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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1611/2001
of 7 August 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 8 August 2001.

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

Done at Brussels, 7 August 2001.

For the Commission
Philippe BUSQUIN
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 7 August 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
0707 00 05	052	57,0
	999	57,0
0709 90 70	052	82,4
	999	82,4
0805 30 10	388	85,3
	524	79,5
	528	69,8
	999	78,2
0806 10 10	052	103,2
	220	87,3
	600	104,3
	999	98,3
0808 10 20, 0808 10 50, 0808 10 90	388	88,7
	400	74,4
	508	87,4
	512	93,0
	524	51,2
	528	47,7
	720	117,5
	800	185,2
	804	97,8
	999	93,7
0808 20 50	052	116,6
	388	68,1
	512	65,6
	528	68,9
	804	122,9
	999	88,4
0809 20 95	052	359,4
	400	224,7
	404	243,6
	999	275,9
0809 30 10, 0809 30 90	052	121,0
	999	121,0
0809 40 05	052	76,3
	064	63,3
	066	74,0
	999	71,2

⁽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 1612/2001

of 3 August 2001

imposing a provisional anti-dumping duty on imports of ferro molybdenum originating in the People's Republic of China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, as last amended by Regulation (EC) No 2238/2000 ⁽²⁾, and in particular Article 7 thereof,

After consulting the Advisory Committee,

Whereas:

A. PROCEDURE

1. Initiation

- (1) On 9 November 2000, the Commission announced by a notice (the 'notice of initiation') published in the *Official Journal of the European Communities* ⁽³⁾ the initiation of an anti-dumping proceeding with regard to imports into the Community of ferro molybdenum originating in the People's Republic of China (the 'PRC').
- (2) The proceeding was initiated as a result of a complaint lodged in September 2000 by Euroalliages, Le Comité de liaison des industries de Ferro-alliages (the 'complainant') on behalf of producers representing a major proportion of the Community production of ferro molybdenum (FeMo). The complaint contained evidence of dumping of the said product and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding.

2. Investigation

- (3) The Commission officially advised the exporting producers, the importers and the users known to be concerned and their associations, the representatives of the exporting country concerned, the complainant Community producers and other Community operators about the initiation of the proceeding. Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set out in the notice of initiation.
- (4) A number of exporting producers in the country concerned, as well as Community producers, Community users and their associations and importers/

traders made their views known in writing. All parties who so requested within the set above time limit and who demonstrated that there were particular reasons why they should be heard were granted the opportunity to be heard.

- (5) In view of the large number of exporting producers in the exporting country concerned, and in conformity with Article 17 of Regulation (EC) No 384/96 (the 'basic Regulation'), it was considered appropriate to examine whether sampling should be used. In order to enable the Commission to decide whether sampling would indeed be necessary and, if so, to select a sample, exporting producers were requested, pursuant to Article 17(2) of the basic Regulation, to make themselves known within two weeks of the initiation of the proceeding and to provide information on their production, turnover and exports to the Community during the investigation period as well as the names and the activities of all related companies.
- (6) 14 Chinese companies provided this basic information. One of the 14 companies decided to withdraw its cooperation immediately after the submission of the reply to the sampling questions.
- (7) In order to allow exporting producers to submit a claim for market economy treatment ('MET') and/or individual treatment ('IT') if they so wished, the Commission sent to all exporting producers known to be concerned or which made themselves known, a MET/IT claim form. 10 companies requested MET and/or IT pursuant to Article 2(7)(b) of the basic Regulation.
- (8) In view of the fact that only one exporting producer was granted MET (see recital 19), it was decided that sampling was not necessary.
- (9) The Commission sent questionnaires to all other parties known to be concerned and to all the other companies that made themselves known within the deadlines set out in the notice of initiation. Replies were received from 11 Chinese companies, two Community producers, two Community operators, one unrelated importer and five users of FeMo.
- (10) One exporting producer made itself known and submitted a reply to the questionnaire one month after the time limit set in paragraph 6(a)(ii) of the notice of initiation. Consequently, this information was not accepted because it was submitted substantially after the deadline.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 257, 11.10.2000, p. 2.

⁽³⁾ OJ C 320, 9.11.2000, p. 3.

(11) The Commission sought and verified all the information it deemed necessary for the purpose of a provisional determination of dumping, injury and Community interest. Verification visits were carried out at the premises of the following companies:

(a) **Exporting producer in the PRC:**

(i) MET verifications:

- Tianjin The Leader Group Co. Ltd, Tianjin, and the related producer Tianjin Defu Ferroalloy Co. Ltd, Tianjin,
- Xuzhou Huanyu Special Alloy Co. Ltd, Xuzhou,
- Jinzhou Sing Horn Enterprise Co. Ltd, Jinzhou, and its related trader Sing Horn Import Export Co. Ltd,
- Jinzhou Sanda Ferro-Alloys Co. Ltd, Jinzhou, with the related domestic producer Jinzhou Chengguang Ferro-Alloys-Industry, Jinzhou,
- Fushun Shunkang Molybdenum Industry Co. Ltd, Fushun;

(ii) MET and questionnaire reply verification:

- Nanjing Metalink International Co. Ltd, Nanjing, and its related company Xinzyuan Co. Ltd, Nanjing;

(b) **Producers in the analogue country (USA):**

- Bear Metallurgical Co., Butler, Pennsylvania,
- Thompson Creek Metals Company, Englewood, Colorado;

(c) **Community producers:**

- Climax Molybdenum UK Ltd, Stowmarket, UK,
- Treibacher Industrie AG, Treibach-Althofen, Austria;

(d) **Other Community operators:**

- Sadaci NV, Gent, Belgium,

(e) **Users:**

- Krupp Thyssen Nirosta, Krefeld, Germany,
- Georgsmarienhütte GmbH, Georgsmarienhütte, Germany.

(12) The investigation of dumping and injury covered the period from 1 October 1999 to 30 September 2000 (the 'investigation period' or 'IP'). As for the trends relevant for the assessment of injury, the Commission analysed data covering the period from 1 January 1997 to 30 September 2000 ('period considered').

B. PRODUCT CONCERNED AND LIKE PRODUCT

1. Product concerned

(13) The product concerned is FeMo produced in the PRC and exported to the Community. FeMo is a ferro-alloy containing usually between 45 % and 80 % of molybdenum, the remaining part being iron and small quantities of impurities ('ferro molybdenum' or 'the product

concerned'). The actual molybdenum (Mo) content of FeMo is variable and it is expressed as a percentage of the total weight of FeMo. The product concerned is currently classified under CN code 7202 70 00. This CN code is only given for information.

(14) The two main types of production process used in the production of FeMo are the thermic and the electrolytic processes. In both of these processes, technical grade molybdenum trioxide (MoO_3) is reduced in the presence of iron. Because of the practical reasons of the melting equipment used for the process, the reduced manufacturing costs and the inherent disadvantage of introducing a high carbon content into the FeMo alloy, the thermic process is practically the only manufacturing method used. In the thermic process aluminium and silicon metals are used for the reduction of a charge consisting of a mixture of MoO_3 and iron oxide.

(15) The largest practical application of FeMo is the introduction of molybdenum metal in the melts during the production of alloyed steel and cast iron, where the molybdenum enhances some required characteristics such as resistance to corrosion and to heat.

(16) The investigation showed that there are different grades of the product concerned according to the proportion of molybdenum content and the proportion of impurities. However, all grades share the same basic physical and chemical characteristics and the same use. They are therefore considered as a single product for the purpose of the present anti-dumping proceeding.

2. Like product

(17) The Commission found that the basic physical and chemical characteristics and uses of the FeMo imported from the PRC are alike to those of the FeMo product produced and sold by the Community industry in the Community. It was also found that the FeMo produced and sold on the domestic market of the PRC are alike to the FeMo originating in the PRC and exported to the Community. Furthermore, the FeMo produced and sold on the domestic market of the United States of America ('USA'), which was chosen as analogue country for the PRC, were alike to the FeMo produced and exported to the Community from the PRC. It was therefore concluded that the FeMo produced in the PRC and exported to the Community, the FeMo produced and sold on the domestic market of the PRC, the FeMo produced and sold on the domestic market of the USA, and those produced and sold by the Community industry on the Community market, are a like product within the meaning of Article 1(4) of the basic Regulation.

C. DUMPING**1. Market economy treatment**

- (18) Pursuant to Article 2(7)(b) of the basic Regulation, in anti-dumping investigations concerning imports originating in the PRC, normal value shall be determined in accordance with paragraphs 1 to 6 of the said article for those producers, which can show that they meet the criteria laid down in Article 2(7)(c), i.e. that market economy conditions prevail in respect of the manufacture and sale of the product concerned.
- (19) Claims for MET were received from 10 exporting producers. These claims were analysed on the basis of the five criteria set out in Article 2(7)(c) of the basic Regulation. Four of these companies provided incomplete and deficient replies that did not contain sufficient information or evidence to permit any proper consideration of the merits of the claim. In particular, the companies did not provide the auditor reports and financial statements and information concerning the acquisition value and the current book value of the main fixed assets. Their claims for MET were therefore rejected. The remaining six MET claims were considered to merit further analysis and verification visits were carried out at the premises of these companies.
- (20) For three exporting producers, a significant level of state interference was found. This interference occurred in different forms, varying from a direct influence in the management of the companies to the imposition of limitations in the freedom to run the business and the creation of distortions in the costs of major inputs. Consequently, these companies were unable to demonstrate that their business decisions were made in response of market signals reflecting supply and demand. The criterion set out in the first indent of Article 2(7)(c) of the basic Regulation was therefore not met.
- (21) Five exporting producers could not demonstrate that they had a clear set of basic accounting records audited in line with the international accounting standards. Consequently they did not meet the criterion on accounting standards set out in the second indent of Article 2(7)(c) of the basic Regulation. The specific and detailed findings, pertaining to their accounts, that led to this conclusion have been disclosed to the exporting producers in question.
- (22) For three companies a number of deficiencies concerning assets and distortions carried over from the former non-market economy system were found. In particular, the production costs and the financial situation were distorted due to the arbitrary evaluation of assets and in the case of one company, to the practise of barter trade. Consequently, these companies did not

meet the criterion set out in the third indent of Article 2(7)(c) of the basic Regulation.

- (23) The Commission informed the companies and the complainant Community industry of its findings and granted them the possibility to comment. Some exporting producers and the complainant provided comments on the findings of the MET investigation. These comments have been comprehensively addressed in the disclosure documents sent to the concerned parties.
- (24) Finally, the Commission concluded that the conditions set out in Article 2(7)(c) of the basic Regulation for obtaining MET were met by the following exporting producer:
- Nanjing Metalink International Co. Ltd, Nanjing,
- (25) The Advisory Committee was consulted and unanimously supported the Commission's conclusions. The remaining exporting producers were informed that their MET claims were rejected.

2. Individual treatment

- (26) It is the Commission's policy to calculate a countrywide duty for non-market economy countries and for countries which can benefit from the rules set out in Article 2(7)(b) and (c) of the basic Regulation but where the company does not meet MET, except in those cases where companies can demonstrate that their export activities are free from state interference and that there is a degree of legal and factual independence from the State so that the risk of circumvention of the countrywide duty is removed.
- (27) The nine Chinese exporting producers that did not fulfil the MET criteria alternatively requested individual treatment (IT). The Commission examined and verified the information deemed necessary for the purposes of the determination of IT for the companies in question.
- (28) As explained in recital 18, four companies provided incomplete and deficient MET/IT claims and they were consequently excluded from further MET analysis. Furthermore, the extent and nature of the deficiencies found in these claims made it impossible to assess the merits of the IT claims. It was therefore decided not to grant IT to these companies.
- (29) Three exporting producers could demonstrate that their export activities are free from state interference and that there is a degree of legal and factual independence from the State so that the risk of circumvention of the countrywide duty is removed and therefore they fulfilled the criteria for IT:
- Jinzhou Sing Horn Enterprise Co. Ltd, Jinzhou,

- Jinzhou Sanda Ferro-Alloys Co. Ltd, Jinzhou,
- Fushun Shunkang Molybdenum Industry Co. Ltd, Fushun,

the remaining two companies did not fulfil the IT criteria. In one case the nature of the state interference presented a risk of circumvention if the company was given individual treatment. As far as the other company is concerned, the production arm of the group was found to be producing also for companies other than the exporter with the consequent risk that other producers could use the individual duty of this company to channel the product concerned into the EU.

3. Normal value

3.1. *Determination of normal value for exporting producers not granted MET*

3.1.1. Analogue country

- (30) Pursuant to Article 2(7)(a) of the basic Regulation, normal value for exporting producers that were not granted MET was established on the basis of the prices in an appropriate analogue country for products comparable to those sold by the Chinese exporting producers to the Community.
- (31) In the notice of initiation the Commission proposed the USA as an appropriate market economy third country for the purpose of establishing normal value for the PRC.
- (32) Objections to this proposal were raised by some exporting producers within the time limit set in the notice of initiation. The alternatives proposed were Chile, Mexico, Iran, India and South Africa.
- (33) The Commission analysed these options and established that the production in Mexico, Iran, India and South Africa is either very low or non-existent. Consequently these countries could not be considered as adequate alternative analogue countries
- (34) As far as Chile is concerned, the Commission ascertained that the production volumes in this country were significant. Therefore Chilean producers were contacted and invited to cooperate. However, they refused to cooperate with the Commission in this proceeding.
- (35) One objection to the choice of the USA as analogue country concerned the fact that one of the complainants is a related company of a producer in the USA. It was alleged that this relationship could have distorting effects on the data provided. However, these allegations were found to be inexact and unjustified. The Commission checked whether the relationship had any distorting impact on the prices, costs of production and profitability of the US producer, during the on-the-Spot verification of the company's data at its premises. No indica-

tion was found of any such distortions and the Commission satisfied itself on the accuracy and reliability of the information provided for the purposes of this proceeding.

- (36) Another objection raised against the choice of the USA concerned the fact that the requirements for environmental protection are stricter in the USA than in China. For this reason the companies in the USA have higher environmental protection costs than the Chinese producers. In this respect it should be noted that China had environmental protection rules in the IP, that were respected by the companies investigated. Therefore, this argument, by itself, was not considered a valid reason to reject the USA as an analogue country. However, the Commission services will continue to analyse this issue and due account will be taken at the definitive stage of the proceeding, of any differences that are claimed and shown to affect price comparability in this respect.
- (37) In the light of the above the Commission confirmed the choice of the USA as an appropriate analogue country.

3.1.2. Determination of normal value

- (38) Pursuant to Article 2(7)(a) of the basic Regulation, normal value for the exporting producers that were not granted MET was established on the basis of verified information received from the producer in the USA. It was found that the US domestic sales of ferro molybdenum were representative in comparison to the quantity of the product concerned produced in the PRC and sold for export to the Community.
- (39) The Commission examined whether US sales of the product concerned could be considered as being made in the ordinary course of trade i.e. not made at a loss. For this purpose the average cost of production during the investigation period was compared to the average price of the sales transactions made during this period. It was accordingly found that all domestic sales of the two cooperating companies that accounted for the great majority of US production of ferro molybdenum were made at a loss and were therefore not in the ordinary course of trade.
- (40) As a result, normal value was constructed in accordance with Article 2(3) of the basic Regulation by adding to the producers' cost of production a reasonable margin of profit. It should also be noted that as one of the US cooperating companies was a toll convertor, its cost of production was obtained by applying its conversion costs to the raw material and other costs of the other cooperating company. Furthermore, in the absence of a profit margin on US sales of ferro molybdenum during the IP, it was concluded that 5 % represented a reasonable estimate of a realistic profit margin in this instance. This was accordingly applied for the purposes of constructing normal value in this case.

3.2. Determination of normal value for exporting producers granted MET

- (41) For the exporting producer that was granted MET, the Commission first determined whether the total volume of the domestic sales of the product concerned was representative in accordance with Article 2(2) of the basic Regulation, i.e. whether these sales represented 5 % or more of the sales volume exported to the Community.
- (42) The Commission then examined for this exporting producer whether total domestic sales of each grade constituted 5 % or more of the sales volume of the same type exported to the Community.
- (43) An examination was also made as to whether the domestic sales of each grade could be regarded as having been made in the ordinary course of trade, by establishing the proportion of profitable sales to independent customers of the grade in question. In cases where the sales volume of ferro molybdenum, sold at a net sales price equal to or above the calculated cost of production, represented 80 % or more of the total sales: volume and where the weighted average price of that grade was equal to or above the cost of production, normal value was based on the actual domestic price, calculated as a weighted average of the prices of all domestic sales made during the IP, irrespective of whether these sales were profitable or not. In cases where the volume of profitable sales of ferro molybdenum represented less than 80 % but 10 % or more of the total sales volume, normal value was based on the actual domestic price, calculated as a weighted average of profitable sales only.
- (44) In cases where the volume of profitable sales of any grade of ferro molybdenum represented less than 10 % of the total sales volume, it was considered that this particular grade was sold in insufficient quantities for the domestic price to provide an appropriate basis for the establishment of the normal value.
- (45) Wherever domestic prices of a particular grade sold by the exporting producer could not be used in order to establish normal value, constructed normal value was used. Normal value was calculated in accordance with Article 2(3) of the basic Regulation by adding to the producer's cost of manufacturing a reasonable amount for selling, general and administrative expenses ('SG & A') and a reasonable margin of profit. In this respect, it should be noted that SG & A and profit were calculated on the basis of the producer's own figures.

- (46) The reply provided by this exporting producer included data on domestic sales made by a related domestic sales company. Since the exporting producer sold on the Chinese domestic market also via this related company and given the distribution of functions between the exporting producer and the domestic sales company, it was considered necessary to establish the normal value on the basis of prices paid in the ordinary course of trade by independent customers in China.
- (47) As a result, for this cooperating exporting producer normal value was established on the basis of the domestic sales prices to independent customers for five grades of the product concerned, whilst for the remaining three grades a constructed normal value was calculated.

4. Export price

- (48) The export prices were calculated in accordance with Article 2(8) of the basic Regulation, i.e. on the basis of the export prices actually paid or payable for the product concerned to the first independent customer.

5. Comparison

- (49) For the purpose of ensuring a fair comparison between the normal value and the export price at an ex-works level, due allowance in the form of adjustments was made for differences affecting price comparability in accordance with Article 2(10) of the basic Regulation.
- (50) On this basis, adjustments for commissions, inland transport, ocean freight, insurance, EC-freight, handling, loading and ancillary costs have been made when found justified. In particular, since inland transport costs incurred by the exporting producers were not considered reliable, the relevant adjustments were based on the analogue country's costs.

6. Dumping margin

6.1. General

- (51) According to Article 2(11) of the basic Regulation the weighted average normal value was compared to the weighted average export price at the same level of trade. The comparison showed the existence of dumping in respect of the exporting producers concerned. The provisional dumping margins were expressed as a percentage of the cif Community frontier price duty unpaid for the exporting producers concerned.

6.2. *Dumping margins for the cooperating exporting producers granted MET/IT*

(52) The individual dumping margins are:

— Nanjing Metalink International Co. Ltd:	3,6 %
— Fushun Shunkang Molybdenum Industry Co. Ltd:	35,8 %
— Jinzhou Sanda Ferro-Alloys Co. Ltd:	34,3 %
— Jinzhou Sing Horn Enterprise Co. Ltd:	32,8 %

6.3. *Dumping margins for other exporting producers*

(53) Two out of the 10 Chinese exporting producers, whose exports represent a small proportion of the total export to the Community, and that initially cooperated, withdrew their cooperation in the course of the proceeding. The remaining eight cooperating Chinese exporting producers represented about 34 % of total Chinese exports of the product concerned to the Community.

(54) The Commission calculated the countrywide dumping margin on the basis of the export sales to the Community made by the cooperating exporting producers not granted MET or IT. The Commission first established the weighted average of the dumping margins determined for these cooperating companies. With regard to the exporting producers that failed to reply to the Commission's questionnaire, that did not make themselves known or otherwise did not cooperate with the investigation, the determination had to be based on facts available, in accordance with Article 18 of the basic Regulation. In view of the low level of cooperation and in order not to give a bonus for non cooperation, it was concluded that the most appropriate information would be the dumping margin of the grade with the highest dumping margin sold in representative quantities taken from all the grades exported by the cooperating Chinese producers that did not receive either IT or MET.

(55) The countrywide dumping margin for the PRC established on this basis is 43,5 %.

D. COMMUNITY INDUSTRY

1. Community production

(56) Within the Community, the product considered is manufactured by four operators. Two operators, Climax Molybdenum Ltd and Treibacher Industrie AG, on behalf of which the complaint was lodged, fully cooperated in the investigation.

(57) The two other Community operators, Ferro Alloys and Metals Ltd and Sadaci NV, submitted some basic information even though they did not reply fully to the questionnaire they did not oppose the proceeding ('other Community operators').

(58) It was assessed whether the production of the above mentioned operators could be considered as constituting the Community production within the meaning of Article 4(1)(a) of the basic Regulation. The investigation showed that one complaining Community producer imported and resold FeMo originating in the PRC during the IP. It was found that these imports were made in order to defend itself against low-priced, dumped imports and in order to maintain its market share. Furthermore, this trading activity does not alter the fact that the primary interest of this company was in the production of FeMo. Indeed, the total volume of these imports was less than 5 % of the Community operators' FeMo production throughout the period considered.

(59) Accordingly it is considered that all the above operators constitute the Community production within the meaning of Article 4(1) of the basic Regulation.

2. Definition of the Community industry

(60) The two cooperating complaining Community producers, Climax Molybdenum Ltd and Treibacher Industrie AG, fulfil the requirements of Article 5(4) of the basic Regulation, since they account for a major proportion of the total Community production of FeMo, i.e. 58 %. They are therefore deemed to constitute the Community industry within the meaning of Article 4(1) of the basic Regulation and will hereinafter be referred to as the 'Community industry'.

E. INJURY

1. Community consumption

(61) In calculating total apparent consumption of FeMo on the Community market the Commission added the sales volume of the Community industry and by the other Community operators in the Community market and the total imports into the Community as reported by Eurostat under CN code 7202 70 00. Furthermore, all volumes have been adapted so as to correspond to the Mo content.

(62) On this basis, between 1997 and the IP, apparent consumption of FeMo in the Community increased by 12 %: Consumption went from 24 035 tonnes in 1997 to 26 707 tonnes, in 1998, to 23 652 tonnes in 1999 and to 26 912 tonnes in the IP.

- (63) Apparent consumption increased by 11 % between 1997 and 1998, fell by 11 between 1998 and 1999 and increased again by 14 % between 1999 and the IP. This increase in Community consumption of 12 % during the period considered, in particular between 1999 and the IP, is attributable to the development of steel and iron industries.

2. Imports originating in the PRC

(a) Volume and market share of the imports concerned

- (64) The volume of imports of FeMo from the PRC into the Community, as reported by Eurostat, increased by 70 % over the period considered: Imports increased from 7 782 tonnes in 1997 to 9 083 tonnes in 1998, to 9 434 tonnes in 1999 and to 13 257 tonnes in the IP. Imports increased by 17 % between 1997 and 1998, they increased slightly by 4 between 1998 and 1999 despite the fact that the Community market decreased by 11 % over the same period, and went up significantly by 41 % between 1999 and the IP, whereas consumption only increased by 14 % over the same period.

- (65) The share of the Community market held by the dumped imports from the PRC increased continuously from 32,4 % in 1997, to 34 % in 1998, to 39,9 % in 1999 and to 49,3 % in the IP.

(b) Prices of the dumped imports

(i) Price evolution

- (66) The average prices, cif duty unpaid, of the imports of FeMo originating in the PRC on the basis of Eurostat decreased by 24 % over the period considered. Prices of Chinese imports went from EUR 9,2 Kg in 1997, to EUR 8,6 kg in 1998, to EUR 6,8 kg in 1999 and to EUR 7,0 kg in the IP

(ii) Price undercutting

- (67) A comparison was made between the exporting producers' and the Community industry's average selling prices net of all rebates and taxes to unrelated customs at the same level of trade. The prices of the Community industry were at an ex-works level. The cif Community frontier prices of Chinese exporting producers were adjusted for customs duties and post importation costs, on the basis of the information provided by the sole cooperating unrelated importer.

- (68) This comparison showed that during the IP, FeMo originating in China was sold in the Community at prices, which undercut the Community industry's prices, when expressed as a percentage of the latter, between

3,1 % and 16,2 %. The countrywide weighted average undercutting margin amounted to 14,4 %.

3. Situation of the Community industry

(a) Preliminary remarks

- (69) Pursuant to Article 3(5) of the basic Regulation, the Commission examined all relevant economic factors and indices having a bearing on the state of the Community industry. As stated above, all information in terms of volume has been adapted so as to correspond to FeMo with a 100 % content of Mo.
- (70) Given that the Community industry consists only of two companies, data relating to the Community industry has been indexed in order to preserve confidentiality of the data submitted, in accordance with Article 19 of the basic Regulation.

(b) Production capacity, actual production and utilisation rate

- (71) Production capacity increased by 11 % between 1997 and 1998 and remained thereafter stable. This increase was not due to any new investments in new production lines, but reflects the results of the rationalisation of the production facilities by one of the complaining Community producers.
- (72) Production of the Community industry went from an index 100 in 1997, to 154 in 1998, to 148 in 1999 and then to 120 in the IP. Production increased significantly between 1997 and 1998, coinciding with an increase in apparent consumption, whereas it decreased thereafter. The biggest decrease took place between 1999 and the IP, at a time when consumption increased by 14 %.

- (73) Assessed in the light of the development of production and capacity, capacity utilisation increased by 7 % between 1997 and the IP. Capacity utilisation went from an index 100 in 1997, to 138 in 1998, to 133 in 1999 and to 107 in the IP. The biggest decrease in capacity utilisation took place between 1999 and the IP, coinciding with a sharp decrease in production.

(c) Stocks

- (74) Stocks remained stable over the period considered. They went from an index 100 in 1997, to an index 79 in 1998, to an index 143 in 1999 and then back to an index 100 in the IP. When analysing stocks, it is to be noted that FeMo is generally produced to order and that therefore stocks are goods awaiting despatch to customers. In this context, therefore, the evolution of stocks does not appear to be relevant for the examination of the economic situation of the Community industry.

(d) *Sales volume and market share*

- (75) The sales volume of FeMo to unrelated customers on the Community market increased by 25 % during the period considered. Sales went from an index 100 in 1997, to an index 161 in 1998, to an index 151 in 1999 and then to an index 125 in the IP.
- (76) The share of the Community market held by the Community industry went from (between 17 % and 19 %) in 1997, to (between 26 % and 28 %) in 1998, to (between 28 % and 30 %) in 1999 and then to (between 20 % and 22 %) in the IP.
- (77) This development should be seen in the light of the fact that the Community industry, when faced with low priced imports originating in the PRC, had the choice of either maintaining its sales prices at the expense of a negative development of its sales volume and market share, or to lower its sales prices and follow the trend of the imports concerned at the expense of its profitability. Between 1997 and 1999, the Community industry decreased its sales prices and thus increased its sales volume and market share. Between 1999 and the IP, the Community industry, in an effort to maintain profitability, increased its prices with the result that it lost volume of sales and market share.

(e) *Growth*

- (78) As mentioned above, while Community consumption increased by 12 % over the period considered, the sales volume of the Community industry increased by 25 % and the volume of imports concerned by 70 %.
- (79) However, between 1999 and the IP at a time when the Community consumption increased by 14 %, the sales volume of the Community industry decreased by 17 %. Consequently, the growing trend of the market did not translate into an increase of the Community industry's share of the market. On the contrary, its market share decreased by (between 7 and 9 percentage points) between 1999 and the IP whereas the share of imports concerned increased by 9,4 percentage points during the same period. Thus, the Community industry could not benefit from the growth of the market between 1999 and the IP.

(f) *Sales prices and factors affecting prices*

- (80) The weighted average prices of FeMo sold by the Community industry decreased by 24 % over the period considered. Sales prices went from an index 100 in 1997, to an index 86 in 1998, to an index 71 in 1999 and then to an index 76 in the IP.
- (81) This evolution in prices, should be seen in comparison with the evolution of the Community industry's costs. Between 1997 and 1998 the costs of the Community industry decreased by 14 %, due to a decrease in the costs of raw materials (MoO₃) and an increase in the capacity utilisation. Prices also decreased by 14 % and

thus profitability remained at the same level. Between 1998 and 1999 the costs of the Community industry decreased by 18 % mainly due to a decrease in the costs of raw materials, whereas the Community industry's sales prices decreased by 17 %. Between 1999 and the IP the Community industry's costs increased by 8 % whereas its prices only increased by 7 % thus negatively affecting profitability. Thus, between 1999 and the IP the Community industry suffered price suppression.

(g) *Employment*

- (82) The employment of the Community industry related to the production of FeMo increased by 4 % during the period considered. The number of employees went from 89 in 1997 to 92 in the IP. The relatively low number of employees is explained by the fact that the FeMo production is by far more capital than labour intensive.

(h) *Productivity*

- (83) Productivity of the Community industry's workforce linked to manufacturing of FeMo, measured as output per person employed, increased by 15 % over the period considered. Productivity went from an index 100 in 1997, to an index 133 in 1998, to an index 131 in 1999 and then to an index 115 in the IP.

(i) *Wages*

- (84) Wages per employee increased by 10 % over the period considered. When analysing wages account should be taken of the fact that labour costs represent a minimal part of the overall costs of the Community industry, since FeMo production is capital intensive.

(j) *Investments*

- (85) The Community industry's total investments went from an index 100 in 1997, to an index 155 in 1998, to an index 208 in 1999 and then to an index 49 in the IP. It should be noted that throughout the period considered, investment represented less than 2 % of the turnover of the Community industry.

(k) *Profitability*

- (86) The Community industry's profitability in terms of return on net sales before taxes remained stable between 1997 and 1998 at (between 0 % and 2 %). The low level of profitability in 1997 coincided with the downturn in the economic cycle of the steel industry, which is the main user of FeMo. Profitability improved to (between 1 % and 3 %) in 1999, due to a more efficient utilisation of the production plants and coinciding with an increase in the output of the steel industry. Despite the growth in consumption of FeMo in the IP, profitability deteriorated (between 0 % and 2 %) in the IP, as a consequence of the decrease in production and sales, which increased the costs of the Community industry.

(l) *Cash flow, return on investments (ROI) and ability to raise capital*

(87) It should firstly be noted that the information on cash flow and return on investments was provided for the total of the companies. In this respect, net cash flow from operating activities went from an index 100 in 1997, to an index 367 in 1998, to an index 182 in 1999 and then to an index 40 in the IP.

(88) Return on assets went from an index 100 in 1997, to an index 129 in 1998, to an index 47 in 1999 and then to an index 40 in the IP.

(89) The investigation showed that the Community industry was not experiencing difficulties in its ability to raise capital.

(m) *Magnitude of dumping margin*

(90) As concerns the impact on the Community industry of the magnitude of the actual margin of dumping, given the volume and the prices of the imports from the PRC, this impact cannot be considered to be negligible.

4. Conclusion on injury

(91) Between 1997 and the IP the volume of the dumped imports of FeMo originating in the PRC increased significantly, by 70 %, and its share of the Community market went from 32,4 % in 1997 to 49,3 % in the IP. The biggest increase took place between 1999 and the IP, when the volume of dumped imports increased by 41 % gaining 9,4 percentage points of market share. The average prices of dumped imports originating in the PRC were, with the exception of 1998, consistently lower than that of the Community industry during the period considered. Furthermore, during the IP the prices of the dumped imports undercut those of the Community industry by 14,4 %.

(92) The examination of the abovementioned factors shows that between 1997 and the IP the situation of the Community industry deteriorated. Even though the Community industry increased its volume of production and sales during the period considered, it did not follow the growth of the Community consumption. This resulted in a stagnation in its market share of the Community industry. The development of the economic situation of the Community industry was particularly negative in the period between 1999 and the IP: production decreased by 19 %, sales volume decreased by 17 %, market share decreased by (between 7 and 9) percentage points and employment decreased by 8 %. Profitability

deteriorated from (between 1 % and 3 %) in 1999 to (between 0 % and 2 %) in the IP, reaching a level which is insufficient to ensure the long-term viability of the Community industry.

(93) In the light of foregoing, and in particular the decrease in sales volume, market share, production and low profitability, it is provisionally concluded that the Community industry has suffered material injury within the meaning of Article 3 of the basic Regulation.

F. CAUSATION

1. Introduction

(94) According to Article 3(6) and (7) of the basic Regulation, the Commission examined whether the dumped imports of FeMo originating in the PRC have caused injury to the Community industry to a degree which enables it to be classified as material. Known factors other than the dumped imports, which could at the same time be injuring the Community industry, were also examined to ensure that possible injury caused by these other factors was not attributed to the dumped imports.

2. Effects of the dumped import

(95) The significant increase in the volume of the dumped imports by 70 %, i.e. from 7 782 tonnes in 1997 to 13 257 tonnes in the IP, and of its corresponding share of the Community market, i.e. from 32,4 % in 1997 to 49,3 % in the IP as well as the level of price undercutting found (14,4 % during the IP) coincided with the deterioration of the economic situation of the Community industry. This market penetration was particularly significant between 1999 and the IP, when the import volume increased by 41 % and the market share of the dumped imports by 9,4 percentage points.

(96) It was also found that, during the same period, the Community industry suffered a decrease of sales volume (-17 %) and market share (between 7 and 9 percentage points), price suppression and a deterioration of its profitability from (between 1 and 3 %) to (between 0 % and 2 %). This development should be seen in the context of an increasing consumption of FeMo on the Community market, by 12 % over the period considered and, in particular by 14 % between 1999 and the IP, coinciding with an upturn in the economic cycle of the steel industry.

(97) In addition, Chinese prices were below those of the Community industry throughout the period considered, with the exception of 1998, and exerted a pressure on them which prevented Community industry's prices from increasing at the same rate as the increase in the costs of production between 1999 and the IP, thus reducing the already low level of profitability of the Community industry. In this respect it is worth noting that while the costs of the main raw material increased by 8 % between 1999 and the IP, Chinese prices only increased by 3 %. The market for FeMo is price sensitive and transparent, a worldwide commodity market where prices are followed and published by several specialised publications. In view of the price sensitivity of the market, the growth of Chinese imports at low dumped prices well known to the potential customers of the Community industry had the effect of suppressing prices of the Community industry.

(98) It is therefore considered that the pressure exerted by the dumped imports concerned, which significantly increased their volume and market share at low prices, as shown by the price undercutting found, caused a price suppression of the Community industry resulting in a deterioration of its financial situation.

3. Effects of other factors

(a) Performance of other Community operators

(99) As already mentioned above at recital 57 two other operators produce FeMo in the Community. The situation of these two operators sharply deteriorated during the period considered: production decreased by 44 %, sales volume by 42 % and their share of the Community market went from (between 40 % and 42 %) in 1997 to (between 20 % and 22 %) in the IP. It should be noted that the substantial deterioration of the economic situation of the other Community operators coincided with an increase in the import volume of Chinese FeMo at decreasing prices.

(100) In view of the deterioration of the situation of the other Community operators, it is concluded that these operators did not contribute to the material injury suffered by the Community industry.

(b) Worldwide oversupply

(101) It was argued that any injury suffered by the Community industry was caused by an inability of the complainants to adapt to the prevailing oversupply of FeMo in the worldmarket. In particular, it was claimed that the world market for FeMo faces a structural problem with the presence of overly large quantities of molybdenum prod-

ucts and, consequently, the market has experienced a depressed price development globally, which can not be attributed to the FeMo originating from the PRC.

(102) Between 1997 and 1998 the Community industry's capacity increased by 11 %, although not due to new investments in additional production lines, but merely as a result of rationalisation of the existing production facilities. Between 1998 and the IP, the capacity of the Community industry remained at the same level. Furthermore, the alleged oversupply of FeMo in the world market cannot explain the loss of sales volumes and market shares suffered by the Community industry on the Community market between 1999 and the IP especially in view of the increase in apparent consumption during the same period.

(103) It is therefore concluded that any world-wide oversupply cannot be the cause of the injury suffered by the Community industry.

(c) Evolution of prices of raw materials

(104) It has also been considered whether the injury suffered by the Community industry could have been caused by the fluctuation in the cost of the raw material during the period considered.

(105) The main raw material used in the production of FeMo is MoO_3 . The investigation showed that prices of MoO_3 decreased by 28 % over the period considered. More specifically, they decreased by 16 % between 1997 and 1998, further by 20 % in 1999 before increasing by 8 % in the IP.

(106) During the same period the Community industry's sales prices moved alongside the prices of raw materials. Between 1997 and 1999 the Community industry was able to reflect the fluctuations in the prices of raw materials in its sales prices. However between 1999 and the IP, the Community industry could not increase its sales prices to cover the increase in costs caused by an increase in the prices of raw materials and by a decrease in the rate of capacity utilisation. It should be noted that during the same period the prices of the Chinese imports undercut those of the Community industry by 14,4 %, thus preventing the Community industry from increasing its prices to cover the increase in its costs.

(107) Therefore, it is concluded that the effect of the fluctuations on the world market to MoO_3 had an impact on the evolution of the Community industry's sales prices but could not have broken the causal link between the dumped imports originating in the PRC and the injury suffered by the Community industry.

(d) *Imports from other third countries*

(108) According to Eurostat information, the total import volume of FeMo from third countries than the PRC increased by 22 %, from 1 974 tonnes in 1997 to 2 414 tonnes in the IP and their market share increased from 8,2 % in 1997 to 9,0 % in the IP. The weighted average prices of these imports decreased by 24 % between 1997 and the IP. However, it should be noted that the prices of imports from other third countries were, with the exception of 1999, higher than the weighted average prices of the Chinese imports during the period considered.

(109) Only imports originating in three countries other than the PRC had a share of the Community market beyond 1 % during the IP, i.e. Chile, Armenia and Iran.

(110) Imports of FeMo originating in Chile decreased from 1 008 tonnes in 1997 to 887 tonnes in the IP and their share of the Community market decreased from 4,2 % in 1997 to 3,3 in the IP. As far as average import prices are concerned, they have always been higher than those of the imports from the PRC and did not undercut the sales prices of the Community industry in the IP. In view of the above, it is considered that imports from Chile were also adversely affected by the dumped imports from the PRC and have not materially contributed to the injury suffered by the Community industry.

(111) The volume of imports originating in Armenia increased from 145 tonnes in 1997 to 917 tonnes in the IP and their share of the Community market went from 0,6 % in 1997 to 3,4 % in the IP. Regarding the average prices of imports originating in Armenia, they increased by 17 % between 1997 and 1998, decreased by 15 % between 1998 and 1999 and increased thereafter by 3 % between 1999 and the IP. It should be noted that average prices of imports originating in Armenia were below those of the Community industry but at the same level as those of imports originating in the PRC in 1999 and the IP.

(112) Import volume from Iran increased from 32 tonnes in 1997 to 489 tonnes in the IP and their share of the Community market increased from 0,1 % in 1997 to 1,8 % in the IP. The prices of FeMo originating in Iran were, with the exception of 1997, below those of the imports originating in the PRC.

(113) In conclusion, it cannot be excluded that factors other than the dumped imports from the PRC, in particular imports originating in Armenia and Iran, may have contributed to the injury suffered by the Community industry. Nevertheless, even if these imports contributed

to the injury suffered by the Community industry, this contribution remains only marginal, given the small volume of these imports and their limited market share compared to that of the imports originating in the PRC. Furthermore, indications that these imports may have been made at dumped prices were submitted neither by the complainant nor by the exporting producers claiming a discriminatory treatment. For these reasons, imports originating in third countries other than the PRC cannot break the causal link between the imports from the PRC and the material injury suffered by the Community industry.

(e) *Traded FeMo by the Community industry*

(114) It was also considered whether the Community industry had inflicted upon itself injury through its resale of FeMo originating in the PRC.

(115) It was found that the volume of these sales by the Community industry in the IP represented a negligible part of the total sales made by the Community industry and amounted to less than 5 % of the total volume of imports of the product concerned originating in the PRC. This could be considered as a normal commercial behaviour to counteract the surge in low-priced imports originating in the PRC. It was found that the sales prices charged by the Community industry for traded FeMo were at the same level as the prices of FeMo originating in the PRC.

(116) It was therefore provisionally concluded that the Community industry's resales of Chinese originating FeMo did not contribute to the injury suffered by the Community industry.

4. Conclusion on causation

(117) It cannot be excluded that factors other than dumped imports, in particular imports originating in Armenia and Iran, may have contributed to the situation of the Community industry. However, these factors were not such as to break the causal link between the injury established and the imports concerned as shown by the price pressure and price undercutting attributable to the imports originating in the PRC as well as the volume and market share gained by the low-priced Chinese imports which had negative consequences on the situation of the Community industry, notably on production, sales volume and market share.

- (118) It is therefore provisionally concluded that the dumped imports originating in the PRC taken in isolation, have caused material injury to the Community industry within the meaning of Article 3(6) of the basic Regulation.

G. COMMUNITY INTEREST

- (119) In order to assess the Community interest, the Commission carried out an investigation into the likely effects of the imposition/non-imposition of anti-dumping measures on the economic operators concerned. Questionnaires were sent to all interested parties known to be concerned at the time of the initiation of the proceeding, namely the Community industry, importers/traders and industrial users. Other interested parties, which came forward, were also invited to provide information on the likely effects of the imposition/non-imposition of anti-dumping measures.

1. Interest of the Community industry

(a) *Nature and structure of the Community industry*

- (120) The Community industry is composed of two medium-sized companies located in Austria and in the UK. One of them belongs to a globally organised company based in the USA, but its profit centres dealing with manufacturing and selling of the product concerned are located in the Community. One of them is upstream integrated and produces MoO_3 partly for use in its downstream production of FeMo and for sales to third parties. Production of FeMo is capital intensive and the Community industry employed a total of 510 people out of which 92 were directly linked to the production of FeMo in the IP. Account should also be taken of the workforce relating to the production of the main raw material concerned (MoO_3) used in the production of FeMo which amounted to 71 employees.

- (121) Despite the finding of material injury, the Community industry is viable and competitive and can continue to be active in this product if fair market conditions are restored. It should be mentioned that the Community industry is also active in other products where returns on sales are well above those obtained in the product concerned.

(b) *Possible effects of the imposition/non-imposition of measures on the Community industry*

- (122) Following the imposition of measures, it is expected that the volume of Chinese imports of the product concerned on the Community market would decrease. This would enable the Community industry to recover lost market share and by increasing capacity utilisation to decrease

unit production costs and to increase profitability. Furthermore, the level of the Community industry's prices would, in all likelihood moderately increase, although not by the level of any anti-dumping duty, since competition will still remain amongst Community operators, imports originating in the PRC and imports originating in other third countries. In conclusion it is expected that the increase in production and sales volume, on the one hand, and the further decrease in unit costs, on the other hand, eventually combined with a moderate price increase will allow the Community industry to improve its financial situation.

- (123) On the other hand, should anti-dumping measures not be imposed, it is likely that the negative trend of the Community industry will continue. The Community industry is particularly marked by a loss of sales volume and market share as well as insufficient profitability. Indeed, in view of the decreasing sales volume particularly since 1999 and the material injury suffered during the IP, it is obvious that the financial situation of the Community industry will deteriorate further in the absence of any measures. This may ultimately lead to closures of certain production lines and/or even closure of entire plants and therefore threaten employment and investments in the Community. Furthermore, should the negative trend continue, not only the production of FeMo is affected but also the upstream production of MoO_3 in the Community.

(c) *Conclusion*

- (124) In conclusion, the imposition of anti-dumping measures would allow the Community industry to recover from the injurious dumping found.

2. Interest of other Community operators

- (125) On the basis of the information submitted by two other Community operators, there are no indications that the effects of the proposed measures on their situation will be different from the abovementioned for the Community industry. On the other hand it appears that other Community operators have also suffered from the increased FeMo imports at low prices. They already reduced their production by 44 % and their market share by 49 % from 1997 to the IP and their situation will continue to deteriorate should measures not be adopted. One Community operator stopped production shortly after the IP due to its unsustainable financial situation. The other one claimed that the continuous downward trend of prices renders the FeMo activity not profitable, as proven by the sharp decrease in its profitability between 1997 and the IP, and consequently the closure of a FeMo plant may be envisaged.

3. Interest of unrelated importers/traders in the Community

- (126) The distribution of FeMo in the Community is characterised by a relatively small number of importers and traders who trade in a large number of other products.
- (127) Questionnaires were sent to 14 known importers and traders in the Community. Only one response was received from one trader within the time limits set:
- Grondmet Metall- und Rohstoff Vertriebs GmbH, Düsseldorf, Germany.
- (128) This trader represents less than 10 % of the total import volume of the product concerned from the PRC in the Community during the IP. This low level of cooperation could already justify the conclusion that the outcome of the investigation would probably not have a significant effect on importers/traders given that these companies also trade with other products which are not concerned by this proceeding.
- (129) Should anti-dumping measures be imposed, it is likely that imports originating in the PRC decrease and that consequently, the Community industry regain sales volume and market share. Furthermore, it cannot be excluded that the imposition of anti-dumping measures results in a moderate increase in the prices of FeMo in the Community, thus affecting the economic situation of importers and traders.
- (130) However, the impact of any anti-dumping duty on the situation of importers and traders should be seen in the light of the small part of their overall activities represented by trade in FeMo. On the basis of the information provided by the sole cooperating importer/trader, it has been found that FeMo represented less than 15 % of the cooperating company's total turnover. Thus, the effect of any measures on this trader's overall business would be limited. Furthermore, the effect on importers/traders of the increase in the Chinese prices of FeMo will depend on their ability to pass increase in prices on to their customers. Information provided by cooperating users indicate that prices of imported FeMo have fluctuated over the period and thus it is likely that importers/traders pass any increases in prices of FeMo on to users.
- (131) On this basis, it has been provisionally concluded that the imposition of anti-dumping measures is not likely to have a serious negative effect on the situation of importers/traders in the Community.

4. Interest of the user industry

(a) Nature and structure of the user industries

- (132) The main users of FeMo in the Community are the steel industry and foundries. Both users are estimated to represent around 80 % of the Community consumption of all molybdenum products, the steel industry representing around 70 % and foundries around 10 %. Conse-

quently FeMo demand is primarily dependent upon the production of steel and cast iron where ferro molybdenum is used to introduce molybdenum metal in the melts during the production of alloyed steel and cast iron to enhance some required characteristics such as resistance to corrosion and to heat.

- (133) Questionnaires were sent to 20 users of FeMo. Furthermore, two main users' associations, i.e. the European Confederation of Iron and Steel Industries (EUROFER) and the Committee of Associations of European Foundries (CAEF), were invited to forward copies of the questionnaire intended for users to those of their members which were concerned by the investigation. Responses were received from the following five steel producers:
- Edelstahl-Witten-Krefeld GmbH, Witten, Germany.
 - Krupp Edelstahlprofile GmbH, Siegen, Germany,
 - Krupp Thyssen Nirosta, Krefeld, Germany,
 - Georgsmarienhütte GmbH, Georgsmarienhütte, Germany,
 - Hüttenwerke Krupp Mannesmann GmbH, Duisburg, Germany.
- (134) Furthermore, the Federation of German Steel Industry (Wirtschaftsvereinigung Stahl) made allegations as regards the possible impact of anti-dumping measures on the steel industry which were supported by the German Foundry Association (Deutscher Giessereiverband) and the CAEF.
- (135) The likely effects of the imposition/non-imposition of anti-dumping measures were examined on the basis of the information received from the cooperating parties. Even if neither the Committee of Associations of European Foundries nor individual foundries did submit any substantiated comments, although expressly invited to do so, there are no indications that the following conclusions would not be *mutatis mutandis* valid also in respect of foundry industry.

(b) Economic situation of users

- (136) The cooperating users represented around 7 % of the Community FeMo consumption in the IP. Their total turnover ranged from EUR 277 million to EUR 1 760 million in the IP, their overall weighted average profitability increased from 3,4 % in 1998 to 4,4 % in the IP. Total staff employed by these companies amounted to around 13 000 persons and the employment attributable to the product concerned represented around 50 persons.

(c) *Effects of the imposition/non imposition of measures*

- (137) On the basis of the information provided by cooperating users it was found that FeMo represented on average 0,6 % of the cost of raw materials in the IP and on average 0,4 % of total costs. Given the above, the imposition of an anti-dumping measure would only have a negligible effect on the costs and financial situation of users.
- (138) Users were found to have a substantial buying power and alternative sources of supply exist, which are not subject to the measures. Furthermore, as explained above in recital 122, the Community industry is unlikely to increase its prices by the full amount of the anti-dumping duty, since it will also benefit from reduced costs resulting from an increase in its sales volume. Furthermore, FeMo may in certain limited technical processes at steel and cast iron plants be partially substituted by MoO₃ depending on the availability and relative prices of the different Mo-containing products.
- (139) Should measures not be imposed, users would continue to benefit from the existing low prices of FeMo on the Community market which are the result of unfair trading practices, which are injurious and detrimental to the Community industry. Furthermore, it should be noted that, in the event of a reduction or even disappearance of the Community industry, the available sources of supply would also be reduced with the consequent negative effect for the users. In this respect it is considered that the existence of alternative sources of supply is vital for guaranteeing a significant level of competition on the Community market as well as an adequate access to raw materials.

(d) *Conclusion*

- (140) Given the above, in particular the small incidence of FeMo on the overall costs of users, it is provisionally concluded that the imposition of any anti-dumping measure is not likely to affect the situation of users of FeMo in the Community.

5. Consequences for competition in the Community market

- (141) The single cooperating trader and the Wirtschaftsvereinigung Stahl opposed the anti-dumping measures, arguing in general terms that the Community industry had insufficient production capacity to meet demand.
- (142) As far as the competitive environment in the Community market is concerned, it should be noted that it is the aim of any anti-dumping measure not to prevent imports from entering the Community market, but to restore fair conditions of competition on the market. Moreover, given the level of duties proposed

and the effect of a price increase on the downstream industries as described above, it is likely that Chinese exporting producers will continue to export to the Community market, albeit at non-dumped prices.

- (143) Furthermore, as there are no quality differences between the product concerned originating in the PRC and in other third countries, importers and users in the Community would have no difficulty in obtaining FeMo from other sources as well as from the PRC, especially as there is no shortage of supply on the world market. On the contrary, the removal of the unfair trade practices will prevent the further deterioration of the situation of the Community industry and thus help to maintain the availability of a wide choice of supply sources and even strengthen competition among existing producers.
- (144) Regarding the insufficient capacity by the Community industry to meet demand, the information provided by the Community industry shows that it has sufficient spare capacity to supply the increased demand in the Community market. Indeed, the rate of capacity utilisation by the Community industry during the IP amounted to around 50 %.
- (145) On the other hand, should anti-dumping measures not be imposed, the situation of the Community industry and the other Community operators would most likely further deteriorate, leading eventually to the disappearance of Community production for FeMo. In view of the above, it cannot be excluded that without anti-dumping measures the number of players in the Community market will decrease, with the consequent negative effects for competition.
- (146) It is therefore provisionally concluded that the imposition of anti-dumping measures is highly unlikely to result in supply constraints for FeMo in the Community, given the level of unused capacity by the Community industry, the level of the anti-dumping measures proposed and the existence of alternative sources of supply.

6. Conclusion on Community interest

- (147) In the light of the above, it is provisionally concluded that no compelling reasons exist on grounds of Community interest against the imposition of anti-dumping measures.

H. PROVISIONAL ANTI-DUMPING MEASURES

- (148) In view of the conclusions reached with regard to dumping, injury, causation and Community interest, provisional measures should be taken in order to prevent further injury being caused to the Community industry by the dumped imports.

1. Injury elimination level

- (149) The level of the provisional anti-dumping measures should be sufficient to eliminate the injury to the Community industry caused by the dumped imports, without exceeding the dumping margins found. When calculating the amount of duty necessary to remove the effects of the injurious dumping, it was considered that any measures should allow the Community industry to cover its costs and obtain overall a profit before tax that could be reasonably achieved under normal conditions of competition, i.e. in the absence of dumped imports on the sales of the like product in the Community.
- (150) On the basis of the information available, it was preliminarily found that a profit margin of 5 % of turnover could be regarded as an appropriate minimum which the Community industry could be expected to obtain in the absence of injurious dumping, taking into account the level of profitability obtained in the sales of other products of the same type produced by the Community industry.
- (151) The necessary price increase was then determined on the basis of a comparison, at the same level of trade, of the weighted average import price, as established for the price undercutting calculations, with the non-injurious price of FeMo sold by the Community industry on the Community market. The non-injurious price has been obtained by adjusting the sales price of the Community industry to reflect the above mentioned reasonable profit margin of 5 %. Any difference resulting from this comparison was then expressed as a percentage of the total cif import value.

2. Provisional measures

- (152) In the light of the above, it is considered that, in accordance with Article 7(2) of the basic Regulation, provisional anti-dumping duties should be imposed in respect of imports originating the PRC at the level of the lower of the injury elimination and dumping margins found.
- (153) As regards the residual duty to be applied to the non-cooperating exporting producers, as the level of cooperation was considered low and in order not to give a bonus for non-cooperation, it was concluded that the residual duty should be fixed on the basis of the methodology explained in recital 54.

- (154) The individual company anti-dumping duty rates specified in this Regulation were established on the basis of the findings of the present investigation. Therefore, it reflects the situation found during that investigation with respect to these companies. These duty rates (as opposed to the countrywide duty applicable to 'all other companies') are thus exclusively applicable to imports of products originating in the country concerned and produced by the company and thus by the specific legal entity mentioned. Imported products produced by any other company not specifically mentioned in the operative part of this Regulation with its name and address, including entities related to those specifically mentioned, cannot benefit from this rate and shall be subject to the duty rate applicable to 'all other companies'.
- (155) Any claim requesting the application of this individual company anti-dumping duty rate (e.g. following a change in the name of the entity or following the setting up of new production or sales entities) should be addressed to the Commission forthwith with all relevant information, in particular any modification in the company's activities linked to production, domestic and export sales associated with e.g. that name change or that change in the production and sales entities. The Commission, if appropriate, will, after consultation of the Advisory Committee, amend the Regulation accordingly by updating the list of companies benefiting from individual duty rates.

I. FINAL PROVISION

- (156) In the interest of a sound administration, a period should be fixed within which the interested parties may make their views known in writing and request a hearing. Furthermore, it should be stated that the findings made for the purpose of this Regulation are provisional and may have to be reconsidered for the purpose of any definitive measures,

HAS ADOPTED THIS REGULATION:

Article 1

1. A provisional anti-dumping duty is hereby imposed on imports of ferro molybdenum, falling within CN code 7202 70 00 and originating in the People's Republic of China.
2. The rate of duty applicable to the net, free-at-Community-frontier price, before duty, for products produced by the following companies, shall be as follows:

Company	Rate of duty (%)	TARIC additional code
Fushun Shunkang Molybdenum Industry Co. Ltd	12,7 %	A273
Jinzhou Sanda Ferro-Alloys Co. Ltd	17,2 %	A274
Jinzhou Sing Horn Enterprise Co. Ltd	9,8 %	A275
Nanjing Metalink International Co. Ltd	3,6 %	A276
All other companies	26,3 %	A999

3. Unless otherwise specified, the provisions in force concerning customs duties shall apply.
4. The release for free circulation in the Community of the product referred to in paragraph 1 shall be subject to the provisions of a security, equivalent to the amount of the provisional duty.

Article 2

1. Without prejudice to Article 20 of Regulation (EC) No 384/96, interested parties may present their views in writing and request a hearing from the Commission within one month of the date of entry into force of this Regulation.
2. Pursuant to Article 21(4) of Regulation (EC) No 384/96, the parties concerned may comment on the application of this Regulation within one month of the date of its entry into force.

Article 3

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

Article 1 of this Regulation shall apply for a period of six months

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

Done at Brussels, 3 August 2001.

For the Commission

Pascal LAMY

Member of the Commission

COMMISSION REGULATION (EC) No 1613/2001**of 7 August 2001****amending Regulation (EC) No 896/2001 laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the arrangements for importing bananas into the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 216/2001 ⁽²⁾, and in particular Article 20 thereof,

Whereas:

- (1) Commission Regulation (EC) No 896/2001 ⁽³⁾ lays down the new detailed rules for applying Regulation (EEC) No 404/93 as regards the management of the tariff import quotas provided for in Article 18(1) of that Regulation, applicable from 1 July 2001.
- (2) The second subparagraph of Article 8(2) of Regulation (EC) No 896/2001 lays down that proof of dispatch in the case of non-traditional operators is furnished by producing copies of the bill of lading and the ship's manifest or, where applicable, the road or air transport document, drawn up in the name of the operator, for the quantities actually imported. In order to ensure that this provision is uniformly applied, it should be specified that the requisite proof must cover dispatch from the goods' country of origin, regardless of the means of transport used. This amendment should apply, for the

first time, to the dispatches linked to import operations effected in respect of the fourth quarter of 2001.

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

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 8(2) of Regulation (EC) No 896/2001 is replaced by the following:

'Proof of dispatch shall be furnished by producing copies of the bill of lading and the ship's manifest or, where applicable, the road or air transport document, covering dispatch from the country of origin, drawn up in the name of the operator, for the quantities actually imported.'

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 dispatches linked to import operations effected in respect of the fourth quarter of 2001.

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

Done at Brussels, 7 August 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 47, 25.2.1993, p. 1.

⁽²⁾ OJ L 31, 2.2.2001, p. 2.

⁽³⁾ OJ L 126, 8.5.2001, p. 6.

COMMISSION REGULATION (EC) No 1614/2001**of 7 August 2001****amending Regulation (EC) No 2771/1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention measures on the market in butter and cream**

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) Article 2 of Commission Regulation (EC) No 2771/1999 ⁽³⁾, as last amended by Regulation (EC) No 213/2001 ⁽⁴⁾, lays down that buying-in under a tendering procedure is to be opened or suspended, as appropriate, by the Commission in a Member State, in accordance with the management procedure laid down in Article 42 of Regulation (EC) No 1255/1999, once it has been observed that the market prices in that Member State are below or above 92 % of the intervention price for two weeks in succession. Under Article 8 of that Regulation, on each Thursday the Commission must record the level of market prices in each Member State, based on the prices communicated by them.
- (2) As these rules require buying-in under a tendering procedure to be opened or suspended immediately after the second consecutive recording of a market price that is below or alternatively equal to or above 92 % of the intervention price, the decision to do so is not a matter of discretion and so must be taken by the Commission as quickly as possible, without having recourse to the management procedure laid down in Article 42 of Regulation (EC) No 1255/1999.

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EC) No 2771/1999 is replaced by the following:

'Article 2

1. Once it has observed, in accordance with Article 8(4) of this Regulation, that the market price in a Member State is lower than 92 % of the intervention price, for two weeks in succession, the Commission shall commence buying-in under a tendering procedure in the Member State concerned, in accordance with Article 6(1) of Regulation (EC) No 1255/1999.
2. Once it has observed, in accordance with Article 8(4) of this Regulation, that the market price in a Member State is equal to or higher than 92 % of the intervention price, for two weeks in succession, the Commission shall suspend buying-in under a tendering procedure in the Member State concerned, in accordance with Article 6(1) of Regulation (EC) No 1255/1999.'

Article 2

This Regulation shall enter into force on the seventh 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, 7 August 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 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 37, 7.2.2001, p. 1.

COMMISSION REGULATION (EC) No 1615/2001
of 7 August 2001
laying down the marketing standard for melons and amending Regulation (EC) No 1093/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 911/2001 ⁽²⁾, and in particular Article 2(2) and Article 3(3) thereof,

Whereas:

- (1) Melons are among the products listed in Annex I to Regulation (EC) No 2200/96 for which standards must be adopted. Commission Regulation (EC) No 1093/97 of 16 June 1997 laying down marketing standards applicable to melons and watermelons ⁽³⁾, as amended by Regulation (EC) No 850/2000 ⁽⁴⁾, has been amended and can no longer ensure legal clarity.
- (2) In the interest of clarity, the rules on melons should be separated from those on other products under Regulation (EC) No 1093/97. The rules in question should therefore be recast and Annex I to Regulation (EC) No 1093/97 should be deleted. To that end, and in the interest of preserving transparency on the world market, account should be taken of the standard for melons recommended by the Working Party on Standardisation of Perishable Produce and Quality Development of the United Nations Economic Commission for Europe (UN/ECE). This standard has recently been amended to differentiate between the minimum maturity criteria for Charentais melons and those for other types of melon.
- (3) Application of these standards should remove products of unsatisfactory quality from the market, bring production into line with consumer requirements and facilitate trade based on fair competition, thereby helping to improve profitability.
- (4) The standards are applicable at all marketing stages. Long-distance transport, storage over a certain period and the various processes the products undergo may cause some degree of deterioration owing to the biological development of the products or their perishable nature. Account should be taken of such deterioration

when applying the standard at the marketing stages following dispatch.

- (5) Article 3(3)(c) of Regulation (EC) No 2200/96 provides for the possibility of derogation from the standards in force for fruit and vegetables produced in a given region which are sold by the retail trade of the region for well-established traditional local consumption. Certain varieties of melon produced in Spain and Portugal are traditionally sold in the region of production loose, i.e. after being loaded directly into the means of transport or a compartment of the means of transport. This marketing practice was the subject of Commission Regulations (EC) No 1332/97 ⁽⁵⁾ and (EC) No 1438/97 ⁽⁶⁾ derogating, for Portugal and Spain respectively, from the marketing standards applicable to melons. For clarification and simplification, these derogations should be integrated into this Regulation and Regulations (EC) No 1332/97 and (EC) No 1438/97 should be repealed.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The marketing standard for melons, falling within CN code 0807 19 00, shall be as set out in the Annex.

The standard shall apply at all marketing stages under the conditions laid down in Regulation (EC) No 2200/96.

However, at stages following dispatch, products may show in relation to the requirements of the standard a slight lack of freshness and turgidity, as well as slight deterioration due to their development and their perishable nature.

Article 2

Notwithstanding the provisions of this Regulation, the following melons may be sold loose in the region of production in that Member State by the retail trade:

- (a) melons produced in Portugal other than the Charentais, Ogen and Galia types,
- (b) melons with an elongated shape produced in Spain.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 129, 11.5.2001, p. 3.

⁽³⁾ OJ L 158, 17.6.1997, p. 21.

⁽⁴⁾ OJ L 103, 27.4.2000, p. 21.

⁽⁵⁾ OJ L 183, 11.7.1997, p. 6.

⁽⁶⁾ OJ L 196, 24.7.1997, p. 64.

The document or, where appropriate, the notice referred to in Article 5(2) of Regulation (EC) No 2200/96 accompanying each consignment must bear, in addition to the other information required, the following indication: 'For sale by the retail trade in ... (region of production) only'.

Article 3

Regulation (EC) No 1093/97 is amended as follows:

1. In the title, the words 'melons and' are deleted.
2. Article 1(1) is replaced by the following:
'1. The marketing standard for watermelons, falling within CN code 0807 11 00, shall be as set out in the Annex.'

3. Annex I is deleted.

4. In Annex II, the title is replaced by the following title: 'Annex'.

Article 4

Regulations (EC) No 1332/97 and (EC) No 1438/97 are repealed.

References to the repealed regulations shall be understood as references to this Regulation.

Article 5

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

It shall apply from 1 January 2002.

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

Done at Brussels, 7 August 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

STANDARD FOR MELONS

I. DEFINITION OF PRODUCE

This standard applies to melons of varieties (cultivars) grown from *Cucumis melo* L. to be supplied fresh to the consumer, melons for industrial processing being excluded.

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for melons, after preparation and packaging.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the melons must be:

- intact ⁽¹⁾,
- sound; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free from any visible foreign matter,
- fresh in appearance,
- practically free from pests,
- practically free from damage caused by pests,
- firm,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The melons must be sufficiently developed and display satisfactory ripeness ⁽²⁾.

The development and condition of the melons must be such as to enable them:

- to withstand transport and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Classification

Melons are classified in two classes defined below:

(i) Class I

Melons in this class must be of good quality. They must be characteristic of the variety or commercial type.

The following slight defects, however, may be allowed provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:

- a slight defect in shape,
- a slight defect in colouring (a pale colouring of the rind at the point where the fruit touched the ground while growing is not regarded as a defect),
- slight skin blemishes due to rubbing or handling,
- slight healed cracks around the peduncle of less than 2 cm in length that do not reach the pulp.

Fruits harvested with their peduncle attached shall present a length of peduncle of less than 2 cm.

(ii) Class II

This class includes melons which do not qualify for inclusion in Class I, but satisfy the minimum requirements specified above.

⁽¹⁾ However, a small healed scar caused by automatic measurement of the refractometric index is not regarded as a defect.

⁽²⁾ The refractometric index of the pulp measured at the middle point of the fruit flesh at the equatorial section must be greater than or equal to 10° Brix for Charentais melons and 8° Brix for other melons.

The following defects may be allowed provided the melons retain their essential characteristics as regards the quality, the keeping quality and presentation:

- defects in shape,
- defects in colouring (a pale colouring of the rind at the point where the fruit touched the ground while growing is not regarded as a defect),
- slight bruising,
- slight cracks or deep scratches that do not affect the pulp of the fruit and are dry,
- skin blemishes due to rubbing or handling.

III. PROVISIONS CONCERNING SIZING

Size is determined by the weight of one unit or by the diameter of the equatorial section.

The minimum sizes are as follows:

Sizing by weight:

- Charentais, Ogen and Galia type melons: 250 g
- Other melons: 300 g

Sizing by diameter:

- Charentais, Ogen and Galia type melons: 7,5 cm
- Other melons: 8,0 cm

When the size is expressed by weight, the largest melon may not weigh over 50 % (30 % for the Charentais type melons) more than the smallest.

When the size is expressed by diameter, the diameter of the largest melon may not be over 20 % (10 % more for the Charentais type melons) more than the diameter of the smallest.

Sizing is compulsory for both classes.

IV. PROVISIONS CONCERNING TOLERANCE

Tolerances in respect of quality and size shall be allowed in each package for produce not satisfying the requirements of the class indicated.

A. Quality tolerances

(i) Class I

10 % by number or weight of melons not satisfying the requirements of the class, but meeting those of Class II or, exceptionally, coming within the tolerances of that class.

(ii) Class II

10 % by number or weight of melons satisfying neither the requirements of the class, nor the minimum requirements, with the exception of produce affected by rotting or any other deterioration rendering it unfit for consumption.

B. Size tolerances

For all classes: 10 % by number or weight of melons whose size is greater or less than that specified.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only melons of the same origin, variety or commercial type, quality and size, and which have reached appreciably the same degree of development and ripeness and are of appreciably the same colour.

The visible part of the contents of the package must be representative of the entire contents.

B. Packaging

Melons must be packed in such a way as to protect the produce properly.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, particularly paper or stamps, bearing trade specifications is allowed provided the printing or labelling has been done with non-toxic ink or glue.

Packages must be free from all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars in letters grouped on the same side, legibly and indelibly marked, and visible from the outside.

A. Identification

Packer and/or dispatcher: name and address or officially issued or accepted code mark. However, in the case where a code mark is used, the reference 'Packer and/or dispatcher (or equivalent abbreviations)' must be indicated in close proximity to the code mark.

B. Nature of produce

- 'Melons' if the contents are not visible from the outside.
- Name of the variety or commercial type (e.g. Charentais).

C. Origin of produce

Country of origin and, optionally, district where grown or national, regional or local place name.

D. Commercial specifications

- Class.
- Size expressed in minimum and maximum weight or minimum and maximum diameter.
- Number of units (optional).
- Minimum sugar content, measured by refractometer and expressed in degrees Brix (optional).

E. Official control mark (optional)

COMMISSION REGULATION (EC) No 1616/2001
of 7 August 2001
on the issue of system B export licences in the fruit and vegetables sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1185/2001 ⁽³⁾ fixes the indicative quantities for system B export licences other than those sought in the context of food aid.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for table grapes will shortly be exceeded. This overrun will prejudice the

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

- (3) To avoid this situation, applications for system B licences for table grapes exported after 7 August 2001 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for table grapes submitted pursuant to Article 1 of Regulation (EC) No 1185/2001, export declarations for which are accepted after 7 August 2001 and before 17 September 2001 are hereby rejected.

Article 2

This Regulation shall enter into force on 8 August 2001.

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

Done at Brussels, 7 August 2001.

For the Commission

Philippe BUSQUIN

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 34, 9.2.2000, p. 16.

⁽³⁾ OJ L 161, 16.6.2001, p. 26.

COMMISSION REGULATION (EC) No 1617/2001
of 7 August 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 1574/2001 ⁽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 1574/2001,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1574/2001 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 8 August 2001.

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

Done at Brussels, 7 August 2001.

For the Commission
Philippe BUSQUIN
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 208, 1.8.2001, p. 33.

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	0,16	0,00
	low quality	25,29	15,29
1002 00 00	Rye	21,18	11,18
1003 00 10	Barley, seed	21,18	11,18
1003 00 90	Barley, other ⁽³⁾	21,18	11,18
1005 10 90	Maize seed other than hybrid	65,95	55,95
1005 90 00	Maize other than seed ⁽³⁾	65,95	55,95
1007 00 90	Grain sorghum other than hybrids for sowing	45,89	35,89

⁽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 31 July to 7 August 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)	137,40	132,06	113,00	97,92	202,56 (**)	192,56 (**)	113,88 (**)
Gulf premium (EUR/t)	—	14,88	8,44	7,95	—	—	—
Great Lakes premium (EUR/t)	18,26	—	—	—	—	—	—

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

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: 20,30 EUR/t; Great Lakes — Rotterdam: 31,97 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).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 19 July 2001

establishing the ecological criteria for the award of the Community eco-label to hand dishwashing detergents

(notified under document number C(2001) 1989)

(Text with EEA relevance)

(2001/607/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1980/2000 of the European Parliament and of the Council of 17 July 2000 on a revised Community eco-label award scheme ⁽¹⁾, and in particular Articles 3, 4 and 6 thereof,

Whereas:

- (1) Article 3 of Regulation (EC) No 1980/2000 provides that the eco-label may be awarded to a product possessing characteristics which enable it to contribute significantly to improvements in relation to key environmental aspects.
- (2) Article 4 of Regulation (EC) No 1980/2000 provides that specific eco-label criteria shall be established according to product groups.
- (3) The measures set out in this Decision have been developed and adopted under the procedures for the setting of eco-label criteria as laid down in Article 6 of Regulation (EC) No 1980/2000.
- (4) The measures set out in this Decision are in accordance with the opinion of the committee set up under Article 17 of Regulation (EC) No 1980/2000,

HAS ADOPTED THIS DECISION:

Article 1

The product group 'hand dishwashing detergents' (hereinafter referred to as 'the product group') shall mean:

All detergents intended to be used to wash by hand dishes, crockery, cutlery, pots, pans and other kitchen utensils, etc.

Article 2

The environmental performance and the fitness for use of the product group shall be assessed by reference to the criteria set out in the Annex.

Article 3

The product group definition and the criteria for the product group shall be valid for three years from the date on which this Decision takes effect. If revised ecological criteria have not been adopted before the end of this period, their validity shall be extended for a further year.

Article 4

For administrative purposes the code number assigned to the product group shall be 019.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 19 July 2001.

For the Commission

Margot WALLSTRÖM

Member of the Commission

⁽¹⁾ OJ L 237, 21.9.2000, p. 1.

ANNEX

FRAMEWORK

In order to qualify for the eco-label, a hand dishwashing detergent (hereinafter referred to as 'the product' must fall within the product group as defined in Article 1, and must comply with the criteria of this Annex, with tests carried out on application as indicated in the criteria and the technical appendix. Where appropriate, other test methods may be used if their equivalence is accepted by the competent body or bodies assessing the application (hereinafter referred to as the 'competent body'). Where no tests are mentioned, or are mentioned as being for use in verification or monitoring, competent bodies should rely, as appropriate, on declarations and documentation provided by the applicant and/or independent verifications. Where it is indicated that specific documentation and/or declarations are required, these shall be provided by the applicant and/or the manufacturer(s) and/or the supplier(s) as appropriate. Where ingredients are referred to, this includes substances and preparations.

The competent bodies are recommended to take into account the implementation of recognised environmental management schemes, such as EMAS or ISO 14001, when assessing applications and monitoring compliance with the criteria in this Annex (*Note: it is not required to implement such management schemes.*)

These criteria aim in particular at promoting:

- the reduction of discharges of toxic or otherwise polluting substances into the aquatic environment,
- the reduction or prevention of risks to health or the environment related to the use of hazardous substances,
- the minimisation of packaging waste,
- information that will enable the consumer to use the product in the way that is efficient and minimises environmental impact.

The criteria are set at levels that promote the labelling of hand dishwashing detergents that have a low environmental impact.

ECOLOGICAL CRITERIA

1. Toxicity to aquatic organisms

The critical dilution volume toxicity (CDV_{tox}) is calculated for each ingredient (i) using the following equation:

$$CDV_{tox} \text{ (ingredient i)} = \frac{\text{weight (i)} \times LF \text{ (i)}}{LTE \text{ (i)}} \times 1\,000$$

where weight (i) is the weight of the ingredient per recommended dose for 1 l of dishwashing water, LF is the loading factor and LTE is the long-term toxicity effect concentration of the ingredient.

The values of the LF and LTE parameters shall be as given in the detergent ingredient database list (DID list) in Appendix IA. If the ingredient in question is not included in the DID list, the applicant shall estimate their values following the approach described in Appendix IB. The CDV_{tox} is summed for each ingredient, making the CDV_{tox} for the product.

The CDV_{tox} of the recommended dose expressed for 1 l of dishwashing water shall not exceed 170 l.

The exact formulation of the product shall be provided to the competent body, together with the details of the CDV_{tox} calculations showing compliance with this criterion.

2. Biodegradability of surfactants

(a) Ready biodegradability (aerobic)

Each surfactant used in the product shall be readily biodegradable.

The exact formulation of the product shall be provided to the competent body. The DID list (see Appendix IA) indicates whether a specific surfactant is aerobically biodegradable or not (i.e. those that have an entry of 'Y' in the column on aerobic biodegradability shall not be used). For surfactants which are not included in the DID list, the relevant information from literature or other sources, or appropriate test results, showing that they are aerobically biodegradable shall be provided. The tests for ready biodegradability shall be as referred to in Council Directive 67/548/EEC of 27 June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances⁽¹⁾, and its subsequent amendments, in particular the methods detailed in Annex V.C4, or their equivalent OECD 301 A-F test methods, or their equivalent ISO tests. The 10 days window principle shall not apply. The pass levels shall be 70 % for the tests referred to in Annex V.C4-A and C.4-B of Directive 67/548/EEC (and their

⁽¹⁾ OJ 196, 16.8.1967, p. 1.

equivalent OECD 301 A and E tests and ISO equivalent), and shall be 60 % for tests C4-C, D, E and F (and their equivalent OECD 301 B, F, D and tests and ISO equivalents).

(b) *Anaerobic biodegradability*

Each surfactant used in the product shall be biodegradable under anaerobic conditions.

The exact formulation of the product shall be provided. The DID list (see Appendix 1A) indicates whether a specific surfactant is anaerobically biodegradable or not (i.e. those that have an entry of 'Y' in the column on anaerobic biodegradability shall not be used). For surfactants which are not included in the DID list, the relevant information from literature or other sources, or appropriate test results, showing that they are anaerobically biodegradable shall be provided. The reference test for anaerobic degradability shall be ISO 11734, ECETOC No 28 (June 1988) or equivalent test method, with the requirement of a minimum of 60 % degradability under anaerobic conditions.

3. Dangerous, hazardous or toxic substances or preparations

(a) The following ingredients shall not be included in the product, either as part of the formulation or as part of any preparation included in the formulation:

- alkyl phenol ethoxylates (APEOs)
- quaternary ammonium compounds
- trichlorocarbon
- EDTA (ethylene-diamine-tetra-acetate)
- NTA (nitrilo-tri-acetate)
- polyglycol solvents: polyethylene glycols
- nitromusks and polycyclic musks, including for example:
 - musk xylene: 5-tert-butyl-2,4,6-trinitro-m-xylene
 - musk ambrette: 4-tert-butyl-3-methoxy-2,6-dinitrotoluene
 - moskene: 1,1,3,3,5-pentamethyl-4,6-dinitroindan
 - musk tibetine: 1-tert-butyl-3,4,5-trimethyl-2,6-dinitrobenzene
 - musk ketone 4'-tert-butyl-2',6'-dimethyl-3',5'-dinitroacetaphenone
 - HHCB (1,3,4,6,7,8-Hexahydro-4,6,6,7,8,8-hexamethylcyclopenta(g)-2-benzopyran)
 - AHTN (6-Acetyl-1,1,2,4,4,7-hexamethyltetralin).

(b) No ingredient shall be included in the product that is classified as:

- R40 (limited evidence of a carcinogenic effect)
- R45 (may cause cancer),
- R46 (may cause heritable genetic damage),
- R49 (may cause cancer by inhalation),
- R68 (possible risks of irreversible effects)
- R50+53 (very toxic to aquatic organisms and may cause long-term adverse effects in the aquatic environment),
- R51+53 (toxic to aquatic organisms and may cause long-term adverse effects in the aquatic environment),
- R59 (dangerous to the ozone layer),
- R60 (may impair fertility),
- R62 (may cause harm to the unborn child),
- R62 (possible risk of impaired fertility),
- R63 (possible risk of harm to the unborn child),
- R64 (may cause harm to breastfed babies),

or any combination thereof, according to Directive 67/548/EEC and its subsequent amendments, or according to Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations ⁽¹⁾, and its subsequent amendments.

Each ingredient of any preparation used in the formulation that exceeds 0,1 % by weight of the preparation shall also meet the above requirement.

⁽¹⁾ OJ L 200, 30.7.1999, p. 1.

Biocides that are used to preserve the product (as allowed under the criterion on biocides below), and are classified as R50+53 or R51+53 are nevertheless permitted, but only if they are not potentially bio-accumulative. In this context, a biocide is considered to be potentially bio-accumulative if the log Pow (log octanol/water partition coefficient) $\geq 3,0$ (unless the experimentally determined BCF ≤ 100).

The exact formulation of the product shall be provided to the competent body, together with copies of the material safety data sheets of each ingredient which shall indicate the classification or lack thereof of each ingredient, as well as a declaration that none of the above substances have been included in the product.

Similarly the suppliers of any preparation used in the formulation shall provide a declaration that their preparation complies with the above requirements.

4. Fragrances

- (a) The product shall not contain perfumes containing nitro-musks or polycyclic musks (as specified in the criterion above).
- (b) If the product contains one or more of the following fragrances, this shall be clearly indicated on the packaging, mentioning the name or names of the fragrances concerned:

Common name	CAS-No	Common name	CAS-No
Amyl Cinnamal	122-40-7	Amylcinnamyl alcohol	101-85-9
Benzyl alcohol	100-51-6	Benzyl salicylate	118-58-1
Cinnamyl alcohol	104-54-1	Cinnamal	104-55-2
Citral	5392-40-5	Coumarin	91-64-5
Eugenol	97-53-0	Geraniol	106-24-1
Hydroxycitronellal	107-75-5	Hydroxymethyl	31906-04-4
Isoeugenol	97-54-1	pentylcyclohexenecarboxaldehyde	

- (c) Any ingredients added to the product as a fragrance must have been manufactured and/or handled following the code of practice of the International Fragrance Association.

A declaration of compliance with each part of this criterion shall be provided to the competent body.

5. Dyes or colouring agents

Any dyes or colouring agents used in the product must be permitted by Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products ⁽¹⁾ and its subsequent amendments, and must be permitted by Directive 94/36/EEC of the European Parliament and of the Council of 30 June 1994 on colours for use in foodstuffs ⁽²⁾ and its subsequent amendments.

A declaration of compliance with this criterion shall be provided to the competent body, together with a full list of all dyes or colouring agents used.

6. Biocides

- (a) The product may only include biocides in order to preserve the product, and in the appropriate dosage for this purpose alone. This does not refer to surfactants which may also have biocidal properties.

The exact formulation of the product shall be provided, together with copies of the material safety data sheets of any preservatives added, as well as information on the dosage necessary to preserve the product. A declaration of compliance with this criterion shall be provided.

- (b) It is prohibited to claim or suggest on the packaging or by any other communication that the hand dishwashing product has an antimicrobial action.

The texts and layouts used on each type of packaging and/or an example of each different type of packaging shall be provided to the competent body, together with a declaration of compliance with this criterion.

⁽¹⁾ OJ L 262, 27.9.1976, p. 169.

⁽²⁾ OJ L 237, 10.9.1994, p. 13.

7. Sensitising substances

The product shall not be classified as R42 (may cause sensitisation by inhalation) and/or R43 (may cause sensitisation by skin contact) according to Directive 1999/45/EC concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations.

The exact formulation of the product shall be provided to the competent body, together, with copies of the material safety data sheets of each ingredient which shall indicate the relevant classification or lack thereof of each ingredient, and also a declaration of compliance with this criterion.

8. Limitation of the total surfactants per wash

The weight of total surfactants in the recommended dose for 1 l of dishwashing water shall not exceed 0,4 g for dirty dishes.

Data on the total active matter per ml of product shall be provided to the competent body, together with the recommended dosage in ml for 1l of dishwashing water for dirty dishes that appears on the packaging. On the basis of this data, compliance with this criterion shall be demonstrated.

9. Packaging requirements

- (a) The primary packaging shall have a volumetric coefficient of packaging (VCP) less than or equal to 1,9. This criterion does not apply if the primary packaging is made up of 50 % or more recycled material.

VCP is equal to the volume of the smallest rectangular solid (rectangular parallelepiped) that can contain the packaging divided by the volume of the product contained in the packaging.

- (b) If the primary packaging is made of recycled material, any indication of this on the packaging shall be in conformity with the ISO 14021 standard 'Environmental labels and declarations — Self declared claims (type II environmental labelling)'.
- (c) The primary packaging parts shall be easily separable into mono-material parts.
- (d) Plastics shall be marked according to Directive 94/62/EC of the European Parliament and of the Council of 20 December 1994 on packaging and packaging waste ⁽¹⁾, or DIN 6120 parts 1 and 2 in connection with DIN 7728 part 1.

Data on the packaging, and/or a sample thereof if appropriate, shall be provided to the competent body, together with a declaration of compliance with this criterion.

FITNESS FOR USE

10. Fitness for use

The product shall be fit for use, meeting the needs of the consumers.

All relevant data shall be provided to the competent body. This shall at least include the results of a performance test comparing the product (at the recommended dosage, tested on dirty dishes, in realistic conditions) with water and at least one other product (commonly available in the area where the eco-labelled product is to be marketed, and at its recommended dosage). The choice of the reference product(s) and test protocol used for these comparisons shall be justified. The applicant may use, for example, the test method entitled 'Dishwashing' established by the CTTN-IREN.

CONSUMER INFORMATION

11. User instructions

The product shall bear the following information on the packaging:

- (a) 'To wash your dishes in the most efficient way, to save water and energy, and to protect the environment, do not use running water but immerse the dishes, and use the recommended dosage. You can wash most efficiently without lots of foam' (or equivalent text).

⁽¹⁾ OJ L 365, 31.12.1994, p. 10.

- (b) The pictogram and information below shall appear on the packaging in a reasonably sufficient size and against a visible background:

Recommended dosage for 5 l of dishwashing water:		
	not very dirty	x ml (y teaspoons) of product
	dirty	z ml (w teaspoons) of product

where x, y, z and w have to be defined by the applicant and/or the manufacturer.

The measure used in the above pictogram shall be millilitres. A second well-known measure, such as teaspoons, shall additionally be given in brackets (as in the pictogram above). However, if the packaging has an efficient and convenient dosing system that can provide an equally reliable dosage, an alternative measure (e.g. capfuls, squirts, or other) may be used.

- (c) An indication of the approximate number of washes that the consumer can perform with one bottle.
This is calculated by dividing the volume of the product by the dosage required for 5 l of dishwashing water for dirty dishes (as indicated in the pictogram above).
- (d) Commission recommendation 89/542/EEC of 13 September 1989 for the labelling of detergents and cleaning products ⁽¹⁾ shall be applied.
- (e) If the product contains perfumes, this shall be indicated on the packaging.
- (f) 'For more information visit the EU eco-label website: <http://europa.eu.int/ecolabel>' (or equivalent text).

A sample of the product packaging, including the label, shall be provided to the competent body, together with a declaration of compliance with each part of this criterion.

12. Information appearing on the eco-label

Box 2 of the eco-label shall contain the following text:

- reduced impact on aquatic life,
- clear dosage instructions.

⁽¹⁾ OJ L 291, 10.10.1989, p. 55.

DETERGENT INGREDIENTS DATABASE AND APPROACH TO BE FOLLOWED FOR INGREDIENTS NOT LISTED IN THE DATABASE

A. The data given below on the most commonly used detergent ingredients shall be used for the calculation of the ecological criteria

(Note: the parameters a NBO, SI, II, THOD as well as the CF-factors for an NBO are not used within this product group)

Detergent ingredients database (DID-list; version 29.9.1998)

DID-No	Ingredients	Toxicity		Loading factor (LF)	Anaerobic non-biodegradable (a NBO)	Aerobic non-biodegradable (a NBO)	Soluble inorganics (SI)	Insoluble inorganics (II)	THOD
		NOEC measured	LTE						
	Anionic surfactants								
1	C 10-13 LAS (Na Ø 11,5-11,8, C14 < 1 %)	0,3	0,3	0,05	Y, CF = 0,75	O	O	O	2,3
2	other LAS (C 14 > 1 %)	0,12	0,12	0,05	Y, CF = 1,5	O	O	O	2,3
3	C 14/17 Alk. sulphonate	0,27	0,27	0,03	Y, CF = 0,75	O	O	O	2,5
4	C 8/10 Alkylsulphate	EC50 = 2,9	0,15	0,02	O	O	O	O	1,9
5	C 12-15 AS	0,1	0,1	0,02	O	O	O	O	2,2
6	C 12-18 AS	LC50 = 3	0,15	0,02	O	O	O	O	2,3
7	C 16/18 FAS	0,55	0,55	0,02	O	O	O	O	2,5
8	C 12-15 A 1-3 EO sulphate	0,15	0,15	0,03	O	O	O	O	2,1
9	C 16/18 A 3-4 EO sulphate	no valid data	0,1	0,03	O	O	O	O	2,2
10	C 8 Dialkylsulphosuccinate	LC50 = 7,5	0,4	0,5	Y, CF = 1,5	O	O	O	2
11	C 12/14 sulpho-fat.-acid methylester	EC50 = 5	0,25	0,05	Y, CF = 0,75	O	O	O	2,1
12	C 16/18 sulpho-fat.-acid methylester	0,15	0,15	0,05	Y, CF = 0,75	O	O	O	2,3
13	C 14/16 alpha olefine sulphonate	LC50 = 2,5	0,13	0,05	Y, CF = 0,75	O	O	O	2,3
14	C 14-18 alpha olefine sulphonate	LC50 = 1,4	0,07	0,05	Y, CF = 2,0	O	O	O	2,4
15	Soaps (C 12-22)	EC0 = 1,6	1,6	0,05	O	O	O	O	2,9

DID-No	Ingredients	Toxicity		Loading factor (LF)	Anaerobic non-biodegradable (a NBO)	Aerobic non-biodegradable (a NBO)	Soluble inorganics (SI)	Insoluble inorganics (II)	THOD
		NOEC measured	LTE						
	Nonionic surfactants								
16	C 9/11 A > 3-6 EO lin. or mono br.	EC50 = 3,3	0,7	0,03	O	O	O	O	2,4
17	C 9/11 A > 6-9 EO lin. or mono br.	EC50 = 5,4	1,1	0,03	O	O	O	O	2,2
18	C 12-15 A 2-6 EO lin. or mono br.	0,18	0,18	0,03	O	O	O	O	2,5
19	C 12-15 (Avg. C < 14) A > 6-9 EO lin. or mono br.	0,24	0,24	0,03	O	O	O	O	2,3
20	C 12-15 (Avg. C > 14) A > 6-9 EO	0,17	0,17	0,03	O	O	O	O	2,3
21	C 12-15 A > 9-12 EO	LC50 = 0,8	0,3	0,03	O	O	O	O	2,2
22	C 12-15 A 20-30 EO	EC50 = 13	0,65	0,05	O	O	O	O	2
23	C 12-15 A > 30 EO	LC50 = 130	6,5	0,75	O	Y	O	O	0 (*)
24	C 12/18 A 0-3 EO	no data	0,01	0,03	O	O	O	O	2,9
25	C 12-18 A 9 EO	0,2	0,2	0,03	O	O	O	O	2,4
26	C 16/18 A 2-6 EO	0,03	0,03	0,03	O	O	O	O	2,6
27	C 16/18 A > 9-12 EO	LC50 = 0,5	0,05	0,03	O	O	O	O	2,3
28	C 16/18 A 20-30 EO	EC50 = 18	0,36	0,05	O	O	O	O	2,1
29	C 16/18 A > 30 EO	LC50 = 50	2,5	0,75	O	Y	O	O	0 (*)
30	C 12/14 glucose amide	4,3	4,3	0,03	O	O	O	O	2,2
31	C 16/18 glucose amide	0,116	0,116	0,03	O	O	O	O	2,5
32	C 12/14 alkylpolyglucoside	1	1	0,03	O	O	O	O	2,3
	Amphoteric surfactants								
33	C 12-15 alkyl dimethylbetaine	0,03	0,03	0,05	Y, CF = 2,5	O	O	O	2,9
34	C 12-18 alkyl amidopropylbetaine	0,03	0,03	0,05	Y, CF = 2,5	O	O	O	2,8
	Suds controllers								
35	Silicone	EC0 = 241	4,82	0,4	Y, CF = 0,75	Y	O	O	0,0
36	Paraffin	no data	100	0,4	O	Y	O	O	0 (*)
	Fabric softening								
37	Glycerol	LC50 >5-10 gl	1 000	0,13	O	O	O	O	1,2

DID-No	Ingredients	Toxicity		Loading factor (LF)	Anaerobic non-biodegradable (a NBO)	Aerobic non-biodegradable (a NBO)	Soluble inorganics (SI)	Insoluble inorganics (II)	THOD
		NOEC measured	LTE						
	Builders								
38	Phosphate as sodium-tri-polyphosphate (STPP)		1 000	0,6	O	O	Y	O	0,0
39	Zeolite A	120	120	0,05	O	O	O	Y	0,0
40	Citrate	EC50 = 85	85	0,07	O	O	O	O	0,6
41	Polycarboxylates and related derivates	124	124	0,4	Y, CF = 0,1	Y	O	O	0 (*)
42	Clay		1 000	0,05	O	O	O	Y	0,0
43	Carbonate/bicarbonate	LC50 = 250	250	0,8	O	O	Y	O	0,0
44	Fatty acid (C ≥ 14)	EC0 = 1,6	1,6	0,05	O	O	O	O	2,9
45	Silicate/disilicate	EC50 >1 000	1 000	0,8	O	O	Y	O	0,0
46	NTA	19	19	0,13	O	O	O	O	0,6
47	Polyaspartic acid. Na salt	125	12,5	0,13	Y, CF = 0,1	O	O	O	1,2
	Bleaching								
48	Perborate mono (as borate)	1-10	6	1	O	O	Y	O	0,0
49	Perborate tetra (as borate)	1-10	6	1	O	O	Y	O	0,0
50	percarbonate (see carbonate)	LC50 = 250	250	0,8	O	O	Y	O	0,0
51	TAED	EC0 = 500	EC0 = 500	0,13	O	O	O	O	2,0
	Solvents								
52	C 1-C 4 alcohols	LC50 = 8 000	100	0,13	O	O	O	O	2,3
53	Monoethanolamine	0,78	0,78	0,13	O	O	O	O	2,4
54	Diethanolamine	0,78	0,78	0,13	O	O	O	O	2,3
55	Triethanolamine	0,78	0,78	0,13	O	O	O	O	2
	Miscellaneous								
56	Polyvinylpyrrolidon (PVP/PVNO/PVPVI)	EC50 > 100	100	0,75	Y, CF = 0,1	Y	O	O	0 (*)
57	Phosphonates	7,4	7	0,4	Y, CF = 0,5	Y	O	O	0 (*)
58	EDTA	LOEC = 11	11	1	Y, CF = 0,1	Y	O	O	0 (*)

DID-No	Ingredients	Toxicity		Loading factor (LF)	Anaerobic non-biodegradable (a NBO)	Aerobic non-biodegradable (a NBO)	Soluble inorganics (SI)	Insoluble inorganics (II)	THOD
		NOEC measured	LTE						
59	CMC	LC50 > 250	250	0,75	Y, CF = 0,1	Y	O	O	0 (*)
60	Na sulphate	EC50 = 2 460	1 000	1	O	O	Y	O	0,0
61	Mg sulphate	EC50 = 788	800	1	O	O	Y	O	0,0
62	Na chloride	EC50 = 650	650	1	O	O	Y	O	0,0
63	Urea	LC50 > 10 000	100	0,13	O	O	O	O	2,1
64	Maleic acid	LC50 = 106	2,1	0,13	O	O	O	O	0,8
65	Malic acid	LC50 = 106	2,1	0,13	O	O	O	O	0,6
66	Ca formiate		100	0,13	O	O	O	O	2,0
67	Silica		100	0,05	O	O	O	Y	0,0
68	High MW polymers PEG > 4 000		100	0,4	O	O	O	O	0 (*)
69	Low MW polymers PEG < 4 000		100	0,13	O	O	O	O	1,1
70	Cumene sulphonate	LC50 = 66	6,6	0,13	Y, CF = 0,25	O	O	O	1,7
71	Xylene sulphonate	LC50 = 66	6,6	0,13	Y, CF = 0,25	O	O	O	1,6
72	Toluene sulphonates	LC50 = 66	6,6	0,13	Y, CF = 0,25	O	O	O	1,4
73	Na-/Mg-/KOH		100	1	O	O	Y	O	0,0
74	Enzymes	LC50 = 25	25	0,13	O	O	O	O	2,0
75	Perfume formulation as used	LC50 = 2-10	0,02	0,1	Y, CF = 3,0	Y	O	O	0 (*)
76	Dyes	LC50 = 10	0,1	0,4	Y, CF = 3,0	Y	O	O	0 (*)
77	Starch	no data	250	0,1	O	O	O	O	0,97
78	Zn phthalocyanine sulphonate	0,16	0,016	0,074 (**)	Y, CF = 2,5	Y	O	O	0 (*)
79	Anionic polyester (soil release polymer)	EC50 = 310	310	0,4	Y, CF = 0,1	Y	O	O	0 (*)
80	Iminodisuccinate	23	2,3	0,13	Y, CF = 0,25	O	O	O	1,1

DID-No	Ingredients	Toxicity		Loading factor (LF)	Anaerobic non-biodegradable (a NBO)	Aerobic non-biodegradable (a NBO)	Soluble inorganics (SI)	Insoluble inorganics (II)	THOD
		NOEC measured	LTE						
	Optical brighteners = (FWA)								
81	FWA 1 ⁽¹⁾	LC0 = 10	1,0	0,4	Y, CF = 1,5	Y	O	O	0 (*)
82	FWA 5 ⁽²⁾	3,13	3,13	0,4	Y, CF = 0,5	Y	O	O	0 (*)
	Additional ingredients								
83	Alkyl aminoxides (C 12-18)	0,08	0,08	0,05	Y, CF = 2,5	O	O	O	3,2
84	Glycereth (6-17EO) cocoate	EC50 = 32	1,6	0,05	O	O	O	O	2,1
85	Phosphate esters (C 12-18)	EC50 = 38	1,9	0,05	Y, CF = 0,25	O	O	O	2,3

⁽¹⁾ FWA 1 = Disodium 4.4-bis (4-anilino-5-morpholino-1,3,5-triazin-2-yl)amino-stilbene-2.2-disulphonate.

⁽²⁾ FWA 5 = Disodium 4.4-bis(2-sulfostryryl)biphenyl.

(*) THOD for aerobically non degradable organic substances is set to zero.

(**) rapid photodegradation.

Notes

Y = yes, criterion applies.

O = no, criterion does not apply.

LTE = long-term effect concentration.

NOEC = non-observed effect concentration.

CF = correction factor for anaerobic non degradable organic substances.

THOD = theoretical oxygen demand.

B. Approach for ingredients which are not included in the DID-list

For ingredients which are not included in the DID-list, the applicant shall, under his own responsibility, find the appropriate values for the relevant parameters. The reference for the relevant test methods shall be the appropriate Annexes to Directive 67/548/EC.

The approach for estimating long-term-toxicity effect concentration (LTE) and loading factors (LF) is given below.

1. How to estimate long-term-toxicity-effect concentration (LTE)

As LTE the lowest validated long-term toxicity concentration for fish, *daphnia magna* or algae shall be considered.

In cases where data on homologues and/or QSARs (quantitative structure activity relationships) are used, a correction could be considered for the finally selected LTE. If long-term toxicity data (such as NOEC) for one or more of the three species are missing, or only short-term toxicity data (such as LC50) are available, the following uncertainty factors (UF) shall be used:

1.1. Uncertainty factors (UF) for non-surfactants

Data available	UF to be used
3 NOEC on fish, daphnia or algae	1 (take lowest validated NOEC)
2 NOEC on fish or daphnia or algae	5
1 NOEC on fish or daphnia or algae	10
At least 2 acute LC50 on fish or daphnia or algae	100

Deviation from this rule may be admitted if evidence can be provided that lower factors or data can be justified scientifically.

1.2. Uncertainty factors (UF) for surfactants

Data available	UF to be used
At least 2 NOEC on fish or daphnia or algae	1 (lowest NOEC)
1 NOEC on fish or daphnia or algae	1 (if species is most sensitive in acute toxicity) 10 (if species is not the most sensitive in acute toxicity)
3 LC50 on fish or daphnia or algae	20 (lowest LC50)
At least 1 LC50 on fish, daphnia or algae	50 (lowest LC50) or 20 in specific cases (*)

(*) In the last case referred to above, an uncertainty factor of 20 may be used instead of 50 only if 1-2 L(E)C50 (LC50 in case of fish toxicity, EC50 in case of *daphnia magna* and algae toxicity) data are available and if it can be concluded from the information for other compounds that the most sensitive species have been tested. Such a rule can be applied only within a group of homologues. It is emphasised that the LTEs used must be consistent within a group of homologues with respect to the influence of, for example length of alkyl chain for LAS (linear alkylbenzene sulphonate) or number of EO (ethoxy groups) for alcohol-ethoxylate. Any deviation from the scheme described above shall be well reasoned for the specific chemical.

2. How to estimate loading factors (LF)

The loading factors (LF) for calculating the critical dilution volume toxicity (CDV_{tox}) reflect the percentage of the substance which passes the sewage treatment system and depends on biodegradability and sorption tendency of the substance.

2.1. Loading factors for organic substances

Degradability of substance	Sorption	Loading factor (LF)
Ready biodegradable	Low	0,13
	Medium	0,1
	High	0,07

Degradability of substance	Sorption	Loading factor (LF)
Inherent biodegradable	Low	0,6
	Medium	0,5
	High	0,3
Non-biodegradable	Low	1
	Medium	0,75
	High	0,4

Note: Sorption can be estimated by $\log P_{ow}$ (partition coefficient octanol/water), where $P_{ow} < 2$ is considered as 'low sorption', $P_{ow} < x < 4$ is 'medium sorption' and $P_{ow} > 4$ is 'high sorption'. Where no sorption data are available, low sorption is assumed.

2.2. Special approach for readily degradable surfactants

Type of surfactant	Loading factor (LF) to be used
Readily degradable surfactants in general	0,05
Alcohol ethoxylates (EO < 20) and alcohol ethoxysulphates	0,03
Alcohol sulphates	0,02

2.3. Special approach for inorganic substances

Type of inorganic substance	loading factor (LF) to be used
Soluble inorganic substances	1
Insoluble inorganic substances	0,05

COMMISSION DECISION

of 19 July 2001

prolonging the period of validity of Decision 1999/10/EC establishing the ecological criteria for the award of the Community eco-label to paints and varnishes

(notified under document number C(2001) 2207)

(Text with EEA relevance)

(2001/608/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1980/2000 of the European Parliament and of the Council of 17 July 2000 on a revised Community eco-label award scheme ⁽¹⁾, and in particular Articles 4 and 6 thereof,

Whereas:

- (1) Regulation (EC) No 1980/2000 provides for the award of an eco-label to a product possessing characteristics which enable it to contribute significantly to improvements in relation to key environmental aspects.
- (2) According to Article 4 of Regulation (EC) No 1980/2000, specific eco-label criteria should be established according to product groups, and a review of the eco-label criteria as well as of the assessment and verification requirements related to the criteria should take place in due time before the end of the period of validity of the criteria specified for each product group, resulting in a proposal for prolongation, withdrawal or revision.
- (3) By Decision 1999/10/EC ⁽²⁾ the Commission established ecological criteria for the award of the Community eco-label to paints and varnishes, which, according to Article 3 thereof, expire on 31 December 2001.
- (4) Following the review, it is considered appropriate to prolong the period of validity of the definition of the product group and the ecological criteria, unchanged, for a period of 18 months, in particular to allow those

companies that have been awarded the eco-label to continue using the eco-label at least until a revision of Decision 1999/10/EC is deemed necessary.

- (5) The period of validity set out in Article 3 of Decision 1999/10/EC should therefore be extended.
- (6) The measures set out in this Decision are in accordance with the opinion of the committee set up under Article 17 of Regulation (EC) No 1980/2000,

HAS ADOPTED THIS DECISION:

Article 1

The period of validity set out in Article 3 of Decision 1999/10/EC for the product group definition and the criteria of the product group bearing the administrative code number 007 is prolonged until 30 June 2003.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 July 2001.

For the Commission

Margot WALLSTRÖM

Member of the Commission

⁽¹⁾ OJ L 237, 21.9.2000, p. 1.

⁽²⁾ OJ L 5, 9.1.1999, p. 77.

COMMISSION DECISION

of 31 July 2001

terminating the anti-dumping proceeding concerning imports of certain worked monumental or building granite stones originating in India and the People's Republic of China

(notified under document number C(2001) 2399)

(2001/609/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, as last amended by Regulation (EC) No 2238/2000 ⁽²⁾, and in particular Article 9 thereof,

After consulting the Advisory Committee,

Whereas:

A. PROCEDURE

- (1) On 29 September 2000, the Commission received a complaint concerning the alleged injurious dumping by imports of certain worked monumental or building granite stones originating in India and the People's Republic of China (PRC).
- (2) The complaint was lodged by the European & International Federation of Natural Stone Industries (Euro-ROC) on behalf of Community producers representing a major proportion of the total Community production of certain worked monumental or building granite stones pursuant to Article 4(1) and Article 5(4) of Regulation (EC) No 384/96 (the basic Regulation).
- (3) The complaint contained prima-facie evidence of the existence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of an anti-dumping proceeding.
- (4) The Commission, after consultation, by a notice published in the *Official Journal of the European Communities* ⁽³⁾, accordingly initiated an anti-dumping proceeding concerning imports into the Community of certain worked monumental or building granite stones, currently classifiable within CN codes ex 6802 23 00, ex 6802 93 10 and ex 6802 93 90 and originating in India and the PRC.
- (5) The Commission officially advised the exporting producers, importers, users and suppliers known to be concerned, the representatives of the exporting countries and the complainant Community producers. Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set out in the notice of initiation.

B. WITHDRAWAL OF THE COMPLAINT AND TERMINATION OF THE PROCEEDING

- (6) By letter of 6 June 2001 to the Commission, Euro-ROC formally withdrew its complaint.
- (7) In accordance with Article 9(1) of the basic Regulation, the proceeding may be terminated where the complaint is withdrawn, unless such termination would not be in the Community interest.
- (8) The Commission considered that the present proceeding should be terminated since the investigation had not brought to light any considerations showing that such termination would not be in the Community interest. Interested parties were informed accordingly and were given the opportunity to comment. No comments were received indicating that such termination would not be in the Community interest.
- (9) The Advisory Committee was consulted and no objections were raised as to the termination of the proceeding.
- (10) The Commission therefore concludes that the anti-dumping proceeding concerning imports into the Community of certain worked monumental or building granite stones originating in India and the PRC should be terminated without the imposition of anti-dumping measures,

HAS ADOPTED THIS DECISION:

Sole Article

The anti-dumping proceeding concerning imports of certain worked monumental or building granite stones, currently classifiable within CN codes ex 6802 23 00, ex 6802 93 10 and ex 6802 93 90 and originating in India and in People's Republic of China is hereby terminated.

Done at Brussels, 31 July 2001.

For the Commission

Pascal LAMY

Member of the Commission

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 257, 11.10.2000, p. 2.

⁽³⁾ OJ C 322, 11.11.2000, p. 3.

COMMISSION DECISION

of 18 July 2001

amending Decision 93/195/EEC on animal health conditions and veterinary certification for the re-entry of registered horses for racing, competition and cultural events after temporary export

(notified under document number C(2001) 1953)

(Text with EEA relevance)

(2001/610/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae ⁽¹⁾, as last amended by Commission Decision 2001/298/EC ⁽²⁾, and in particular Article 19(ii) thereof,

Whereas:

- (1) In accordance with Commission Decision 93/195/EEC ⁽³⁾, as last amended by Decision 2001/144/EC ⁽⁴⁾, the re-entry of registered horses for racing, competition and cultural events after temporary export is restricted to horses kept for less than 30 days in any of the non-member countries listed in the same group in Annex II to that Decision.
- (2) In order to make it easier for race horses originating in the Community to take part in International Group/Grade meetings in non-member countries listed in different groups, notably Australia, Canada, the United States of America, Hong Kong, Japan, Singapore or United Arab Emirates, that period should be extended to less than 90 days and the restriction to countries of the same group should be withdrawn for race horses participating in such meetings.

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 93/195/EEC is amended as follows:

1. An indent is added to Article 1 as follows:

‘— have taken part in International Group/Grade meetings in Australia, Canada, the United States of America, Hong Kong, Japan, Singapore or the United Arab Emirates and meet the requirements laid down in a health certificate in accordance with the model set out in Annex VIII to this Decision.’

2. The Annex to this Decision is added as Annex VIII.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 July 2001.

For the Commission

David BYRNE

Member of the Commission⁽¹⁾ OJ L 224, 18.8.1990, p. 42.⁽²⁾ OJ L 102, 12.4.2001, p. 63.⁽³⁾ OJ L 86, 6.4.1993, p. 1.⁽⁴⁾ OJ L 53, 23.2.2001, p. 23.

ANNEX

ANNEX VIII

HEALTH CERTIFICATE

for re-entry of registered horses that have taken part in International Group/Grade meetings in Australia, Canada, the United States of America, Hong Kong, Japan, Singapore or the United Arab Emirates after temporary export for less than 90 days

Certificate No:

Exporting non-member country: AUSTRALIA ⁽¹⁾, CANADA ⁽¹⁾, UNITED STATES OF AMERICA ⁽¹⁾, HONG KONG ⁽¹⁾, JAPAN ⁽¹⁾, SINGAPORE ⁽¹⁾, UNITED ARAB EMIRATES ⁽¹⁾

Responsible ministry: MINISTRY OF AGRICULTURE

I. Identification of horse

(a) No of identification document:

(b) Validated by:
(name of competent authority)

II. Origin of horse

The horse is to be sent from:
(place whence consigned)

to:
(place of destination)

by air:
(give flight number)

Name and address of consignor:

Name and address of consignee:

III. Health information

I, the undersigned, certify that the horse described above meets the following requirements:

- (a) it comes from a country where the following diseases are compulsorily notifiable: African horse sickness, dourine, glanders, equine encephalomyelitis (of all types including Venezuelan equine encephalomyelitis), equine infectious anaemia, vesicular stomatitis, rabies, anthrax;
- (b) it has been examined today and shows no clinical sign of disease ⁽²⁾;
- (c) it is not intended for slaughter under a national programme of infectious or contagious disease eradication;
- (d) since its entry into the country of dispatch, it has been resident on holdings under veterinary supervision, accommodated in separated stables without coming into contact with equidae of lower health status except during racing;
- (e) it comes from the territory or in case of official regionalisation according to Community from a part of the territory of a non-member country in which:
 - (i) Venezuelan equine encephalomyelitis has not occurred in the last two years;
 - (ii) dourine has not occurred in the last six months;
 - (iii) glanders has not occurred in the last six months;

- (f) it does not come from the territory or from a part of the territory of a non-member country considered, in accordance with Community legislation, as infected with African horse sickness;
- (g) it does not come from a holding which was subject to a prohibition order for animal health reasons nor had contact with equidae from a holding which was subject to prohibition order for animal health reasons which laid down the following conditions:
- (i) if not all animals of species susceptible to one or more of the diseases referred to hereinafter located on the holding were removed, the prohibition lasted for:
 - six months in the case of equine encephalomyelitis, beginning on the date on which the equidae suffering from the disease are slaughtered,
 - a period required to carry out with negative result two Coggins tests three months apart on samples taken from the animals remaining after infected animals have been slaughtered, in the case of equine infectious anaemia,
 - six months in case of vesicular stomatitis,
 - six months in the case of equine viral arteritis,
 - one month from the last recorded case, in the case of rabies,
 - 15 days from the last recorded case, in the case of anthrax;
 - (ii) if all the animals of species susceptible to the disease located on the holding have been slaughtered or removed and the premises disinfected, the period of prohibition shall be 30 days, beginning on the day on which the animals were destroyed or removed and the premises disinfected, except in the case of anthrax, where the period of prohibition is 15 days;
- (h) to the best of my knowledge, it has not been in contact with equidae suffering from an infectious or contagious disease in the 15 days prior to this declaration.

IV. Residence and quarantine information

- (a) The horse entered the territory of the country of dispatch on (insert date) .
- (b) The horse arrived in the country of dispatch from either a Member State of the European Community ⁽¹⁾ or from ⁽¹⁾ (insert name of country from where the horse arrived into the country of export), the latter being one of the countries listed above.
- (c) The horse entered the country of dispatch under animal health conditions at least as strict as those laid down in this certificate.
- (d) As far as can be ascertained and based on the attached declaration of the owner of the horse, or his representative ⁽¹⁾, which is part of the certificate, the horse has not been continuously outside the European Community for more than 90 days, the date of scheduled return in accordance with this certificate included, and has not been outside the countries listed above.

- V. The horse will be sent in a vehicle cleaned and disinfected in advance with a disinfectant officially recognised in the country of dispatch and designed in a way that droppings, litter or fodder cannot escape during transportation.

- VI. The certificate is valid for 10 days.

Date	Place	Stamp and signature of the official veterinarian ⁽²⁾

Name in block capitals and capacity.

DECLARATION

I, the undersigned
(insert name of owner ⁽¹⁾ or representative ⁽¹⁾ of owner of the horse described above in block letters)

declare that:

- the horse will be sent directly from the premises of dispatch to the premises of destination without coming into contact with other equidae not of the same health status;
- the horse is moved only between premises approved for horses participating in Group/Grade meetings in Australia, Canada, the United States of America, Hong Kong, Japan, Singapore or the United Arab Emirates;
- the horse was exported from a Member State of the European Union on (insert date).

.....
(Place, date)

.....
(Signature)

⁽¹⁾ Delete as appropriate

⁽²⁾ The certificate must be issued on the day of loading of the horse for dispatch to the place of destination or on the last working day before embarkation.

⁽³⁾ The colour of the stamp and the signature must be different to that of the printing.'

COMMISSION DECISION

of 20 July 2001

amending Decision 92/160/EEC with regard to the regionalisation of Mexico, amending Decisions 92/260/EEC, 93/195/EEC, 93/196/EEC and 93/197/EEC with regard to imports of equidae from Mexico and repealing Decisions 95/392/EC and 96/486/EC

(notified under document number C(2001) 2214)

(Text with EEA relevance)

(2001/611/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

conditions and veterinary certification for the imports of equidae for slaughter.

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and import from third countries of equidae ⁽¹⁾, as last amended by Decision 2001/298/EC ⁽²⁾, and in particular Article 13(2)(a) and Article 19(i) thereof,

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 ⁽³⁾, as last amended by Directive 96/43/EC ⁽⁴⁾, and in particular Article 18 thereof,

Whereas:

- (1) Commission Decision 92/160/EEC ⁽⁵⁾, as last amended by Decision 2001/27/EC ⁽⁶⁾, established the regionalisation of certain third countries for imports of equidae.
- (2) Commission Decision 92/260/EEC ⁽⁷⁾, as last amended by Decision 2001/117/EC ⁽⁸⁾, laid down the animal health conditions and veterinary certification for temporary admission of registered horses.
- (3) Commission Decision 93/195/EEC ⁽⁹⁾, as last amended by Decision 2001/610/EC ⁽¹⁰⁾, established the animal health conditions and veterinary certification for the re-entry of registered horses after temporary export.
- (4) Commission Decision 93/196/EEC ⁽¹¹⁾, as last amended by Decision 2001/117/EC established the animal health

- (5) Commission Decision 93/197/EEC ⁽¹²⁾, as last amended by Decision 2001/117/EC, laid down the animal health conditions and veterinary certification for imports of registered equidae and equidae for breeding and production.
- (6) Commission Decision 95/392/EC ⁽¹³⁾ laid down protective measures in relation to dourine in Mexico.
- (7) Commission Decision 96/486/EC ⁽¹⁴⁾ laid down protection measures relating to Venezuelan equine encephalomyelitis in Mexico.
- (8) Mexico has not recorded cases of Venezuelan equine encephalomyelitis for more than two years and a veterinary inspection mission carried out recently in Mexico confirmed that the equine health situation is satisfactory. However, as a matter of additional precaution, the mission report recommended regionalisation with regard to export to the Community, the two most southern States of Mexico, Chiapas and Oaxaca. Equidae for slaughter are drawn from these States, therefore it appears appropriate to prohibit the imports into the Community of equidae for slaughter from Mexico.
- (9) In order to allow imports of equidae from Mexico it is necessary to establish the regionalisation of Mexico by modifying the Annex to Decision 92/160/EEC, to adapt the animal health conditions by modifying Decisions 92/260/EEC, 93/195/EEC, 93/196/EEC and 93/197/EEC accordingly and to repeal Decisions 95/392/EC and 96/486/EC.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ L 224, 18.8.1990, p. 42.

⁽²⁾ OJ L 102, 12.4.2001, p. 63.

⁽³⁾ OJ L 268, 24.9.1991, p. 56.

⁽⁴⁾ OJ L 162, 1.7.1996, p. 1.

⁽⁵⁾ OJ L 71, 18.3.1992, p. 27.

⁽⁶⁾ OJ L 6, 11.1.2001, p. 20.

⁽⁷⁾ OJ L 130, 15.5.1992, p. 67.

⁽⁸⁾ OJ L 43, 14.2.2001, p. 38.

⁽⁹⁾ OJ L 86, 6.4.1993, p. 1.

⁽¹⁰⁾ See page 45 of this Official Journal.

⁽¹¹⁾ OJ L 86, 6.4.1993, p. 7.

⁽¹²⁾ OJ L 86, 6.4.1993, p. 16.

⁽¹³⁾ OJ L 234, 3.10.1995, p. 44.

⁽¹⁴⁾ OJ L 198, 8.8.1996, p. 49.

HAS ADOPTED THIS DECISION:

Article 1

The following words are inserted in the Annex to Decision 92/160/EEC in the order of the ISO code:

‘Mexico

— The whole of the territory except the States of Chiapas and Oaxaca’.

Article 2

Decision 92/260/EEC is amended as follows:

1. The list of third countries in Group D of Annex I is replaced by the following:

‘Argentina (AR), Barbados (BB), Bermuda (BM), Bolivia (BO), Brazil (¹) (BR), Chile (CL), Cuba (CU), Jamaica (JM), Mexico (¹) (MX), Paraguay (PY), Uruguay (UY)’.

2. The title of the health certificate set out in Annex II(D) is replaced by the following:

‘HEALTH CERTIFICATE

for the temporary admission of registered horses into Community territory from Argentina, Barbados, Bermuda, Bolivia, Brazil (¹), Chile, Cuba, Jamaica, Mexico (¹), Paraguay, Uruguay for a period of less than 90 days’.

Article 3

Decision 93/195/EEC is amended as follows:

1. The list of third countries in Group D of Annex I is replaced by the following:

‘Argentina (AR), Barbados (BB), Bermuda (BM), Bolivia (BO), Brazil (¹) (BR), Chile (CL), Colombia (¹) (CO), Costa Rica (¹) (CR), Cuba (CU), Jamaica (JM), Mexico (¹) (MX), Peru (¹) (PE), Paraguay (PY), Uruguay (UY), Venezuela (¹) (VE)’.

2. The list of countries in Group D in the title of the health certificate set out in Annex II is replaced by the following:

‘Argentina, Barbados, Bermuda, Bolivia, Brazil (¹), Chile, Colombia (¹), Costa Rica (¹), Cuba, Jamaica, Mexico (¹) Peru (¹), Paraguay, Uruguay, Venezuela’.

Article 4

Mexico is deleted from the list of third countries in Group D in footnote 3 of Annex II to Decision 93/196/EEC.

Article 5

Decision 93/197/EEC is amended as follows:

1. The list of third countries in Group D of Annex I is replaced by the following:

‘Argentina (AR), Barbados (²) (BB), Bermuda (²) (BM), Bolivia (²) (BO), Brazil (¹) (BR), Chile (CL), Cuba (²) (CU), Jamaica (²) (JM), Mexico (¹) (MX), Paraguay (PY), Uruguay (UY)’.

2. The title of the health certificate set out in Annex II(D) is replaced by the following:

‘HEALTH CERTIFICATE

for imports into Community territory of registered horses from Barbados, Bermuda, Bolivia, Cuba, Jamaica, and of registered equidae and equidae for breeding and production from Argentina, Brazil (¹), Chile, Mexico (¹), Paraguay, Uruguay.’

Article 6

Decisions 95/392/EC and 96/486/EC are repealed.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 20 July 2001.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION**of 20 July 2001****amending for the fifth time Decision 2000/284/EC establishing the list of approved semen collection centres for imports of equine semen from third countries***(notified under document number C(2001) 2216)***(Text with EEA relevance)**

(2001/612/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to 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 ⁽¹⁾, as last amended by Commission Decision 95/176/EC ⁽²⁾, and in particular Article 17(3)(b) thereof,

Whereas:

- (1) Commission Decision 2000/284/EC ⁽³⁾, as last amended by Decision 2001/392/EC ⁽⁴⁾, established the list of approved semen collection centres for imports of equine semen from third countries.
- (2) The competent authorities of the United States of America officially informed the Commission of the approval in accordance with the provisions of Directive 92/65/EEC of eight additional equine semen collection centres, and the need to change certain details of two other equine semen collection centres.
- (3) Furthermore, the competent authorities of the United States of America officially informed the Commission that the approval has been withdrawn from the two

centres Honor Bright Farm (00CA009-EQS) and Burchett Training Center (98GA002-EQS).

- (4) It is appropriate to amend the list in the light of new information received from the non-member country concerned, and to highlight the amendments in the Annex for clarity.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2000/284/EC is replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 July 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 268, 14.9.1992, p. 54.

⁽²⁾ OJ L 117, 24.5.1995, p. 23.

⁽³⁾ OJ L 94, 14.4.2000, p. 35.

⁽⁴⁾ OJ L 138, 22.5.2001, p. 22.

- 1 Versión — Udgave — Fassung vom — Έκδοση — Version — Version — Versione — Versie — Versão — Tilanne — Version
- 2 Código ISO — ISO-kode — ISO-Code — Κωδικός ISO — ISO-code — Code ISO — Codice ISO — ISO-code — Código ISO — ISO-koodi — ISO-kod
- 3 Tercer país — Tredjeland — Drittland — Τρίτη χώρα — Third country — Pays tiers — Paese terzo — Derde land — País terceiro — Kolmas maa — Tredje land
- 4 Nombre del centro autorizado — Den godkendte tyrestations navn — Name der zugelassenen Besamungsstation — Όνομα του εγκεκριμένου κέντρου — Name of approved centre — Nom du centre agréé — Nome del centro riconosciuto — Naam van het erkende centrum — Nome do centro aprovado — Hyväksytyn aseman nimi — Tjurstationens namn
- 5 Dirección del centro autorizado — Den godkendte tyrestations adresse — Anschrift der zugelassenen Besamungsstation — Διεύθυνση του εγκεκριμένου κέντρου — Address of approved centre — Adresse du centre agréé — Indirizzo del centro riconosciuto — Adres van het erkende centrum — Endereço do centro aprovado — Hyväksytyn aseman osoite — Tjurstationens adress
- 6 Autoridad competente en materia de autorización — Godkendelsesmyndighed — Zulassungsbehörde — Εγκρίνουσα αρχή — Approving authority — Autorité d'agrément — Autorità che rilascia il riconoscimento — Autoriteit die de erkenning heeft verleend — Autoridade de aprovação — Hyväksyntäviranomaisen — Godkännandemyndighet
- 7 Número de autorización — Godkendelsesnummer — Registriernummer — Αριθμός έγκρισης — Approval number — Numéro d'agrément — Numero di riconoscimento — Registratienummer — Número de aprovação — Hyväksyntänumero — Godkännandennummer
- 8 Fecha de la autorización — Godkendelsesdato — Zulassungsdatum — Ημερομηνία έγκρισης — Approval date — Date d'agrément — Data di approvazione — Datum van erkenning — Data da aprovação — Hyväksyntäpäivä — Datum för godkännandet

1: 12.6.2001

2	3	4	5	6	7	8
AR	ARGENTINA	Haras El Atalaya	91 Cuartel 17 Arrecifes Buenos Aires	SENASA	I-E14 (Integral-Equino 14)	27.3.1998
AU	AUSTRALIA	Belcam Stud Artificial Breeding Centre	Armstrong Road Biddaddaba, Qld 4275	AQIS	Qld-AB-01	25.3.1998
AU		Alabar Bloodstock Corporation	Koyuga (Near Echuca) Victoria 3622			
AU		Beef Breeding Services, Qld DPI	Grindle Rd, Wacol Qld 4076			
AU		Kinnordy Stud Mr H. Schmorl.	MS 465, Cambooya Qld 4358			

1: 12.6.2001						
2	3	4	5	6	7	8
BG	BULGARIA					
BR	BRAZIL					
BY	BELARUS					
BZH	BOSNIA-HERZEGOVINA					
CA	CANADA	Ferme Canaco	89 Rang St-André St-Bernard de Lacolle Co. St-Jean, QUE J0J 1V0	CFIA	4-EQ-01	23.2.2000
CA		Amstrong Brothers	14709 Hurontario Street Inglewood, ON, L0N 1K0	CFIA	5-EQ-01	02/1997
CA		Zorgwijk Stables Ltd	508 Mt. Pleasant Road, R.R.2 Brantford, ON, N3T 5L5	CFIA	5-EQ-02	6.4.1999
CA		Tara Hills Stud	13700 Mast Road, R.R.4 Port Perry, ON, L9L 1B5	CFIA	5-EQ-03	26.1.2000
CA		Taylorlane Farm	R.R.#2 Orton, ON, L0N 1N0	CFIA	5-EQ-04	13.1.2000
CA		Earl Lennox	R.R.2 Orton, ON, L0N 1N0	CFIA	5-EQ-05	15.3.2000
CA		Rideau Field Farm	756 Heritage Drive, R.R.4 Merrickville, ON	CFIA	5-EQ-06	05/1998
CA		Glengate Farms	PO Box 220, 8343 Walker's Line Campbellville, ON, L0P 1B0	CFIA	5-EQ-07	31.1.1995
CA		Gencor The Genetic Corporation	R.R.#5 Guelph ON, N1H 612	CFIA	5-EQ-08	01/1997
CA		Jou Veterinary Service	2409 Alps Road, R.R. 1 Ayr Ontario	CFIA	5-EQ-07	30.10.2000
CA		AE Breeding Farm Dr. Mike Zajac	9619 McGowan Road Mount Albert Ontario L0G 1M0	CFIA	5-EQ-10	2.3.2000

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2	3	4	5	6	7	8
CA		Equine Reproduction Services	Box 877, Turner Valley Alberta, T0L 2A0	CFIA	7-EQ-01	20.11.2000
CH	SWITZERLAND	Eidgenössisches Gestüt/Haras fédéral/Istituto Federale dell'allevamento equino Avenches	CH-1580 Avenches	Bundesamt für Veterinärwesen	CH-AI-4E	13.2.1997
CH		Besamungsstation Pferde, Gestüt Hanaya	Expohof CH-8165 Schleinikon	Bundesamt für Veterinärwesen	CH-AI-8E	6.5.1999
CL	CHILE					
CU	CUBA					
CY	CYPRUS					
CZ	CZECH REPUBLIC					
DZ	ALGERIA					
EE	ESTONIA					
GL	GREENLAND					
HR	CROATIA					
HU	HUNGARY					
IL	ISRAEL					
IS	ICELAND	Gunnarsholt	Saedingastod Gunnarsholti 851 Hella	Iceland Veterinary Services	H001	20.12.1999
LI	LITHUANIA					
LV	LATVIA					
MA	MOROCCO					

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2	3	4	5	6	7	8
MK	FORMER YUGOSLAV REPUBLIC OF MACEDONIA					
MT	MALTA					
MU	MAURITIUS					
MX	MEXICO					
NZ	NEW ZEALAND					
PL	POLAND					
PY	PARAGUAY					
RO	ROMANIA					
RU	RUSSIA					
SI	SLOVENIA					
SK	SLOVAK REPUBLIC					
TN	TUNISIA					
UA	UKRAINE					
US	USA	The Old Place	PO Box 90 Mt Holly, AR 71758	APHIS	00AR001-EQS	19.7.2000
US		Kellog Arabian Horse Center	3801 W. Temple Ave Pomona, CA	APHIS	97CA002-EQS	22.5.1997
US		Mariana Farm	Valley Center, CA	APHIS	98CA001-EQS	14.11.1997
US		Advanced Equine Reproduction	1145 Arroyo Mesa Rd Solvang, CA	APHIS	98CA002-EQS	12.8.1997
US		Pacific International Genetics	14300 Jackson Rd Sloughhouse, CA	APHIS	98CA003-EQS	23.1.1998

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2	3	4	5	6	7	8
US		Alamo Pintado Equine Clinic	2501 Santa Barbara Ave Los Olivos, CA	APHIS	98CA004-EQS	23.2.1998
US		Anaheim Hills Saddle Club	6352 E. Nohl Ranch Rd Anaheim, CA	APHIS	98CA005-EQS	23.3.1998
US		Valley Oak Ranch	10940 26 Mile Road Oakdale, CA	APHIS	99CA006-EQS	2.4.1999
US		Jeff Oswood Stallion Station	21860 Ave 160 Porterville, CA	APHIS	99CA007-EQS	8.4.1999
US		Magness Racing Ventures	4050 Casey Ave Santa Ynez, CA 93460	APHIS	00CA008-EQS	10.12.1999
US		Crawford Stallion Services	34520 DePortola Temecula, CA 92592	APHIS	00CA010-EQS	20.1.2000
US		Exclusively Equine Reproduction	28753 Valley Center Road Temecula, CA 92082	APHIS	00CA011-EQS	2.3.2000
US		Santa Lucia Farms	1924 W.Hwy 154 Santa Ynez, CA	APHIS	01CA012-EQS	16.2.2001
US		Specifically Equine Veterinary Service	910 W.Hwy 246 Buellton, CA	APHIS	01CA013-EQS	20.5.1997
US		Bishop Lane Farms	5525 Volkerts Rd Sabastopol, CA	APHIS	01CA014-EQS	19.3.2001
US		Candlewood Equine	2 Beaver Pond Lane Bridgewater, CT 06752	APHIS	00CT001-EQS	1.3.2000
US		Peterson & Smith Reproduction Center	15107 S.E. 47 th Ave Summerfield, FL 34491	APHIS	00FL001-EQS	10.1.2000
US		Silver Maple Farm	6621 Daniels Road Naples, FL 34109	APHIS	00FL002-EQS	26.1.2000
US		University of Florida College of Veterinary Medicine	2015 SW 16th Avenue Gainesville, FL	APHIS	01FL003-EQS	15.5.2001

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2	3	4	5	6	7	8
US		Double L Quarter Horse	1881 E. Berry Road Cedar Rapids, IA	APHIS	96IA001-EQS	2.1.1996
US		Jim Dudley Quarter Horses	Rt. 1, Box 137 Latimer, IA	APHIS	98IA002-EQS	26.5.1998
US		Grandview Farms	123 West 200 South Huntington, IN	APHIS	99IN001-EQS	16.12.1999
US		Ed Mudlick	4333 Straightline Pike Richmond, IN 47374	APHIS	00IN002-EQS	13.3.2000
US		Gumz Farms Quarter Horses	7491 S 100 W North Judson, IN 46366	APHIS	00IN003-EQS	3.7.2000
US		White River Equine Centre	707 Edith Ave Noblesville, IN	APHIS	01IN004-EQS	15.3.2001
US		Meadowbrook Farms	3400S. 143rd Street East Wichita, KS	APHIS	01KS001-EQS	28.2.2001
US		Kentuckiana Farm	PO Box 11743 Lexington, KY	APHIS	97KY001-EQS	16.10.1997
US		Castleton Farm	2469 Iron Works Pike PO Box 11889 Lexington, KY 40511	APHIS	98KY002-EQS	13.8.1998
US		Hamilton Farm	66 Woodland Mead PO Box 2639 South Hamilton, MA 01982	APHIS	98MA001-EQS	30.3.1998
US		Select Breeders Service, Inc.	1088 Nesbitt Road Colora Maryland	APHIS	98MD001-EQS	
US		Imperial Egyptian Stud	2642 Mt. Carmel Road Parkton, MD 21120	APHIS	00MD002-EQS	18.7.2000
US		Harris Paints	27720 Possum Hill Road Federalsburg, MD 21632	APHIS	00MD003-EQS	25.9.2000

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2	3	4	5	6	7	8
US		Midwest Station II	16917 70 th Street NE Elk River, MN 55330	APHIS	00MN001-EQS	16.5.2000
US		Schemel Stables Collection Facility	986 PCR, Co. Road 810 Perryville, MO	APHIS	99MO001-EQS	15.12.1999
US		Equine Reproduction Facility	137 Speaks Road Advance, NC	APHIS	97NC001-EQS	21.8.1997
US		Walnridge Farm, Inc.	Hornerstown-Arneytown Road Cream Ridge, NJ	APHIS	96NJ003-EQS	14.8.1996
US		Cedar Lane Farm	40 Lambertville Headquarters Road Lambertville, NJ	APHIS	96NJ004-EQS	4.9.1996
US		Peretti's Farm	Route 526, Box 410 Cream Ridge, NJ	APHIS	97NJ005-EQS	17.3.1997
US		Kentuckiana Farm of NJ	18 Archertown Road New Egypt, NJ	APHIS	99NJ006-EQS	30.7.1999
US		Southwind Farm	29 Burd Road, Pennington, NJ 08534	APHIS	00NJ007-EQS	13.7.2000
US		Blue Chip Farm	807 Hogagerburgh Road Wallkill, NY 12859	APHIS	00NY001-EQS	31.8.2000
US		Sunny Gables Farm	282 Rt. 416 Montgomery, NY 12549	APHIS	00NY002-EQS	24.7.2000
US		Autumn Lane Farm	7901 Panhandle Road Newark, OH	APHIS	99OH001-EQS	19.5.1999
US		Paws UP Quarter Horses	Route 1 Box 43-1 Purcell, OK 73080	APHIS	00OK002-EQS	11.4.2000
US		Bryant Ranch	11777 NW Oak Ridge Road Yamhill, OR	APHIS	98OR001-EQS	19.2.1998
US		Honalee Equine Semen Collection Facility	14005 SW Tooze Road Sherwood, OR 97140	APHIS	99OR001-EQS	26.10.1999

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2	3	4	5	6	7	8
US		Kosmos Horse Breeders	372 Littlestown Road Littlestown, PA 17340	APHIS	97PA001-EQS	19.3.1997
US		Hanover Shoe Farm	Route 194 South PO Box 339 Hanover, PA 17331	APHIS	97PA002-EQS	28.3.1997
US		Nandi Veterinary Associates	3244 West Sieling Road New Freedom, PA	APHIS	97PA003-EQS	22.9.1997
US		Fashion Farm	625 Street Road New Hope, PA	APHIS	01PA004-EQS	28.3.2001
US		Babcock Ranch Semen Collection Center	Rt. 2, Box 357 Gainsville, TX	APHIS	97TX001-EQS	2.6.1997
US		Select Breeders	Rt. 3, Box 196 Aubrey, TX	APHIS	97TX002-EQS	1.2.1997
US		Floyd Moore Ranch	Route 2, Box 293 Huntsville, TX	APHIS	98TX003-EQS	12.5.1998
US		Carol Rose Quarter Horse Ranch	Rt. 2, Box 136-1 Gainesville, TX	APHIS	99TX005-EQS	15.3.1999
US		Riverside Ranch	4150 FM 113 North Weatherford, TX	APHIS	99TX006-EQS	16.4.1999
US		Bluebonnet Farm	746 FM 529 Bellville, TX 77418	APHIS	00TX007-EQS	25.1.2000
US		Alpha Equine Breeding Center	2301 Boyd Road Granbury, TX 76049	APHIS	00TX008-EQS	28.2.2000
US		Thistlewood Farm	PO Box 52, Kerrville, TX 78029	APHIS	00TX009-EQS	23.3.2000
US		Joe Landers Breeding Facility	4322 Tintop Road Weatherford, TX 76087	APHIS	00TX010-EQS	11.4.2000

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2	3	4	5	6	7	8
US		Willow Tree Farm	10334 Strittmatter, Pilot Point, TX 76258	APHIS	00TX011-EQS	28.4.2000
US		Green Valley Farm	3952 PR 2718, Aubrey, TX 76227	APHIS	00TX012-EQS	28.4.2000
US		Michael Byatt Arabians	7716 Red Bird Road New Ulm, TX	APHIS	00TX014-EQSE	9.11.2000
US		DLR Ranch	5301 FM 1885 Weatherford, TX	APHIS	01TX015A-EQSE	7.2.2001
US		Roanoke AI Labs, Inc.	8535 Martin Creek Road Roanoke, VA	APHIS	96VA001-EQS	14.11.1996
US		Commonwealth Equine Reproduction Center	16078 Rockets Mill Road Doswell, VA 23047	APHIS	00VA002-EQS	9.8.2000
US		Tylord Farm	Route 22A Benson, VT	APHIS	97VT001-EQS	25.3.1997
US		Hass Quarter Horses	W9821 Hwy 29 Shawano, WI	APHIS	97WI001-EQS	29.5.1997
UY	URUGUAY					
ZA	SOUTH AFRICA					