and examples of individual products to which the maximum residue levels apply	Pesticide residues and maximum residue levels (mg/kg)	
	Azoxystrobin	Kresoxim methyl
1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts		
(i) CITRUS FRUIT	0,05 (p) (*)	0,05 (p) (*)
Grapefruit		
Lemons		
Limes		
Mandarins (including clementines and other hybrids)		
Oranges		
Pomelos		
Others		
(ii) TREE NUTS (shelled or unshelled)	0,1 (p) (*)	0,1 (p) (*)
Almonds		
Brazil nuts		
Cashew nuts		
Chestnuts		
Coconuts		
Hazelnuts		
Macadamia		
Pecans		
Pine nuts		
Pistachios		
Walnuts		
Others		
(iii) POME FRUIT	0,05 (p) (*)	0,2 (p)
Apples		
Pears		
Quinces		
Others		
(iv) STONE FRUIT	0,05 (p) (*)	0,05 (p) (*)
Apricots		
Cherries		
Peaches (including nectarines and similar hybrids)		
Plums		
Others		
(v) BERRIES AND SMALL FRUIT		
(a) Table and wine grapes	2	1 (p)
Table grapes		
Wine grapes		
(b) Strawberries (other than wild)	0,05 (p) (*)	0,05 (p) (*)

Groups and examples of individual products to which the maximum residue levels apply	Pesticide residues and maximum residue levels (mg/kg)	
	Azoxystrobin	Kresoxim methyl
(c) Cane fruit (other than wild)	0,05 (p) (*)	0,05 (p) (*)
Blackberries		
Dewberries		
Loganberries		
Raspberries		
Others		
(d) Other small fruit and berries (other than wild)	0,05 (p) (*)	
Bilberries		
Cranberries		
Currants (red, black and white)		1 (p)
Gooseberries		1 (p)
Others		0,05 (p) (*)
(e) Wild berries and wild fruit	0,05 (p) (*)	0,05 (p) (*)
(vi) MISCELLANEOUS		
Avocados		
Bananas	2	
Dates		
Figs		
Kiwi		
Kumquats		
Litchis		
Mangoes		
Olives		0,2 (p)
Passion fruit		
Pineapples		
Pomegranates		
Others	0,05 (p) (*)	0,05 (p) (*)
2. Vegetables, fresh or uncooked, frozen or dry		
(i) ROOT AND TUBER VEGETABLES	0,05 (p) (*)	0,05 (p) (*)
Beetroot		
Carrots		
Celeriac		
Horseradish		
Jerusalem artichokes		
Parsnips		
Parsley root		
Radishes		
Salsify		
Sweet potatoes		
Swedes		
Turnips		
Yam		
Others		

Groups and examples of individual products to which the maximum residue levels apply	Pesticide residues and maximum residue levels (mg/kg)	
	Azoxystrobin	Kresoxim methyl
(ii) BULB VEGETABLES	0,05 (p) (*)	0,05 (p) (*)
Garlic		
Onions		
Shallots		
Spring onions		
Others		
(iii) FRUITING VEGETABLES		
(a) Solanacea		
Tomatoes	2 (p)	0,5 (p)
Peppers	2 (p)	1 (p)
Aubergines	2 (p)	0,5 (p)
Others	0,05 (p) (*)	0,05 (p) (*)
(b) Cucurbits — edible peel	1 (p)	0,05 (p) (*)
Cucumbers		
Gherkins		
Courgettes		
Others		
(c) Cucurbits — inedible peel	0,5 (p)	0,2 (p)
Melons		
Squashes		
Watermelons		
Others		
(d) Sweetcorn	0,05 (p) (*)	0,05 (p) (*)
(iv) BRASSICA VEGETABLES	0,05 (p) (*)	0,05 (p) (*)
(a) Flowering brassica		
Broccoli		
Cauliflowers		
Others		
(b) Head brassica		
Brussels sprouts		
Head cabbage		
Others		
(c) Leafy brassica		
Chinese cabbage		
Kale		
Others		
(d) Kohlrabi		
(v) LEAF VEGETABLES AND FRESH HERBS	0,05 (p) (*)	0,05 (p) (*)
(a) Lettuce and similar		
Cress		
Lamb's lettuce		
Lettuce		
Scarole		
Others		

Groups and examples of individual products to which the maximum residue levels apply	Pesticide residues and maximum residue levels (mg/kg)	
	Azoxystrobin	Kresoxim methyl
(b) Spinach and similar Spinach Beet leaves (chard) Others		
(c) Watercress		
(d) Witloof		
(e) Herbs Chervil Chives Parley Celery leaves Others		
(vi) LEGUME VEGETABLES (fresh) Beans (with pods) Beans (without pods) Peas (with pods) Peas (without pods) Others	0,5 (p) 0,2 (p) 0,05 (p) (*)	0,05 (p) (*)
(vii) STEM VEGETABLES (fresh) Asparagus Cardoons Celery Fennel Globe artichokes Leek Rhubarb Others	0,05 (p) (*)	0,05 (p) (*)
(viii) FUNGI (a) Cultivated mushrooms (b) Wild mushrooms	0,05 (p) (*)	0,05 (p) (*)
3. Pulses Beans Lentils Peas Others	0,1 (p) 0,05 (p) (*)	0,05 (p) (*)
4. Oil seeds Linseed Peanuts Poppy seeds Sesame seeds Sunflower seeds Rape seed Soya bean Mustard seed Cotton seed Others	0,05 (p) (*)	0,1 (p) (*)

Groups and examples of individual products to which the maximum residue levels apply	Pesticide residues and maximum residue levels (mg/kg)	
	Azoxystrobin	Kresoxim methyl
5. Potatoes Early potatoes Ware potatoes	0,05 ^(p) (*)	0,05 ^(p) (*)
6. Tea (leaves and stems, dried, fermented or otherwise, from the leaves of <i>Camellia sinensis</i>)	0,1 ^(p) (*)	0,1 ^(p) (*)
7. Hops (dried), including hop pellets and unconcentrated powder	20 ^(p)	0,1 ^(p) (*)

(*) Indicates lower limit of analytical determination.

(^p) Indicates provisional maximum residue level established in accordance with Directive 91/414/EC Article 4(i)(f); all provisional maximum residue levels for these pesticides will be treated as definitive in accordance with Article 10 of the Directive with effect from 1 August 2003 for azoxystrobin and 19 October 2004 for kresoxim methyl.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 June 2001

approving the scheme submitted by the United Kingdom for the withdrawal of all fish in farms infected with infectious salmon anaemia (ISA) and situated in England, Scotland and Wales and repealing Decision 2001/186/EC

(notified under document number C(2001) 1626)

(Text with EEA relevance)

(2001/494/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/53/EEC of 24 June 1993, introducing minimum Community measures for the control of certain fish diseases ⁽¹⁾, as last amended by Commission Decision 2001/288/EC ⁽²⁾, and in particular Article 6 thereof,

Whereas:

- (1) Council Directive 93/53/EEC, Article 6(a), first indent, lays down that, in order to control an outbreak of infectious salmon anaemia (ISA), all fish in an infected farm shall be withdrawn in accordance with a scheme established by the official service and approved by the Commission.
- (2) Experience gained has shown that under certain conditions it is possible to extend the withdrawal over a period of time without impairing the efforts to eradicate the disease.
- (3) A withdrawal scheme to be applied in case of the detection of ISA in Scotland has been approved by Commission Decision 2001/186/EC ⁽³⁾.
- (4) The United Kingdom has submitted a withdrawal scheme to be applied in case of the detection of ISA in England and Wales.

- (5) The Commission and the Member States have examined the scheme submitted by the United Kingdom in the light of the current state of scientific and technical evidence.
- (6) The disease control measures described in the withdrawal scheme for England and Wales are essentially the same as in the approved scheme for Scotland. The only changes are related to territorial coverage and the appropriate references to national laws.
- (7) The withdrawal of fish shall be carried out with the aim to eradicate the disease from infected farms and to prevent further spread of the disease to other farms as well as to the wild population susceptible to this infection.
- (8) The withdrawal of fish must be based on a case by case analysis of the risks for further spread of the disease, including the seriousness of the outbreak and other circumstances influencing the risks, and must take into account current practical experience and scientific evidence.
- (9) The examination carried out shows that the scheme submitted fulfils the requirements for such a scheme and therefore it shall be approved.
- (10) For the sake of clarity, bearing in mind any future amendments to the United Kingdom schemes, it is appropriate to incorporate the Decision approving the Scottish scheme in the present Decision. Therefore Decision 2001/186/EC shall be repealed.

⁽¹⁾ OJ L 175, 19.7.1993, p. 23; Directive as amended by the Act of Accession of Austria, Finland and Sweden.

⁽²⁾ OJ L 99, 10.4.2001, p. 11.

⁽³⁾ OJ L 67, 9.3.2001, p. 80.

- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

Article 2

Decision 2001/186/EC is repealed.

Article 3

HAS ADOPTED THIS DECISION:

This Decision is addressed to the Member States.

Article 1

Done at Brussels, 21 June 2001.

The schemes submitted by the United Kingdom for the withdrawal of all fish in farms infected with infectious salmon anaemia (ISA) and situated in England, Scotland and Wales are hereby approved.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION
of 2 July 2001
concerning certain protective measures with regard to live birds coming from or originating in
China, Hong Kong and Macau

(notified under document number C(2001) 1701)

(Text with EEA relevance)

(2001/495/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, as last amended by Directive 96/43/EC ⁽²⁾, and in particular Article 18(1) thereof,

Whereas:

- (1) Avian influenza is an infectious viral disease in poultry and birds, causing mortality and disturbances which can quickly take epizootic proportions liable to present a serious threat to animal health and to reduce sharply the profitability of poultry farming.
- (2) Avian influenza has been detected in poultry of live bird markets in Hong Kong and Macau and appears to have been isolated in poultry deriving from mainland China.
- (3) Imports of live poultry from China, Hong Kong and Macau to the Community are not authorised, whereas other birds can be imported under the conditions laid down in Article 7(A) of Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC ⁽³⁾, as last amended by Commission Decision 95/176/EC ⁽⁴⁾.
- (4) Commission Decision 2000/666/EC ⁽⁵⁾, as last amended by Decision 2001/383/EC ⁽⁶⁾, lays down the animal health requirements and the veterinary certification for the import of birds, other than poultry and the conditions for quarantine.
- (5) Decision 2000/666/EC shall apply from 1 November 2001.

- (6) The situation is liable to endanger the health status of the Community's poultry flocks, therefore the provisions foreseen in Decision 2000/666/EC should apply for such imports from China, Hong Kong and Macau immediately.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The introduction into the territory of the Community of live birds other than those referred to in Directive 90/539/EEC, coming from or originating in China, Hong Kong and Macau is only authorised under the conditions laid down in the Articles 1 to 9 of Commission Decision 2000/666/EC.

Article 2

This Decision is applicable until 1 November 2001.

Article 3

Member States shall alter the measures they apply to trade in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 2 July 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 268, 24.9.1991, p. 56.

⁽²⁾ OJ L 162, 1.7.1996, p. 1.

⁽³⁾ OJ L 268, 14.9.1992, p. 54.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 23.

⁽⁵⁾ OJ L 278, 31.10.2000, p. 26.

⁽⁶⁾ OJ L 137, 19.5.2001, p. 28.