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Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2080/2001**of 23 October 2001****imposing a definitive anti-dumping duty on imports of internal gear hubs for bicycles originating in Japan**

THE COUNCIL OF THE EUROPEAN UNION,

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⁾, and in particular Article 9 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. PROCEDURE**1. Initiation**

- (1) On 27 July 2000, the Commission announced by a notice ('Notice of Initiation') published in the *Official Journal of the European Communities* ⁽²⁾ the initiation of an anti-dumping proceeding with regard to imports into the Community of internal gear hubs ('IGH') originating in Japan.
- (2) The proceeding was initiated as a result of a complaint lodged on 6 July 2000 by SRAM Deutschland GmbH, representing a major proportion of the Community production of IGH.
- (3) The complaint contained evidence of dumping of the said product and of material injury resulting therefrom, which was considered sufficient to justify the opening of an anti-dumping proceeding.

2. Investigation

- (4) The Commission officially advised the exporting producers, importers and users known to be concerned, the representatives of the exporting country concerned, the complainant and another Community producer about the initiation of the proceeding. Interested parties were given an opportunity to make their views known in

writing and to request a hearing within the time limit set out in the Notice of Initiation.

- (5) A number of parties made their views known in writing. All parties who so requested within the above time limit and who demonstrated that there were particular reasons why they should be heard were granted the opportunity to be heard.

- (6) The Commission sent questionnaires to all parties known to be concerned and to all other companies which made themselves known within the deadline set out in the Notice of Initiation. Meaningful replies were received from the complaining Community producer, eight unrelated importers in the Community, 35 users and the exporting producer in Japan.

- (7) Detailed information on product comparability for types of IGH sold on the Community market was requested in an additional questionnaire sent to 58 parties (the Community industry, the exporting producer, two related importers, nine unrelated importers and 45 users). 49 meaningful replies were received. Reactions were also received from 137 parties, mainly bicycle producers, retailers, consumer and user associations.

- (8) The Commission sought and verified all the information deemed necessary for the purposes of a determination of dumping, injury and Community interest including the carrying out of verification visits at the premises of the following companies:

A. Community producer

— SRAM Deutschland GmbH, Schweinfurt, Germany;

B. Exporting producer in Japan

— Shimano Inc., Sakai, Japan;

C. Related importers in the Community

— Shimano Europa GmbH (Dutch Branch), Nunspeet, The Netherlands

— Shimano Benelux B.V., Nunspeet, The Netherlands;

D. Unrelated importers in the Community

— Paul Lange & Co, Stuttgart, Germany.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2238/2000 (OJ L 257, 11.10.2000, p. 2).

⁽²⁾ OJ C 214, 27.7.2000, p. 4.

- (9) On-the-spot visits were also carried out at the premises of the following Community users:
- Batavus B.V., Heerenveen, The Netherlands,
 - Biria GmbH, Edingen-Neckarhausen, Germany,
 - Epple Zweidrad GmbH, Memmingen, Germany,
 - Helkama, Hanko, Finland,
 - Koninklijke Gazelle B.V., Dieren, The Netherlands,
 - Tunturi, Turku, Finland.
- (10) The investigation of dumping and injury covered the period from 1 July 1999 to 30 June 2000 ('the investigation period' or 'IP'). With respect to the trends relevant for the injury assessment, data covering the period from 1 January 1996 to 30 June 2000 ('the period considered') was analysed, whereas the period used for the findings on undercutting and underselling is the aforementioned IP.

3. Provisional measures

- (11) Given the need to further examine certain aspects of injury, causation and Community interest, no provisional anti-dumping measures were imposed on IGH originating in Japan.

4. Subsequent procedure

- (12) At that stage, additional information was requested, notably from the exporting producer, and all parties were informed of the Commission's preliminary assessment of the case. The Commission continued to seek and verify all information it deemed necessary for its definitive findings. In particular, further on-the-spot investigations were carried out at the premises of the exporting producer in Japan, of an unrelated importer in the Community and of users in the Community.
- (13) All parties were informed of the essential facts and considerations on the basis of which it was intended to recommend the imposition of definitive anti-dumping duties. They were also granted a period within which they could make representations subsequent to this disclosure.
- (14) The oral and written comments submitted by the parties were considered, and, where appropriate, the findings have been modified accordingly.

B. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

1. Product under consideration

- (15) The product under consideration is an internal gear hub, defined as a hub of a bicycle wheel with an integrated gear system with three or more gears, regardless of whether or not a braking system is integrated in the hub, attached to the hub or mounted on another part of the bicycle.

- (16) The investigation has shown that the product concerned is exclusively used as an integrated gear hub of a bicycle wheel to operate the bicycle.

- (17) The investigation has also shown that IGH consist of three basic types, namely 'coaster brake hubs' (where the gearing system, as well as the back-pedalling braking system, are integrated in the hub), 'drum brake hubs' (where the gearing system, as well as the hand-operated braking system, are integrated in the hub), and 'free-wheel hubs' (where only the gearing system is integrated in the hub), all having the same basic physical and technical characteristics and uses.

- (18) In this respect, the exporting producer and some other interested parties claimed that the above types of IGH had different physical characteristics. In particular they argued that users would regard coaster brake hubs (with back-pedalling braking system), and drum brake and freewheel hubs (with hand-operated braking systems) as different products due to the differences in the braking systems. On this basis, they claimed that the investigation should be limited to coaster brake hubs only.

- (19) The investigation showed that the main physical and technical characteristic of an IGH is the gear-shifting mechanism itself, which is always integrated in the hub. An IGH consists of a set of gears integrated in a hub, and this in contrast to an external (dérailleur) gearing system. Whether or which type of braking system, if any, is additionally integrated in or attached to the hub, while relevant for calculations and price comparison purposes, does not affect the basic characteristics and use of an IGH and is thus irrelevant in respect of the definition of the product concerned.

- (20) In addition, the investigation has shown that different types of IGH are interchangeable and that they have the same use and applications.

- (21) In view of the above, the claim to exclude certain types of IGH from the scope of the present investigation had to be rejected, and all IGH containing a gear-shifting mechanism with three or more gears are considered as a single product for the purpose of this proceeding.

2. Like product

- (22) The investigation has shown that the basic physical and technical characteristics of IGH produced and sold by the Community industry in the Community and IGH produced and sold on the domestic Japanese market, and of IGH imported into the Community from Japan are the same. Furthermore, the end use of IGH is the same.

- (23) In view of the above it is concluded that all these products are alike within the meaning of Article 1(4) of Council Regulation (EC) No 384/96 ('the basic Regulation').

C. DUMPING

in representative quantities. The profit margin was based on domestic sales of IGH in the ordinary course of trade.

1. Normal value

- (24) In order to establish normal value it was 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 domestic sales represented 5 % or more of the sales volume of the product concerned exported to the Community. It was established that this requirement was met.
- (25) The exporting producer claimed that prices of some models sold on the domestic market which are very similar to exported models could be used to establish normal value if they were adjusted by differences in the costs of manufacturing. The Commission verified the degree of similarity between the 19 exported models concerned and two similar models sold on the domestic market and concluded that they were very similar and could be compared.
- (26) It then was examined whether total domestic sales of each model exported to the Community constituted 5 % or more of the sales volume of the same model exported to the Community. It was found that only four models passed this test.
- (27) For these four models, it was examined whether sufficient sales had been made in the ordinary course of trade in accordance with Article 2(4) of the basic Regulation.
- (28) It was established, for three of the four models, that the volume of domestic sales above unit cost represented more than 80 % of sales and that the weighted average unit price in Japan was higher than the weighted average unit cost. Consequently, normal value for those three models was established on the basis of the weighted average price actually paid for all domestic sales of those models.
- (29) For the fourth model, the volume of domestic sales above unit cost represented less than 10 % of sales. For this model and for all other models which were not sold in sufficient quantities in the Japanese market, normal value was constructed on the basis of the costs of manufacturing incurred by the exporting producer for the exported models in question plus a reasonable amount for selling, general and administrative expenses ('SG&A') and profit in accordance with Article 2(3), (5) and (6) of the basic Regulation. The amount of SG&A expenses was based on domestic sales of IGH, which were made

2. Export price

- (30) Approximately 40 % of export sales to the Community were made directly to independent customers and export prices for these were established on the basis of the prices actually paid or payable by these customers in accordance with Article 2(8) of the basic Regulation.
- (31) The remaining sales were made to related companies based in the Community. Therefore, export prices for these sales were constructed pursuant to Article 2(9) of the basic Regulation, namely on the basis of the price at which the imported products were first resold to an independent buyer. In order to establish a reliable export price, adjustments were made for all costs incurred between importation and resale by those importers and for profits accruing. The profit margin applied was the weighted average profit margin of unrelated importers.

3. Comparison

- (32) For the purposes of a fair comparison, due allowance, in the form of adjustments, was made for differences under Article 2(10) of the basic Regulation which affected price comparability. Accordingly, allowances were applied concerning physical characteristics, discounts, transport, insurance, handling, loading and ancillary costs, packing, credit costs, after-sales costs, commissions and currency conversions.

4. Dumping margin

- (33) In accordance with Article 2(10) and (11) of the basic Regulation, the dumping margin was established on the basis of a comparison between the weighted average normal values and the weighted average export prices at ex-factory level for the same model and at the same level of trade.
- (34) This comparison showed the existence of dumping, the dumping being equal to the amount by which the normal value exceeded the export price. Expressed as a percentage of the cif Community frontier import price, duty unpaid, the weighted average dumping margin is 36,6 %.
- (35) The exporting producer represents the entirety of the Japanese exports of IGH to the Community. Accordingly, the residual dumping margin definitively established is set at the same level.

D. COMMUNITY INDUSTRY**1. Definition of the Community production**

- (36) At the time of the lodging of the complaint and during the IP there were two operators producing the product concerned on the Community market:
- the complainant,
 - another Community producer ('the other Community producer') which accounted for less than 10 % of the total estimated Community production of IGH during the IP. The other Community producer did not reply to the questionnaire and did not take a position on the complaint.
- (37) The exporting producer requested that the Commission review the figures with respect to the other Community producer. In this respect, it should be noted that given the lack of cooperation of the other Community producer, best facts available had to be used, which were in this case from both the complainant and the sole cooperating exporting producer. It was also found that this operator went into liquidation and ceased production shortly after the IP.
- (38) Based on the above, the production of the complainant and the other Community producer constitute the total Community production within the meaning of Article 4(1) of the basic Regulation.

2. Definition of the Community industry

- (39) It was found that the complaining cooperating Community producer represented a major proportion of the total Community production of the product concerned, in this case more than 90 %. It was therefore concluded that the complaining Community producer constituted the Community industry within the meaning of Article 5(4) and Article 4(1) of the basic Regulation. It is hereafter referred to as 'the Community industry'.

E. INJURY**1. Preliminary remark**

- (40) Given that there is only one cooperating exporting producer and that the Community industry comprises only one company, specific data relating to these companies have been indexed in order to preserve the confidentiality of the data submitted in accordance with Article 19 of the basic Regulation.

2. Community consumption

- (41) Community consumption was established on the basis of the sales volumes of the Community industry, an estimate of the sales made by the other Community producer and the imports of the Japanese exporting producer onto the Community market. With respect to

the sales of the other Community producer, the estimate was made on the basis of figures presented by the Community industry and the exporting producer. There were no imports originating in other third countries.

- (42) On this basis, it was found that consumption of IGH decreased by 5 % during the period considered. While only decreasing by 4 % from 1996 to 1998, it went down by a further 8 % between 1998 and 1999. During the IP, consumption recovered to near 1998 levels.

3. Imports concerned*(a) Volume of the imports concerned*

- (43) Between 1996 and the IP the volume of imports concerned originating in the country concerned increased by a significant 23 %. While these imports decreased by 14 % from 1996 to 1998, they increased by as much as 43 % in the period 1998-IP. On a year-to-year basis, it emerged that despite the fall in consumption in 1999 (- 8 % compared to 1998), the imports concerned increased by 17 % in 1999 compared to 1998. The increase in the volume of these imports was even more pronounced between 1999 and the IP (+ 22 %).

(b) Market share of the imports concerned

- (44) Over the period considered, the market share of the imports concerned increased by over 30 % in a declining Community market. Between 1996 and 1998, the market share held by the exporting producer decreased by 10 % but increased by 30 % between 1998 and 1999 and by a further 11 % between 1999 and the IP, in line with the above development of its import volume.

(c) Average prices of imports concerned

- (45) Based on the information provided by the exporting producer, it appeared that between 1996 and 1998 prices of Japanese IGH sold on the Community market decreased by 5 %. They rose by 15 % in 1999 and by a further 2 % during the IP. In this context it should be noted that this price trend is exclusively based on the data submitted by the exporting producer, which could not be verified for all the period considered.

(d) Price undercutting

- (46) For the determination of price undercutting, the prices of IGH sold by the Community industry were compared to the prices of the Japanese exporting producer on the Community market during the IP. This comparison was made for comparable types of IGH and at the same level of trade, namely for sales to the first independent customer.

(i) Comparability

(47) As explained above in recital 7, detailed information on product comparability for types of IGH sold on the Community market was requested in an additional questionnaire. The directly comparable types of IGH produced by the Japanese exporting producer and sold on the Community market, and those produced and sold by the Community industry on that market were identified on the basis of these replies.

(48) For the purpose of a meaningful price comparison, it was thus ensured that IGH could be compared on a type-by-type basis taking into account notably the number of gears.

(ii) Adjustments

(49) The Community industry claimed that certain IGH sold by the exporting producer on the Community market were equipped with hub shells made of aluminum, whereas the comparable hubs sold by them were exclusively equipped with hub shells made of steel. The Community industry claimed that the exporting producer's prices should therefore be adjusted downwards to reflect the market value of this material difference. The Japanese exporting producer, while acknowledging that an adjustment was appropriate, claimed that this should be in the order of not more than 5 %, by reference to differences in cost of production.

(50) In this respect, the investigation showed that more than 55 % of the 7-speed coaster brake hubs and 100 % of the 7-speed freewheel hubs sold by the exporting producer during the IP on the Community market were equipped with aluminum hub shells, whereas the Community industry exclusively sold comparable IGH with steel shells.

(51) Based on evidence available, in particular a price list of the exporting producer, it was found that IGH equipped with aluminum hub shells were, during the IP, priced about 22 % higher than the same IGH with steel hub shells. According to the transaction listing for the IP provided by the exporting producer, the prices effectively invoiced for the aluminum hubs were, however, only 11 % higher than the prices for the corresponding steel hubs.

(52) On this basis, it was considered that there was an objective market value difference between an IGH equipped with an aluminum shell and a hub equipped with a steel one. This difference was established at 11 % of the price of the aluminum hub.

(53) In addition, both the Community industry and the exporting producer, respectively, claimed that further adjustments should be made, on the basis of alleged differences in the product types under consideration. However, they were informed that none of the alleged differences were found to be objective and measurable notably in terms of market value. The additional claims from both parties therefore had to be rejected.

(iii) Price undercutting

(54) Based on the above, and further to the additional verifications carried out, two types of IGH (coaster brake hub and freewheel hub) representing around 78 % of the sales made by the Community industry on the Community market and around 85 % of the exports made by the Japanese exporter, were considered to be comparable and made at the same level of trade. The following IGH sold on the Community market by the Community industry and the exporting producer were compared with each other on a type-by-type basis:

- 3-speed coaster brake hubs,
- 7-speed coaster brake hubs,
- 3-speed freewheel hubs,
- 7-speed freewheel hubs.

(55) The sales prices considered for the exporting producer concerned were those at cif Community border level, including customs duties. The sales prices of the Community industry were adjusted where necessary to an ex-works level, i.e. excluding transport costs.

(56) The results of the comparison on a transaction to weighted-average basis showed that the average price undercutting margin, expressed as a percentage of the Community industry's average selling prices, was 6,8 % during the IP.

4. Situation of the Community industry

(a) Preliminary remark

(57) In accordance with Article 3(5) of the basic Regulation, the Commission examined all economic factors and indices having a bearing on the state of the Community industry on its domestic market.

(b) Production, capacity and utilisation of capacity

(58) During the period considered, the Community industry's production increased by 3 %.

(59) However, between 1998 and 1999 Community industry production significantly decreased by 19 %, whilst Community consumption in terms of volume decreased by only 8 % during the same period. Production then

recovered during the IP (+ 18 % by comparison with 1999) but was below the level of 1998. This increase in production, in spite of the decrease in the Community industry's sales volume on its domestic market, is explained by the increased export activities of the Community industry to other third countries during the IP.

- (60) Given that production capacity did not change during the period considered, the trend in utilization of capacity was similar to the trend in production, remaining between 50 % and 65 %.

(c) Volume of sales, market share and growth

- (61) From 1996 to the IP the Community industry's sales to unrelated customers in the Community decreased by 6 % in volume. During the period 1996-1998, in parallel with its increased production, the Community industry managed to increase its Community sales by 8 %. There then followed a 17 % fall in sales volume between 1998 and 1999. This decrease was far more pronounced than the decrease of the Community consumption during that period which was limited to - 8 %. The slight increase in sales volume between 1999 and the IP (+ 4 %) did not allow the Community industry to recover the volume previously lost.
- (62) Although the Community industry's market share increased by 13 % between 1996 and 1998, it went back down to its 1996 level in the period 1998-IP. This should be seen in the light of the decrease in consumption. This situation coincided with a significant increase of 43 % in the volume of the imports concerned on the Community market in the same period.
- (63) It should be noted that the exporting producer claimed that the Community industry had been able to increase its market share at the expense of the other Community producer during the period considered. However, the investigation has shown that this claim was not founded. In fact the increase in the Japanese exporting producer's market share during the IP was made at the expense of both the Community industry and the other Community producer in particular in the period 1998 to the IP. Actual sales figures show that the sales volume lost by the Community industry and the other Community producer during that period was completely taken over by the Japanese exporting producer.

(d) Prices and factors affecting prices

- (64) During the period considered, the Community industry's average sales price of IGH on the Community market dropped significantly by 21 %. It should be noted in this context that neither the price differences between types of IGH nor the product mix of the Community industry on the Community market changed significantly during that period. Therefore, the decrease in average price is

not due to any change in its product mix towards cheaper types of IGH.

- (65) Whilst price lists indicate that Japanese prices seem to have increased over the period considered, it should be noted that they were still undercutting the Community industry's prices on the Community market by around 7 % on average during the IP. On this basis, it can also be assumed that a higher price differential between the Japanese exporting producer and the Community industry indeed existed during considerable parts of the period considered. This had the effect of depressing domestic prices to the extent that they were not profitable during the period considered. This was notably the case during the IP.

(e) Inventories (stocks)

- (66) During the period considered, except between 1997 and 1998, the levels of stocks kept by the Community industry was rather low. This is notably due to the fact that the Community industry mainly produces for orders and does not produce to pile stocks. On this basis, the impact, if any, of stock movement on the situation of the Community industry, particularly during the IP was negligible. The evaluation of stocks does not appear to be a relevant factor in examining the economic situation of the Community industry.

(f) Profitability and cash flow

- (67) As to profitability, the losses incurred by the Community industry in 1996 were between 5 % and 10 % of turnover. In 1997, the situation improved and profitability was close to break-even. Between 1997 and the IP, after the take-over of the Community industry (formerly Mannesmann Sachs) by SRAM Deutschland GmbH, the Community industry restructured its activities, thus reducing its costs of production by almost 20 %. Over the period considered, the cost reduction was indeed as high as 26 %. Notwithstanding this, the Community industry's profitability remained negative during the whole period considered.
- (68) From the break-even situation in 1997, it could reasonably have been expected that the efforts made by the Community industry to restructure and reduce costs would lead to a profitable situation. However, the price depression experienced by the Community industry, in particular in 1999 and during the IP, undermined these efforts. This suggests that, without the restructuring of its activities, the Community industry's losses would have been even higher or that Community IGH production would have ceased completely. The losses incurred by the Community industry during the IP were around 3 % of turnover. It should be noted that this result does not take account of restructuring and extraordinary costs incurred by the Community industry during the period considered.

(69) The reduction in cost of production and in losses gave rise to an improvement of the cash flow generated by the Community industry during the period considered. In line with the evolution of the losses incurred by the Community industry, cash flow significantly deteriorated, in particular between 1997 and 1999, but recovered somewhat during the IP.

(g) *Investments, return on investments and ability to raise capital*

(70) Investments made in the period considered were particularly high in 1999. This is explained by the new IGH manufacturing facility set up in Germany which started to operate at the beginning of 1999. This investment shows that the company intends to remain an active player on the market and has a long term strategy for the product under consideration.

(71) In this respect, the investigation showed that the restructuring undertaken by the Community industry led to a slight improvement in the operating return on investments during the IP. However, this improvement does not detract from the fact that the Community industry's financial result remained negative during the whole period considered.

(72) Despite the financial losses incurred, the Community industry was not found to be experiencing serious difficulties in its ability to raise capital.

(h) *Employment, productivity and wages*

(73) Employment decreased by 17 % from 1997 to 1998 and remained stable until the IP despite the difficulties encountered by the Community industry.

(74) Given the level of production and the reduction in personnel employed, productivity was improved during the period from 1997 to the IP.

(75) The total amount of wages increased slightly during the period considered. The average wage per employee remained rather stable.

(i) *Magnitude of dumping margin*

(76) The impact on the Community industry of the magnitude of the actual margin of dumping cannot be considered to be negligible given the volume and the prices of the imports concerned. Indeed, the investigation showed that overall the imports originating in Japan were sold at dumped prices on the Community market during the IP. Price pressure on Community prices would obviously have been lower or even non-existent without dumping.

5. Conclusion on injury

(77) During the period considered the presence of imports originating in Japan significantly increased on the Community market and the main relevant injury indicators pertaining to the Community industry showed a negative development.

(78) This development was particularly evident between 1998 and the IP when the volume of the imports concerned increased by 43 % while Community consumption decreased by 1 %. This allowed the Japanese exporting producer to gain a significant additional share of the Community market (12 percentage points), mainly at the expense of the Community industry. In this context, it should be noted that the imports concerned were undercutting the Community industry's prices by around 7 % during the IP, and that the Community industry's sales prices were depressed, not reaching any profitable level.

(79) It was also found that the main negative development in the economic situation of the Community industry took place during the same period, namely from 1998-IP: its sales volume decreased by 13 % and its sales prices by 7 %. Production decreased by 4 % and the loss in market share incurred by the Community industry was as high as 7 percentage points. Despite restructuring efforts and cost reductions, profitability worsened and remained negative, and this in parallel with the sales price pressure faced by the Community industry on its domestic market.

(80) In the light of the foregoing, in particular the decrease in sales price, profitability and market share experienced by the Community industry, in the period from 1998 to the IP in particular, it is concluded that the Community industry has suffered material injury within the meaning of Article 3(1) of the basic Regulation during the IP.

F. CAUSATION

1. Introduction

(81) In accordance with Article 3(6) and (7) of the basic Regulation, it was examined whether the dumped imports of IGH originating in Japan caused injury to the Community industry to a degree that 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. Effect of the dumped imports

(82) During the period considered, the volume of dumped imports originating in Japan into the Community increased by 23 % and their market share rose by 39 %, a significant gain at the expense of producers in the Community.

- (83) The link between the injury suffered by the Community industry and the dumped imports is demonstrated in particular by the developments observed from 1998 until the end of the IP. During this period, dumped imports originating in Japan increased by 43 % in terms of volume and the increase in the share of the Community market was as high as 44 %.
- (84) It has been found that the Community industry was subject to price pressure, as evidenced by the price undercutting practised by the Japanese exporting producer and the evolution of the prices of the Community industry, which were depressed to a considerable extent. This price pressure was further aggravated by the fact that the IGH market is price transparent with only two operators. The above developments coincided with the significant declining trend of the main economic indicators pertaining to the Community industry from 1998 to the IP: its sales volume decreased by 13 %, and significant market share was lost. The average sales price decreased by 7 %. As a result, the Community industry continued to incur financial losses.
- (85) It is concluded, therefore, that the dumped imports of IGH originating in Japan had a material impact on the injury suffered by the Community industry, within the meaning of Article 3(6) of the basic Regulation.

3. Effect of other factors

- (86) In accordance with Article 3(7) of the basic Regulation, it was examined whether factors other than the dumped imports originating in Japan might have contributed to the material injury suffered by the Community industry to ensure that injury caused by these other factors is not attributed to the dumped imports. In this context, the following factors were examined: the allegedly higher prices of the Japanese exporting producer, the fall in consumption in 1999, the relocation of production of certain bicycle manufacturers to Central and Eastern European Countries (CEEC), the Community industry's export activities and, the situation of the other Community producer.

(a) Allegedly higher prices of the exporting producer

- (87) A number of users contested the results of the price undercutting exercise and causal link between the dumped imports originating in Japan and the injury suffered by the Community industry. They claimed that prices of Japanese IGH were consistently higher than those of the Community industry during the IP.
- (88) It should be noted that this claim was made mainly by parties which are not buying IGH directly from the exporting producer or its related companies on the Community market. In other words, these users compared the prices directly charged by the Community industry with prices charged by an intermediary sales company selling Japanese IGH. On this basis, contrary to

the contents of recital 46 prices of IGH are not compared at the same level of trade and show unreliable results.

- (89) The Commission established price undercutting by comparing the Japanese exporting producer's prices with the Community industry's prices at the same level of trade. As explained in recital 56, this comparison showed that price undercutting existed for a large number of IGH types and transactions during the IP. The undercutting found during the IP was in the order of 7 % on average of the sales price of the Community industry.
- (90) As mentioned in recitals 64, 65 and 76, price undercutting by the Japanese exporting producer was found to exist during the IP and price depression was also found for the Community industry's prices during the period considered.
- (91) Consequently the above argument is considered to be unsubstantiated and is therefore rejected.

(b) Fall in consumption in 1999 and market development

- (92) It has been examined whether the fall in consumption in 1999 was a major factor contributing to the injury suffered by the Community industry. Given the presence of basically two major operators on the Community market, it was considered that the possible impact of the fall in consumption and the subsequent market development should be examined in the light of the performances of both operators.
- (93) In 1999, as compared with 1998, the Community industry's sales volume decreased by around 18 %, whereas demand decreased by 8 %, i.e. to a much lesser degree. The Community industry also lost around 9 % of market share. During the same period, the exporting producer was able to increase its sales volume by 17 % and its market share by 30 %.
- (94) During the IP, by comparison to 1999, the Community industry increased its sales volume by 4 % but its market share dropped by 4 %. In the meantime, the exporting producer was able to further increase its sales volume (22 %) and market share (11 %), namely to a much larger extent than the recovery of the market (8 %).
- (95) Based on the above facts, it is clear that the deterioration of the Community industry's position in 1999 was more dramatic than any reduction in consumption. Similarly, when the market recovered during the IP, the performance of the Community industry was far below the market development. In the meantime, the dumped imports substantially improved their position on the Community market. Consequently, unlike dumped imports it is considered that the fall in consumption did not play any significant role in the injurious situation of the Community industry.

(c) *Relocation of production of certain bicycle manufacturers to Central and Eastern European Countries (CEEC) and export sales of the Community industry*

- (96) The Japanese exporting producer argued that the decrease in the Community industry's sales volume during the period considered was caused by the contraction of demand on the Community market. This contraction was due to the shift of production of a number of the Community industry's customers from the Community to Central and Eastern European Countries (CEEC) in 1998. The exporting producer therefore argued that any loss of sales volume (and further injurious consequences) incurred by the Community industry on its domestic market was offset when taking into account the Community industry's export sales to CEEC.
- (97) In this respect, it has been found that the number of bicycle manufacturers that relocated their production to certain CEEC during the period considered is likely to be rather small compared to Community consumption. Furthermore, the investigation did not show that the Community industry increased its export sales in 1998 or even in 1999 compared to previous years.
- (98) There are indications that relocation was also undertaken by customers of the Japanese exporting producer. It has also been found that a number of bicycle manufacturers still retained their production in the Community while setting up production plants in certain CEEC, during the IP. The effect, if any, of such relocation on the situation of the Community industry cannot therefore be considered substantial during the period considered.
- (99) An analysis of the export sales of the Community industry was also carried out. The analysis showed that from 1996 up to 1999, the Community industry's export sales to third countries represented around 8 % of its total sales, whereas they rose to 15 % during the IP. Had the export sales not increased, the loss of economies of scale and the impact on the unit cost of the Community industry's production would have been even higher, leading to even greater financial losses.
- (100) Therefore, the argument that the relocation of bicycle production to Central and Eastern European Countries explains the fall in sales volume of the Community industry in its domestic market is rejected.

(d) *The other Community producer*

- (101) It was further considered whether the other Community producer could have contributed to the injury suffered by the Community industry. However, on the basis of the facts available, the other Community producer lost around 60 % of sales and around 60 % of its market

share during the period considered, remaining with a market share of around 6 % during the IP. It is therefore concluded that the other Community producer did not contribute to the injury suffered by the Community industry.

4. Conclusion on causation

- (102) The substantially dumped imports which increased materially during the period considered, the price undercutting and the price depression found, all had significant negative consequences on the economic situation of the Community industry, notably in terms of sales prices and sales volumes, which in turn had an effect on market share and profitability. The impact of the dumped imports was such that it caused material injury to the Community industry. Based on the above facts and considerations, it is also concluded that any other factors which may have contributed to the injury suffered by the Community industry were not such as to break the causal link between the injury established and the impact of the dumped imports concerned.

G. COMMUNITY INTEREST

1. Preliminary remarks

- (103) In order to determine whether the Community interest called for intervention, an investigation was carried out into the likely effects of the imposition/non-imposition of anti-dumping measures on the economic operators concerned. For this purpose, information was requested from all interested parties, including the Community industry, the unrelated importers/traders and the users of the product under consideration.

2. Interest of the Community industry

- (104) It was found that the Community industry had been making considerable efforts during the period considered to improve its productivity, in a successful attempt to lower its costs of production and to enhance its competitiveness in the Community and world-wide. In this respect, the Community industry made a major investment in 1999, opening a new production site in order to further improve efficiency and production quality. This investment was decided upon at the time of the take-over of Mannesmann Sachs, in 1997, based on a reasonable assessment of market developments. During the period considered, the Community industry managed to reduce its costs by 26 % and increase its export sales. This indicates that the Community industry is viable and competitive and intends to continue

production of IGH in the Community unless it is driven out of the market by dumped imports. The large investment made by the Community industry also indicates that the company has a long term Community-based strategy for the product concerned. However, its future largely depends on the existence of fair conditions of competition and therefore on the absence of dumped and injurious imports on the Community market.

- (105) In view of the nature of the injury suffered by the Community industry, it is considered that, in the absence of anti-dumping measures, a further deterioration in the situation of the Community industry is unavoidable. This will most likely entail further injury and in the medium term even the disappearance of that industry. The adoption of anti-dumping measures would therefore be in the interest of the Community industry.

3. Interest of unrelated importers and traders

- (106) Of the ten unrelated importers contacted, eight submitted meaningful replies to the questionnaire. They represent about 21 % of Community imports and 8 % of Community consumption. All of them were exclusive distributors of the Japanese exporting producer.
- (107) As far as these eight cooperating importers are concerned, the IGH segment represented on average 2,4 % (varying between 0 % and 8 %) of their total turnover during the IP.
- (108) The likely average impact of the proposed anti-dumping duty on the importers' overall profitability was examined. Given the small share of the IGH segment in their overall turnover, the maximum negative impact of the proposed measures on the eight importers is likely to be negligible.
- (109) Consequently, given the average proportion of the IGH segment in their total activities, and bearing in mind the level of the measures proposed, it is considered that the interests of importers will not be affected to any significant overall extent.

4. Interest of users

- (110) Users of the product under consideration are bicycle manufacturers and assemblers, as well as certain retailers in the Community. Of the users contacted, 35 submitted a meaningful reply to the questionnaire. These 35 users represented around 32 % of total IGH consumption in

the Community. Submissions were also received from associations of users in the Community.

- (111) It was found that these users actually achieve an average profit margin of around 3 % on their overall activities, and of around 11 % with respect to bicycles equipped with IGH.
- (112) During the IP, the sale of bicycles equipped with IGH (the latter being of either Japanese or Community origin) represented about 25 % of the users' total turnover.
- (113) In view of the limited proportion of bicycles equipped with IGH in their total activities, and bearing in mind the level of the measures proposed and the profitability situation of the cooperating users, it is concluded that the possible negative effects of the measures proposed on users cannot be considered such as to outweigh the expected benefits for the Community industry.
- ### 5. Competition and trade distorting effects
- (114) It was found that the Community industry basically only produces and sells the product under consideration, whereas the exporting producer is a major player for all bicycle components especially on the Community market but also world-wide. In view of the price-undercutting found, the existing price pressure, the financial losses and the loss of market share experienced, it cannot be excluded that the Community industry will struggle to remain an effective player on the market. The exporting producer's overall strong position on the Community market, where it only faces competition for IGH, and the level of the measures, make it unlikely, from an economic point of view, that the Community market will be foreclosed to its imports. The continued presence of its IGH will therefore be ensured in the event of the imposition of anti-dumping measures.

- (115) Some parties have further alleged that the measures would reduce users' and consumers' choice and prevent them from benefiting from the innovations developed by the Japanese exporting producer. However, as outlined above, it is considered that IGH originating in Japan will continue to be available on the Community market in the future due to both the strong position of the exporting producer on the Community market for a large number of bicycle parts and the importance of the Community market for the exporting producer.

- (116) Thus users and consumers will continue to have the choice between the competing products, albeit at non-injurious prices. Conversely, such freedom of choice would be affected if the Community industry was allowed to disappear, which is not excluded if anti-dumping measures were not imposed.
- (117) Measures, therefore, are expected to re-establish fair and effective competition on the Community market, merely correcting the distorting effects of the injurious dumping practised by the Japanese exporting producer. Not imposing measures in the present case would maintain and amplify the distortion of competition, resulting in a further deterioration in the situation of the Community industry. Were the Community industry to disappear, reduced competition and less choice for users and consumers on the Community market would be the result.
- (120) 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 of production and to obtain a reasonable pre-tax profit that could be achieved in the absence of dumped imports.
- (121) On this basis it was found that a profit margin of 8 % on total turnover could be regarded as an appropriate minimum which the Community industry could reasonably have expected to obtain in the absence of injurious dumping, account being taken of its successful and cost-reducing restructuring efforts and the need for long-term investments by the Community industry. World-wide, there are only two large markets for IGH: the Community market and the Japanese market where dumped imports are absent. Given the significantly higher profit realised in Japan, it is considered that the above margin of profit is very conservative.

6. Conclusion on Community interest

- (118) On the basis of the above facts and considerations, it is concluded that there are no compelling reasons on the ground of Community interest against the imposition of anti-dumping measures on imports of IGH originating in Japan.
- (122) Accordingly, injury elimination levels were determined as the difference between the cost of production of the Community industry, increased by the abovementioned profit margin on the one hand, and the adjusted actual net sales price of the imported IGH used for the price undercutting calculations on the other. This difference was then expressed as a percentage of the net, free-at-Community-frontier price, before duty. The result of this calculation was an injury margin of 11,3 %.

H. PROPOSED MEASURES

2. Definitive anti-dumping duty

1. Injury elimination level

- (119) Having established that the dumped imports under consideration have caused material injury to the Community industry and that there are no compelling reasons against the imposition of measures, an anti-dumping duty should be imposed at a level sufficient to eliminate the injury caused without exceeding the dumping margin found.
- (123) In the light of the foregoing, and in accordance with the lesser duty rule as set out in Article 9(4) of the basic Regulation, it is considered that a definitive anti-dumping duty should be set at the level of the injury margin.
- (124) As the sole known Japanese exporting producer accounts for substantially all exports to the Community originating in Japan, the residual duty is set at the same level.
- (125) On the basis of the above, the proposed definitive duty rate, expressed as a percentage of the net, free-at-Community-frontier price, before duty, is as follows:

Company	Rate of anti-dumping duty	TARIC additional code
Shimano Inc.	11,3 %	A252
All other companies	11,3 %	A999

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of internal gear hubs of a bicycle wheel with an integrated gear system with three or more gears, regardless of whether or not a braking system is integrated in the hub, attached to the hub or mounted on another part of the bicycle, currently classifiable within CN code ex 8714 99 90, (TARIC code: 8714 99 90*91) and originating in Japan.

The duty also applies to coaster braking hubs and hub brakes falling under CN code ex 8714 94 10 and hubs without free-wheel of braking device, other than coaster braking hubs and hub brakes falling under CN code ex 8714 93 10, both combined with an integrated gear system with three or more gears (TARIC codes: 8714 94 10*10, 8714 93 10*10) originating in the same country.

2. The rate of definitive anti-dumping duty applicable to the net free-at-Community-frontier price, before duty, for the product originating in Japan shall be as follows:

Company	Rate of anti-dumping duty	TARIC additional code
Shimano Inc.	11,3 %	A252
All other companies	11,3 %	A999

3. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

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

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

Done at Luxembourg, 23 October 2001.

For the Council

The President

A. NEYTS-UYTTEBROECK

COMMISSION REGULATION (EC) No 2081/2001
of 25 October 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 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 25 October 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	92,0
	204	45,8
	999	68,9
0707 00 05	052	108,1
	999	108,1
0709 90 70	052	85,4
	999	85,4
0805 30 10	052	58,2
	388	68,5
	524	48,5
	528	63,4
	600	53,9
0806 10 10	999	58,5
	052	91,9
	064	96,5
	400	233,1
	999	140,5
0808 10 20, 0808 10 50, 0808 10 90	060	37,1
	075	62,5
	388	180,2
	400	65,5
	404	92,3
	800	192,9
	804	64,0
	999	99,2
0808 20 50	052	102,5
	720	47,6
	999	75,0

⁽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 2082/2001
of 25 October 2001**

**fixing the maximum export refund for white sugar for the 13th partial invitation to tender issued
within the framework of the standing invitation to tender provided for in Regulation (EC) No
1430/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1430/2001 of 13 July 2001 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽²⁾ requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1430/2001 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

(3) Following an examination of the tenders submitted in response to the 13th partial invitation to tender, the provisions set out in Article 1 should be adopted.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 13th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1430/2001 the maximum amount of the export refund is fixed at 42,851 EUR/100 kg.

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 192, 14.7.2001, p. 3.

COMMISSION REGULATION (EC) No 2083/2001**of 25 October 2001****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽²⁾, and in particular Articles 1(2) and 3(1) thereof,

Whereas:

- (1) Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68 ⁽³⁾. That price should be fixed for the standard quality defined in Article 1 of the above Regulation.
- (2) The representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality. The standard quality for molasses is defined in Regulation (EEC) No 785/68.
- (3) When the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States. Under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends.
- (4) The information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market. Offer prices which can be regarded as not representative of actual market trends must also be disregarded.

- (5) If information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68.
- (6) A representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price.
- (7) Where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (8) Application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 October 2001.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 141, 24.6.1995, p. 12.

⁽³⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 25 October 2001 fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	9,25	—	0
1703 90 00 ⁽¹⁾	13,40	—	0

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

**COMMISSION REGULATION (EC) No 2084/2001
of 25 October 2001
altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 2041/2001 ⁽²⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 2041/2001 to the information known to the Commission that the export refunds at

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 2041/2001 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 276, 19.10.2001, p. 6.

ANNEX

to the Commission Regulation of 25 October 2001 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	36,62 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	36,62 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	36,62 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	36,62 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,3981
1701 99 10 9100	A00	EUR/100 kg	39,81
1701 99 10 9910	A00	EUR/100 kg	39,81
1701 99 10 9950	A00	EUR/100 kg	39,81
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,3981

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

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

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

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

COMMISSION REGULATION (EC) No 2085/2001
of 25 October 2001
prohibiting fishing for saithe by vessels flying the flag of Sweden

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Commission Regulation (EC) No 1965/2001 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2848/2000 of 15 December 2000 fixing for 2001 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, as amended by Commission Regulation (EC) No 1666/2001 ⁽⁴⁾, lays down quotas for saithe for 2001.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of saithe in the waters of ICES divisions IIa (EC waters), Skagerrak and Kattegat, IIIbcd (EC waters)

and the North Sea by vessels flying the flag of Sweden or registered in Sweden have exhausted the quota allocated for 2001. Sweden has prohibited fishing for this stock from 14 September 2001. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of saithe in the waters of ICES divisions IIa (EC waters), Skagerrak and Kattegat, IIIbcd (EC waters) and the North Sea by vessels flying the flag of Sweden or registered in Sweden are hereby deemed to have exhausted the quota allocated to Sweden for 2001.

Fishing for saithe in the waters of ICES divisions IIa (EC waters), Skagerrak and Kattegat, IIIbcd (EC waters) and the North Sea by vessels flying the flag of Sweden or registered in Sweden is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 14 September 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 268, 9.10.2001, p. 23.

⁽³⁾ OJ L 334, 30.12.2000, p. 1.

⁽⁴⁾ OJ L 223, 18.8.2001, p. 4.

COMMISSION REGULATION (EC) No 2086/2001
of 25 October 2001
on the issue of import licences for rice against applications submitted during the first 10 working
days of October 2001 pursuant to Regulation (EC) No 327/98

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ⁽¹⁾, as amended by Regulation (EC) No 648/98 ⁽²⁾, and in particular Article 5(2) thereof,

Whereas:

- (1) Pursuant to Article 5(2) of Regulation (EC) No 327/98, within 10 days of the closing date for notification by the Member States of licence applications, the Commission must decide to what extent the applications may be accepted.
- (2) Examination of the quantities for which applications have been submitted for under the October 2001 tranche shows that licences should be issued for the

quantities applied for reduced, where appropriate, by the percentages set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences for rice against applications submitted during the first 10 working days of October 2001 pursuant to Regulation (EC) No 327/98 and notified to the Commission shall be issued for the quantities applied for reduced, where appropriate, by the percentages set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 37, 11.2.1998, p. 5.

⁽²⁾ OJ L 88, 24.3.1998, p. 3.

ANNEX

to the Commission Regulation of 25 October 2001 on the issue of import licences for rice against applications submitted during the first 10 working days of October 2001 pursuant to Regulation (EC) No 327/98

Reduction percentages to be applied to quantities applied for under the tranche for October 2001:

(a) quantity referred to in Article 2: semi-milled and wholly-milled rice falling within CN code 1006 30

Origin	Reduction (%)
United States of America	0 ⁽¹⁾
Thailand	0 ⁽¹⁾
Australia	0 ⁽¹⁾
Other origins	0 ⁽¹⁾

⁽¹⁾ Issue for the quantity applied for.

(b) quantity referred to in Article 2: husked rice falling within CN code 1006 20

Origin	Reduction (%)
Australia	0 ⁽¹⁾
United States of America	0 ⁽¹⁾
Thailand	0 ⁽¹⁾
Other origins	0 ⁽¹⁾

⁽¹⁾ Issue for the quantity applied for.

COMMISSION REGULATION (EC) No 2087/2001**of 24 October 2001****suspending the introduction into the Community of specimens of certain species of wild fauna and flora**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 338/97 of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein⁽¹⁾, as last amended by Commission Regulation (EC) No 1579/2001⁽²⁾, and in particular Article 19(2) thereof,

After consulting the Scientific Review Group,

Whereas:

- (1) Article 4(6) of Regulation (EC) No 338/97 provides for the establishment by the Commission of general restrictions, or restrictions relating to certain countries of origin, on the introduction into the Community of specimens of certain species and lays down the criteria for such restrictions.
- (2) The list of such restrictions has been last established with Commission Regulation (EC) No 191/2001 of 30 January 2001 suspending the introduction into the Community of specimens of certain species of wild fauna and flora⁽³⁾, and this list now needs to be revised in accordance with the first paragraph of Article 4(6) of Regulation (EC) No 338/97 and in the interest of clarity the list set out in Regulation (EC) No 191/2001 should be replaced in its entirety and Regulation (EC) No 191/2001 should accordingly be repealed.
- (3) The countries of origin of the species subject to these restrictions were consulted.

(4) Article 41 of Commission Regulation (EC) No 1808/2001 of 30 August 2001 laying down detailed rules concerning the implementation of Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein⁽⁴⁾, contains provisions for the implementation by the Member States of the restrictions established by the Commission.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Trade in Wild Fauna and Flora,

HAS ADOPTED THIS REGULATION:

Article 1

Subject to the provisions of Article 41 of Regulation (EC) No 1808/2001, the introduction into the Community of specimens of the species of wild fauna and flora mentioned in the Annex to this Regulation is hereby suspended.

Article 2

Regulation (EC) No 191/2001 is hereby repealed.

Article 3

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

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

Done at Brussels, 24 October 2001.

For the Commission
Margot WALLSTRÖM
Member of the Commission

⁽¹⁾ OJ L 61, 3.3.1997, p. 1.
⁽²⁾ OJ L 209, 2.8.2001, p. 14.
⁽³⁾ OJ L 29, 31.1.2001, p. 12.

⁽⁴⁾ OJ L 250, 19.9.2001, p. 1.

ANNEX

Specimens of species included in Annex A to Regulation (EC) No 338/97 whose introduction into the Community is suspended

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
FAUNA				
MAMMALIA				
CARNIVORA				
Canidae				
<i>Canis lupus</i>	Wild	All	Kyrgyzstan	a
Felidae				
<i>Lynx lynx</i>	Wild	All	Azerbaijan, Moldova, Lithuania, Ukraine	a
Bovidae				
<i>Ovis ammon nigrimontana</i>	Wild	All	Kazakhstan	a

Specimens of species included in Annex B to Regulation (EC) No 338/97 whose introduction into the Community is suspended

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
FAUNA				
MAMMALIA				
MONOTREMATA				
Tachyglossidae				
<i>Zaglossus bruijini</i>	Wild	All	All	b
PRIMATES				
Loridae				
<i>Arctocebus aureus</i>	Wild	All	Central African Republic, Gabon	b
<i>Arctocebus calabarensis</i>	Wild	All	Nigeria	b
<i>Nycticebus pygmaeus</i>	Wild	All	Cambodia, Laos	b
Galagonidae				
<i>Euoticus pallidus</i> (synonym <i>Galago elegantulus pallidus</i>)	Wild	All	Nigeria	b
<i>Galago matschiei</i> (synonym <i>G. inustus</i>)	Wild	All	Rwanda	b
<i>Galago senegalensis</i>	Wild	All	Djibouti	b
<i>Galagoides demidoff</i> (synonym <i>Galago demidovii</i>)	Wild	All	Burkina Faso, Central African Republic, Kenya, Senegal	b
<i>Galagoides zanzibaricus</i> (synonym <i>Galago zanzibaricus</i>)	Wild	All	Malawi	b
Callitrichidae				
<i>Callithrix argentata</i>	Wild	All	Paraguay	b
<i>Callithrix geoffroyi</i> (synonym <i>C. jacchus geoffroyi</i>)	Wild	All	Brazil	b
<i>Saguinus labiatus</i>	Wild	All	Colombia	b
Cebidae				
<i>Alouatta fusca</i>	Wild	All	All	b
<i>Alouatta seniculus</i>	Wild	All	Trinidad and Tobago	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Ateles belzebuth</i>	Wild	All	All	b
<i>Ateles fusciceps</i>	Wild	All	All	b
<i>Ateles geoffroyi</i>	Wild	All	All	b
<i>Ateles paniscus</i>	Wild	All	Peru	b
<i>Callicebus torquatus</i>	Wild	All	Ecuador	b
<i>Cebus albifrons</i>	Wild	All	Guyana	b
<i>Cebus capucinus</i>	Wild	All	Belize, Venezuela	b
<i>Cebus olivaceus</i>	Wild	All	Peru	b
<i>Cebus torquatus</i>	Wild	All	Ghana	b
<i>Chiropotes satanas</i>	Wild	All	Brazil	b
<i>Lagothrix lagothricha</i>	Wild	All	All	b
Cercopithecidae				
<i>Allenopithecus nigroviridis</i>	Wild	All	All	b
<i>Cercopithecus ascanius</i>	Wild	All	Burundi	b
<i>Cercopithecus cephus</i>	Wild	All	Central African Republic	b
<i>Cercopithecus dryas</i> (including <i>C. salongo</i>)	Wild	All	Democratic Republic of Congo	b
<i>Cercopithecus erythrogaster</i>	Wild	All	All	b
<i>Cercopithecus erythrotis</i>	Wild	All	All	b
<i>Cercopithecus hamlyni</i>	Wild	All	All	b
<i>Cercopithecus pogonias</i>	Wild	All	Cameroon, Equatorial Guinea, Nigera	b
<i>Cercopithecus preussi</i> (synonym <i>C. lhoesti preussi</i>)	Wild	All	Cameroon, Equatorial Guinea, Nigeria	b
<i>Colobus guereza</i>	Wild	All	Equatorial Guinea	b
<i>Colobus polykomos</i>	Wild	All	Côte d'Ivoire, Ghana, Nigeria	b
<i>Lophocebus albigena</i> (synonym <i>Cercocebus albigena</i>)	Wild	All	Kenya, Nigeria	b
<i>Macaca arctoides</i>	Wild	All	India, Malaysia, Thailand	b
<i>Macaca assamensis</i>	Wild	All	Nepal	b
<i>Macaca cyclopis</i>	Wild	All	All	b
<i>Macaca fascicularis</i>	Wild	All	Bangladesh, India	b
<i>Macaca maura</i>	Wild	All	Indonesia	b
<i>Macaca nemestrina</i>	Wild	All	China	b
<i>Macaca nemestrina pagensis</i>	Wild	All	Indonesia	b
<i>Macaca nigra</i>	Wild	All	Indonesia	b
<i>Macaca ochreata</i>	Wild	All	Indonesia	b
<i>Macaca sylvanus</i>	Wild	All	Algeria, Morocco	b
<i>Papio hamadryas</i>	Wild	All	Guinea-Bissau, Liberia, Libya	b
<i>Procolobus badius</i> (synonym <i>Colobus badius</i>)	Wild	All	All	b
<i>Procolobus verus</i> (synonym <i>Colobus verus</i>)	Wild	All	Benin, Côte d'Ivoire, Ghana, Sierra Leone, Togo	b
<i>Trachypithecus phayrei</i> (synonym <i>Presbytis phayrei</i>)	Wild	All	Cambodia, China, India	b
<i>Trachypithecus vetulus</i> (synonym <i>Presbytis senex</i>)	Wild	All	Sri Lanka	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
XENARTHRA				
<i>Myrmecophagidae</i>				
<i>Myrmecophaga tridactyla</i>	Wild	All	Belize, Uruguay	b
RODENTIA				
<i>Sciuridae</i>				
<i>Ratufa affinis</i>	Wild	All	Singapore	b
<i>Ratufa bicolor</i>	Wild	All	China	b
CARNIVORA				
<i>Canidae</i>				
<i>Chrysocyon brachyurus</i>	Wild	All	Bolivia, Peru	b
<i>Viverridae</i>				
<i>Cynogale bennettii</i>	Wild	All	Brunei, China, Indonesia, Malaysia, Singapore, Thailand	b
<i>Eupleres goudotii</i>	Wild	All	Madagascar	b
<i>Fossa fossana</i>	Wild	All	Madagascar	b
<i>Felidae</i>				
<i>Leptailurus serval</i>	Wild	All	Algeria	b
<i>Oncifelis colocolo</i>	Wild	All	Chile	b
<i>Prionailurus bengalensis</i>	Wild	All	Macao	b
PERISSODACTYLA				
<i>Equidae</i>				
<i>Equus zebra hartmannae</i>	Wild	All	Angola	b
ARTIODACTYLA				
<i>Hippopotamidae</i>				
<i>Hexaprotodon liberiensis</i> (synonym: <i>Choeropsis liberiensis</i>)	Wild	All	Côte d'Ivoire, Guinea, Guinea-Bissau, Nigeria, Sierra Leone	b
<i>Hippopotamus amphibius</i>	Wild	All	Gambia, Liberia, Niger, Nigeria, Sierra Leone	b
<i>Camelidae</i>				
<i>Lama guanicoe</i>	Wild	All, except: — specimens that form part of the registered stock in Argentina, provided that permits are confirmed by the Secretariat before being accepted by the Member State of import, — products obtained from the shearing of live animals carried out under the approved management programme, appropriately marked and registered, — non-commercial exports of limited quantities of wool for industrial testing, up to 500 kg annually	Argentina	b
	Wild	All	Chile	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
Moschidae				
<i>Moschus chrysogaster</i>	Wild	All	China	b
<i>Moschus berezovski</i>	Wild	All	China	b
<i>Moschus fuscus</i>	Wild	All	China	b
<i>Moschus moschiferus</i>	Wild	All	China, Russia	b
AVES				
CICONIIFORMES				
Balaenicipitidae				
<i>Balaeniceps rex</i>	Wild	All	Zambia	b
ANSERIFORMES				
Anatidae				
<i>Anas bernieri</i>	Wild	All	Madagascar	b
FALCONIFORMES				
Accipitridae				
<i>Accipiter brachyurus</i>	Wild	All	Papua New Guinea	b
<i>Accipiter gundlachi</i>	Wild	All	Cuba	b
<i>Accipiter imitator</i>	Wild	All	Papua New Guinea, Solomon Islands	b
<i>Buteo albonotatus</i>	Wild	All	Peru	b
<i>Buteo galapagoensis</i>	Wild	All	Ecuador	b
<i>Buteo platypterus</i>	Wild	All	Peru	b
<i>Buteo ridgwayi</i>	Wild	All	Dominican Republic, Haiti	b
<i>Erythrotriorchis radiatus</i>	Wild	All	Australia	b
<i>Buteo bengalensis</i>	All	All	All	b
<i>Gyps coprotheres</i>	Wild	All	Mozambique, Namibia, Swaziland	b
<i>Gyps indicus</i>	All	All	All	b
<i>Gyps rueppelli</i>	Wild	All	Guinea	b
<i>Harpyopsis novaeguineae</i>	Wild	All	Indonesia, Papua New Guinea	b
<i>Leucopternis lacernulata</i>	Wild	All	Brazil	b
<i>Leucopternis occidentalis</i>	Wild	All	Ecuador, Peru	b
<i>Lophoictinia isura</i>	Wild	All	Australia	b
<i>Spizaetus bartelsi</i>	Wild	All	Indonesia	b
<i>Terathopius ecaudatus</i>	Wild	All	Guinea	b
<i>Trigonoceps occipitalis</i>	Wild	All	Guinea	b
Falconidae				
<i>Falco deiroleucus</i>	Wild	All	Belize, Guatemala	b
<i>Falco fasciinucha</i>	Wild	All	Botswana, Ethiopia, Kenya, Malawi, Mozambique, South Africa, Sudan, Tanzania, Zambia, Zimbabwe	b
<i>Falco hypoleucus</i>	Wild	All	Australia, Papua New Guinea	b
<i>Micrastur plumbeus</i>	Wild	All	Colombia, Ecuador	b
GALLIFORMES				
Phasianidae				
<i>Polyplectron schleiermacheri</i>	Wild	All	Indonesia, Malaysia	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
GRUIFORMES				
<i>Gruidae</i>				
<i>Balearica pavonina</i>	Wild	All	Guinea, Mali	b
<i>Balearica regulorum</i>	Wild	All	Angola, Botswana, Burundi, Democratic Republic of the Congo, Kenya, Lesotho, Malawi, Mozambique, Namibia, Rwanda, South Africa, Swaziland, Uganda, Zambia, Zimbabwe	b
<i>Grus carunculatus</i>	Wild	All	All	b
<i>Grus virgo</i>	Wild	All	Sudan	b
COLUMBIFORMES				
<i>Columbidae</i>				
<i>Goura cristata</i>	Wild	All	Indonesia	b
<i>Goura scheepmakeri</i>	Wild	All	Indonesia	b
<i>Goura victoria</i>	Wild	All	Indonesia	b
PSITTACIFORMES				
<i>Psittacidae</i>				
<i>Agapornis fischeri</i>	Wild	All	Tanzania	b
	Ranched	All	Mozambique	b
<i>Agapornis lilianae</i>	Wild	All	Tanzania	b
<i>Agapornis nigrigenis</i>	Wild	All	All	b
<i>Agapornis pullarius</i>	Wild	All	Angola, Kenya, Mali, Togo	b
<i>Agapornis roseicollis</i>	Wild	All	Botswana	b
<i>Alisterus chloropterus chloropterus</i>	Wild	All	Indonesia	b
<i>Amazona agilis</i>	Wild	All	Jamaica	b
<i>Amazona auropalliata</i>	Wild	All	Honduras	b
<i>Amazona autumnalis</i>	Wild	All	Ecuador	b
<i>Amazona collaria</i>	Wild	All	Jamaica	b
<i>Amazona mercenaria</i>	Wild	All	Venezuela	b
<i>Amazona oratrix</i>	Wild	All	Belize, Guatemala, Honduras, Mexico	b
<i>Amazona xanthops</i>	Wild	All	Bolivia, Paraguay	b
<i>Ara ararauna</i>	Wild	All	Trinidad and Tobago	b
<i>Ara chloropterus</i>	Wild	All	Argentina, Panama	b
<i>Ara couloni</i>	Wild	All	Bolivia, Brazil	b
<i>Ara severa</i>	Wild	All	Guyana	b
<i>Aratinga acuticaudata</i>	Wild	All	Uruguay	b
<i>Aratinga aurea</i>	Wild	All	Argentina	b
<i>Aratinga auricapilla</i>	Wild	All	All	b
<i>Aratinga erythrogenys</i>	Wild	All	Peru	b
<i>Aratinga euops</i>	Wild	All	Cuba	b
<i>Aratinga solstitialis</i>	Wild	All	Venezuela	b
<i>Bolborhynchus ferrugineifrons</i>	Wild	All	Colombia	b
<i>Cacatua sanguinea</i>	Wild	All	Indonesia	b
<i>Cacatua sulphurea</i>	Wild	All	Indonesia	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Charmosyna amabilis</i>	Wild	All	Fiji	b
<i>Charmosyna diadema</i>	Wild	All	All	b
<i>Cyanoliseus patagonus</i>	Wild	All	Chile, Uruguay	b
<i>Deroptyus accipitrinus</i>	Wild	All	Peru	b
<i>Eclectus roratus</i>	Wild	All	Indonesia	b
<i>Eunymphicus cornutus</i>	Wild	All	New Caledonia	b
<i>Forpus xanthops</i>	Wild	All	Peru	b
<i>Hapalopsittaca amazonina</i>	Wild	All	All	b
<i>Hapalopsittaca fuertesi</i>	Wild	All	Colombia	b
<i>Hapalopsittaca pyrrhops</i>	Wild	All	All	b
<i>Leptosittaca branickii</i>	Wild	All	All	b
<i>Lorius domicella</i>	Wild	All	Indonesia	b
<i>Nannopsittaca panychlora</i>	Wild	All	Brazil	b
<i>Neophema splendida</i>	Wild	All	Australia	b
<i>Pionus chalcopterus</i>	Wild	All	Peru	b
<i>Poicephalus cryptoxanthus</i>	Wild	All	Tanzania	b
<i>Poicephalus meyeri</i>	Wild	All	Tanzania	b
<i>Poicephalus robustus</i>	Wild	All	Botswana, Gambia, Guinea, Mali, Namibia, Nigeria, Senegal, South Africa, Swaziland, Togo	b
<i>Poicephalus rufiventris</i>	Wild	All	Tanzania	b
<i>Polytelis alexandrae</i>	Wild	All	Australia	b
<i>Prioniturus luconensis</i>	Wild	All	Philippines	b
<i>Psittacula alexandri</i>	Wild	All	Indonesia	b
<i>Psittacula finschii</i>	Wild	All	Bangladesh, Cambodia	b
<i>Psittacula roseata</i>	Wild	All	China	b
<i>Psittacus erithacus</i>	Wild	All	Benin, Burundi, Liberia, Mali, Togo	b
<i>Psittichas fulgidus</i>	Wild	All	All	b
<i>Pyrrhura albipectus</i>	Wild	All	Ecuador	b
<i>Pyrrhura calliptera</i>	Wild	All	Colombia	b
<i>Pyrrhura leucotis</i>	Wild	All	Brazil	b
<i>Pyrrhura orcesi</i>	Wild	All	Ecuador	b
<i>Pyrrhura picta</i>	Wild	All	Colombia	b
<i>Pyrrhura viridicata</i>	Wild	All	Colombia	b
<i>Tanygnathus grammacus</i>	Wild	All	Indonesia	b
<i>Touit melanonotus</i>	Wild	All	Brazil	b
<i>Touit surda</i>	Wild	All	Brazil	b
<i>Trichoglossus johnstoniae</i>	Wild	All	Philippines	b
<i>Triclaria malachitacea</i>	Wild	All	Argentina, Brazil	b
CUCULIFORMES				
Musophagidae				
<i>Musophaga porphyreolopha</i>	Wild	All	Uganda	b
<i>Tauraco corythaix</i>	Wild	All	Mozambique	b
<i>Tauraco fischeri</i>	Wild	All	Tanzania	b
<i>Tauraco macrorhynchus</i>	Wild	All	Guinea	b
<i>Tauraco ruspolii</i>	Wild	All	Ethiopia	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
STRIGIFORMES				
Tytonidae				
<i>Phodilus prigoginei</i>	Wild	All	Democratic Republic of the Congo	b
<i>Tyto aurantia</i>	Wild	All	Papua New Guinea	b
<i>Tyto inexpectata</i>	Wild	All	Indonesia	b
<i>Tyto manusi</i>	Wild	All	Papua New Guinea	b
<i>Tyto nigrobrunnea</i>	Wild	All	Indonesia	b
<i>Tyto sororcula</i>	Wild	All	Indonesia	b
Strigidae				
<i>Asio clamator</i>	Wild	All	Peru	b
<i>Bubo philippensis</i>	Wild	All	Philippines	b
<i>Bubo vosseleri</i>	Wild	All	Tanzania	b
<i>Glaucidium albertinum</i>	Wild	All	Democratic Republic of the Congo, Rwanda	b
<i>Ketupa blakistoni</i>	Wild	All	China, Japan, Russia	b
<i>Ketupa ketupu</i>	Wild	All	Singapore	b
<i>Nesasio solomonensis</i>	Wild	All	Papua New Guinea, Solomon Islands	b
<i>Ninox affinis</i>	Wild	All	India	b
<i>Ninox rudolfi</i>	Wild	All	Indonesia	b
<i>Otus angelinae</i>	Wild	All	Indonesia	b
<i>Otus fuliginosus</i>	Wild	All	Philippines	b
<i>Otus longicornis</i>	Wild	All	Philippines	b
<i>Otus magicus</i>	Wild	All	Seychelles	b
<i>Otus mindorensis</i>	Wild	All	Philippines	b
<i>Otus mirus</i>	Wild	All	Philippines	b
<i>Otus pauliani</i>	Wild	All	Comoros	b
<i>Otus roboratus</i>	Wild	All	Peru	b
<i>Otus rutilus</i>	Wild	All	Comoros	b
<i>Pulsatrix melanota</i>	Wild	All	Peru	b
<i>Scotopelia ussheri</i>	Wild	All	Côte d'Ivoire, Ghana, Guinea, Liberia, Sierra Leone	b
<i>Strix davidi</i>	Wild	All	China	b
<i>Strix woodfordii</i>	Wild	All	Guinea	b
APODIFORMES				
Trochilidae				
<i>Chalcostigma olivaceum</i>	Wild	All	Peru	b
<i>Heliodoxa rubinoides</i>	Wild	All	Peru	b
CORACIIFORMES				
Bucerotidae				
<i>Buceros rhinoceros</i>	Wild	All	Thailand	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
PASSERIFORMES				
Pittidae				
<i>Pitta nympha</i>	Wild	All	All (except Vietnam)	b
Pycnonotidae				
<i>Pycnonotus zeylanicus</i>	Wild	All	Malaysia	b
REPTILIA				
TESTUDINES				
Emydidae				
<i>Callagur borneoensis</i>	Wild	All	All	b
<i>Trachemys scripta elegans</i>	All	Live	All	d
Testudinidae				
<i>Geochelone chilensis</i>	Wild	All	Argentina	b
	Wild	Live	All	c
<i>Geochelone denticulata</i>	Wild	All	Bolivia, Ecuador	b
	Wild	Live	All	c
<i>Geochelone elegans</i>	Wild	All	Bangladesh, Pakistan	b
	Wild	Live	All	c
<i>Geochelone gigantea</i>	Wild	All	Seychelles	b
<i>Geochelone pardalis</i>	Wild	All	Democratic Republic of the Congo, Tanzania	b
<i>Geochelone platynota</i>	Wild	All	Myanmar	b
<i>Gopherus agassizii</i>	Wild	All	All	b
<i>Gopherus berlandieri</i>	Wild	All	All	b
<i>Gopherus polyphemus</i>	Wild	All	United States of America	b
<i>Homopus areolatus</i>	Wild	Live	All	c
<i>Homopus boulengeri</i>	Wild	Live	All	c
<i>Homopus femoralis</i>	Wild	Live	All	c
<i>Homopus signatus</i>	Wild	Live	All	b
<i>Indotestudo elongata</i>	Wild	All	Bangladesh, China, India	b
<i>Indotestudo forstenii</i>	Wild	All	All	b
<i>Kinixys belliana</i>	Wild	All	Mozambique	b
	Ranched	All	Benin, Mozambique	b
	Wild	Live	All	c
<i>Kinixys erosa</i>	Wild	All	Togo	b
	Wild	Live	All	c

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Kinixys homeana</i>	Ranched	All	Benin	b
	Wild	Live	All	c
<i>Kinixys natalensis</i>	Wild	Live	All	c
<i>Manouria emys</i>	Wild	All	Bangladesh, Brunei, Cambodia, China, India, Indonesia, Laos, Myanmar, Thailand	b
	Wild	Live	All	c
<i>Manouria impressa</i>	Wild	All	All (except Vietnam)	b
	Wild	Live	All	c
<i>Psammobates</i> spp.	Wild	Live	All	c
<i>Pyxis arachnoides</i>	Wild	All	All	b
	Wild	Live	All	c
<i>Testudo horsfieldii</i>	Wild	Live	All	c
	Wild	All	China, Pakistan	b
Pelomedusidae				
<i>Erymnochelys madagascariensis</i>	Wild	All	Madagascar	b
<i>Podocnemis erythrocephala</i>	Wild	All	Colombia, Venezuela	b
<i>Podocnemis expansa</i>	Wild	All	Colombia, Ecuador, Guyana, Peru, Trinidad and Tobago, Venezuela	b
<i>Podocnemis lewyana</i>	Wild	All	All	b
<i>Podocnemis sextuberculata</i>	Wild	All	Peru	b
<i>Podocnemis unifilis</i>	Wild	All	Suriname	b
CROCODYLIA				
Alligatoridae				
<i>Caiman crocodilus</i>	Wild	All	El Salvador, Guatemala, Mexico	b
Crocodylidae				
<i>Crocodylus niloticus</i>	Wild	All	Madagascar	b
SAURIA				
Agamidae				
<i>Uromastix acanthinurus</i>	Wild	All	Sudan	b
<i>Uromastix aegyptica</i>	Animals born in captivity, but for which the criteria of Chapter III of Regulation (EC) No 1808/2001 are not met	All	Egypt	b
<i>Uromastix maliensis</i>	Wild	All	All	b
Chamaeleonidae				
<i>Chamaeleo angeli</i>	Wild	All	Madagascar	b
<i>Chamaeleo antimena</i>	Wild	All	Madagascar	b
<i>Chamaeleo balteatus</i>	Wild	All	Madagascar	b
<i>Chamaeleo belalandaensis</i>	Wild	All	Madagascar	b
<i>Chamaeleo bifidus</i>	Wild	All	Madagascar	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Chamaeleo boettgeri</i>	Wild	All	Madagascar	b
<i>Chamaeleo brevicornis</i>	Wild	All	Madagascar	b
<i>Chamaeleo campani</i>	Wild	All	Madagascar	b
<i>Chamaeleo capuroni</i>	Wild	All	Madagascar	b
<i>Chamaeleo cucullatus</i>	Wild	All	Madagascar	b
<i>Chamaeleo deremensis</i>	Wild	All	Tanzania	b
<i>Chamaeleo elliotti</i>	Wild	All	Burundi	b
<i>Chamaeleo fallax</i>	Wild	All	Madagascar	b
<i>Chamaeleo feae</i>	Wild	All	Equatorial Guinea	b
<i>Chamaeleo furcifer</i>	Wild	All	Madagascar	b
<i>Chamaeleo gallus</i>	Wild	All	Madagascar	b
<i>Chamaeleo gastrotaenia</i>	Wild	All	Madagascar	b
<i>Chamaeleo globifer</i>	Wild	All	Madagascar	b
<i>Chamaeleo gracilis</i>	Ranched	All	Togo	b
<i>Chamaeleo guibei</i>	Wild	All	Madagascar	b
<i>Chamaeleo hilleniusi</i>	Wild	All	Madagascar	b
<i>Chamaeleo labordi</i>	Wild	All	Madagascar	b
<i>Chamaeleo linotus</i>	Wild	All	Madagascar	b
<i>Chamaeleo malthe</i>	Wild	All	Madagascar	b
<i>Chamaeleo minor</i>	Wild	All	Madagascar	b
<i>Chamaeleo monoceras</i>	Wild	All	Madagascar	b
<i>Chamaeleo nasutus</i>	Wild	All	Madagascar	b
<i>Chamaeleo oshaughnessyi</i>	Wild	All	Madagascar	b
<i>Chamaeleo parsonii</i>	Wild	All	Madagascar	b
<i>Chamaeleo petteri</i>	Wild	All	Madagascar	b
<i>Chamaeleo peyrieresi</i>	Wild	All	Madagascar	b
<i>Chamaeleo pfefferi</i>	Wild	All	Cameroon	b
<i>Chamaeleo rhinocerotus</i>	Wild	All	Madagascar	b
<i>Chamaeleo tsaratananensis</i>	Wild	All	Madagascar	b
<i>Chamaeleo tuzetae</i>	Wild	All	Madagascar	b
<i>Chamaeleo werneri</i>	Wild	All	Tanzania	b
<i>Chamaeleo wiedersheimi</i>	Wild	All	Cameroon	b
<i>Chamaeleo willsii</i>	Wild	All	Madagascar	b
Gekkonidae				
<i>Phelsuma abbotti</i>	Wild	All	Madagascar	b
<i>Phelsuma antanosy</i>	Wild	All	Madagascar	b
<i>Phelsuma barbouri</i>	Wild	All	Madagascar	b
<i>Phelsuma befotakensis</i>	Wild	All	Madagascar	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Phelsuma breviceps</i>	Wild	All	Madagascar	b
<i>Phelsuma cepediana</i>	Wild	All	Madagascar	b
<i>Phelsuma chekei</i>	Wild	All	Madagascar	b
<i>Phelsuma dubia</i>	Wild	All	Madagascar	b
<i>Phelsuma edwardnewtonii</i>	Wild	All	Mauritius	b
<i>Phelsuma flavigularis</i>	Wild	All	Madagascar	b
<i>Phelsuma guttata</i>	Wild	All	Madagascar	b
<i>Phelsuma klemmeri</i>	Wild	All	Madagascar	b
<i>Phelsuma leiogaster</i>	Wild	All	Madagascar	b
<i>Phelsuma minuthi</i>	Wild	All	Madagascar	b
<i>Phelsuma modesta</i>	Wild	All	Madagascar	b
<i>Phelsuma mutabilis</i>	Wild	All	Madagascar	b
<i>Phelsuma pronki</i>	Wild	All	Madagascar	b
<i>Phelsuma pusilla</i>	Wild	All	Madagascar	b
<i>Phelsuma seippi</i>	Wild	All	Madagascar	b
<i>Phelsuma serraticauda</i>	Wild	All	Madagascar	b
<i>Phelsuma standingi</i>	Wild	All	Madagascar	b
<i>Phelsuma trilineata</i>	Wild	All	Madagascar	b
Iguanidae				
<i>Conolophus pallidus</i>	Wild	All	Ecuador	b
<i>Conolophus subcristatus</i>	Wild	All	Ecuador	b
<i>Iguana iguana</i>	Wild	All	El Salvador	b
Helodermatidae				
<i>Heloderma horridum</i>	Wild	All	Guatemala, Mexico	b
<i>Heloderma suspectum</i>	Wild	All	Mexico, United States of America	b
Scincidae				
<i>Corucia zebrata</i>	Wild	All	Solomon Islands	b
Varanidae				
<i>Varanus albigularis</i>	Wild	All	Lesotho	b
<i>Varanus beccarii</i>	Wild	All	Indonesia	b
<i>Varanus bogerti</i>	Wild	All	Papua New Guinea	b
<i>Varanus dumerilii</i>	Wild	All	Indonesia	b
<i>Varanus exanthematicus</i>	Wild	All	Benin	b
	Ranched	All	Benin, Togo	b
<i>Varanus jobiensis</i> (synonym <i>V. karlschmidti</i>)	Wild	All	Indonesia	b
<i>Varanus niloticus</i>	Wild	All	Burundi, Mozambique	b
	Ranched	All	Benin, Togo	b
<i>Varanus rudicollis</i>	Wild	All	Philippines	b
<i>Varanus salvadorii</i>	Wild	All	Indonesia	b
<i>Varanus salvator</i>	Wild	All	China, India, Singapore	b
<i>Varanus telenestus</i>	Wild	All	Papua New Guinea	b
<i>Varanus teriae</i>	Wild	All	Australia	b
<i>Varanus yemenensis</i>	Wild	All	Saudi Arabia, Yemen	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
SERPENTES				
Boidae				
<i>Boa constrictor</i>	Wild	All	El Salvador, Honduras	b
<i>Calabaria reinhardtii</i>	Ranched	All	Benin, Togo	b
<i>Eunectes deschauenseei</i>	Wild	All	Brazil	b
<i>Eunectes murinus</i>	Wild	All	Paraguay	b
<i>Gongylophis (Eryx) colubrinis</i>	Wild	All	Tanzania	b
<i>Morelia boeleni</i>	Wild	All	Indonesia	b
<i>Python molurus</i>	Wild	All	China	b
<i>Python reticulatus</i>	Wild	All	India, Singapore	b
<i>Python sebae</i>	Wild	All	Mauritania, Mozambique	b
	Ranched	All	Mozambique	b
Colubridae				
<i>Ptyas mucosus</i>	Wild	All, except specimens from the marked and registered stockpiles of 102 285 skins that were acquired before 30 September 1993 provided that the CITES secretariat has confirmed the validity of the Indonesian export permit	Indonesia	b
AMPHIBIA				
ANURA				
Ranidae				
<i>Mantella baroni</i> (synonym <i>Phrynomantis maculatus</i>)	Wild	All	Madagascar	b
<i>Mantella aff. baroni</i>	Wild	All	Madagascar	b
<i>Mantella bernhardi</i>	Wild	All	Madagascar	b
<i>Mantella cowani</i>	Wild	All	Madagascar	b
<i>Mantella crocea</i>	Wild	All	Madagascar	b
<i>Mantella expectata</i>	Wild	All	Madagascar	b
<i>Mantella haraldmeieri</i> (synonym <i>M. madagascariensis haraldmeieri</i>)	Wild	All	Madagascar	b
<i>Mantella laevigata</i>	Wild	All	Madagascar	b
<i>Mantella madagascariensis</i>	Wild	All	Madagascar	b
<i>Mantella manery</i>	Wild	All	Madagascar	b
<i>Mantella milotympanum</i> (synonym <i>M. auran-tiaca milotympanum</i>)	Wild	All	Madagascar	b
<i>Mantella nigricans</i> (synonym <i>M. cowani nigricans</i>)	Wild	All	Madagascar	b
<i>Mantella pulchra</i>	Wild	All	Madagascar	b
<i>Mantella viridis</i>	Wild	All	Madagascar	b
<i>Rana catesbeiana</i>	All	Live	All	d

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
ARTHROPODA				
INSECTA				
LEPIDOPTERA				
Papilionidae				
<i>Ornithoptera croesus</i>	Wild	All	Indonesia	b
<i>Ornithoptera meridionalis</i>	Wild	All	Indonesia	b
<i>Ornithoptera urvillianus</i>	Wild	All	Solomon Islands	b
<i>Ornithoptera tithonus</i>	Wild	All	Indonesia	b
<i>Ornithoptera victoriae</i>	Wild	All	Solomon Islands	b
<i>Troides andromache</i>	Wild	All	Indonesia	b
	Ranched	All	Indonesia	b
MOLLUSCA				
BIVALVIA				
VENEROIDA				
Tridacnidae				
<i>Hippopus hippopus</i>	Wild	All	Micronesia, Vanuatu	b
<i>Tridacna derasa</i>	Wild	All	Tonga	b
<i>Tridacna gigas</i>	Wild	All	Guam, Micronesia, Fiji, Indonesia, Marshall Islands, Palau, Papua New Guinea, Vanuatu	b
<i>Tridacna rosewateri</i>	Wild	All	Mauritius	b
<i>Tridacna squamosa</i>	Wild	All	Tonga	b
<i>Tridacna tevoroa</i>	Wild	All	All	b
MESOGASTROPODA				
Strombidae				
<i>Strombus gigas</i>	Wild	All	Antigua and Barbuda, Barbados, Dominica, Haiti (specimens < 23 cm), Saint Lucia, Trinidad and Tobago	b
CNIDARIA				
SCLERACTINIA				
Acroporidae				
<i>Montipora caliculata</i>	Wild	All	Tonga	b
Caryophylliidae				
<i>Catalaphyllia jardinei</i>	Wild	All	Indonesia	b
FLORA				
Amaryllidaceae				
<i>Galanthus nivalis</i>	Wild	All	Bosnia and Herzegovina, Bulgaria, Czech Republic, Moldova, Slovakia, Switzerland, Ukraine	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
Euphorbiaceae				
<i>Euphorbia millotii</i>	Wild	All	Madagascar	b
Orchidaceae				
<i>Aceras anthropophorum</i>	Wild	All	Turkey	b
<i>Aeranthus henrici</i>	Wild	All	Madagascar	b
<i>Anacamptis pyramidalis</i>	Wild	All	Estonia, Slovakia, Switzerland, Turkey	b
<i>Barlia robertiana</i>	Wild	All	Malta, Turkey	b
<i>Cephalanthera damasoni</i>	Wild	All	Poland, Slovakia	b
<i>Cephalanthera rubra</i>	Wild	All	Latvia, Lithuania, Norway, Poland, Slovakia	b
<i>Cypripedium japonicum</i>	Wild	All	China, Democratic People's Republic of Korea, Japan, Republic of Korea	b
<i>Cypripedium macranthos</i>	Wild	All	China, Democratic People's Republic of Korea, Japan, Republic of Korea, Russia	b
<i>Cypripedium margaritaceum</i>	Wild	All	China	b
<i>Cypripedium micranthum</i>	Wild	All	China	b
<i>Dactylorhiza fuchsii</i>	Wild	All	Czech Republic, Poland	b
<i>Dactylorhiza incarnata</i>	Wild	All	Norway, Slovakia	b
<i>Dactylorhiza latifolia</i>	Wild	All	Norway, Poland, Slovakia	b
<i>Dactylorhiza maculata</i>	Wild	All	Czech Republic, Lithuania, Norway	b
<i>Dactylorhiza romana</i>	Wild	All	Turkey	b
<i>Dactylorhiza russowii</i>	Wild	All	Czech Republic, Lithuania, Norway, Poland	b
<i>Dactylorhiza traunsteineri</i>	Wild	All	Liechtenstein, Poland	b
<i>Dendrobium bellatulum</i>	Wild	All	Cambodia, China, India, Laos, Myanmar, Thailand	b
<i>Gymnadenia conopsea</i>	Wild	All	Czech Republic, Lithuania, Slovakia	b
<i>Himantoglossum hircinum</i>	Wild	All	Czech Republic, Hungary, Switzerland	b
<i>Nigritella nigra</i>	Wild	All	Norway	b
<i>Ophrys apifera</i>	Wild	All	Hungary	b
<i>Ophrys holoserica</i>	Wild	All	Turkey	b
<i>Ophrys insectifera</i>	Wild	All	Czech Republic, Hungary, Latvia, Liechtenstein, Norway, Romania, Slovakia	b
<i>Ophrys pallida</i>	Wild	All	Algeria	b
<i>Ophrys scolopax</i>	Wild	All	Hungary, Romania	b
<i>Ophrys sphegodes</i>	Wild	All	Hungary, Romania, Switzerland	b
<i>Ophrys tenthredinifera</i>	Wild	All	Malta, Turkey	b
<i>Ophrys umbilicata</i>	Wild	All	Turkey	b

Species	Source(s) covered	Specimen(s) covered	Countries of origin	Basis in Article 4(6), Point:
<i>Orchis coriophora</i>	Wild	All	Poland, Russia, Switzerland	b
<i>Orchis italica</i>	Wild	All	Malta, Turkey	b
<i>Orchis laxiflora</i>	Wild	All	Switzerland	b
<i>Orchis mascula</i>	Wild	All	Estonia, Lithuania, Poland	b
	Wild/Ranched	All	Albania	b
<i>Orchis militaris</i>	Wild	All	Lithuania, Poland, Slovakia	b
<i>Orchis morio</i>	Wild	All	Estonia, Lithuania, Poland, Slovakia, Turkey	b
<i>Orchis pallens</i>	Wild	All	Hungary, Poland, Russia, Slovakia	b
<i>Orchis papilionacea</i>	Wild	All	Romania, Slovenia	b
<i>Orchis provincialis</i>	Wild	All	Switzerland	b
<i>Orchis punctulata</i>	Wild	All	Turkey	b
<i>Orchis purpurea</i>	Wild	All	Poland, Slovakia, Switzerland, Turkey	b
<i>Orchis simia</i>	Wild	All	Bosnia and Herzegovina, Croatia, Macedonia, Romania, Slovenia, Switzerland, Turkey, Yugoslavia	b
<i>Orchis tridentata</i>	Wild	All	Czech Republic, Slovakia, Turkey	b
<i>Orchis ustulata</i>	Wild	All	Estonia, Latvia, Lithuania, Poland, Russia, Slovakia	b
<i>Serapias cordigera</i>	Wild	All	Turkey	b
<i>Serapias lingua</i>	Wild	All	Malta	b
<i>Serapias parviflora</i>	Wild	All	Turkey	b
<i>Serapias vomeracea</i>	Wild	All	Malta, Switzerland, Turkey	b
<i>Spiranthes spiralis</i>	Wild	All	Czech Republic, Liechtenstein, Poland, Switzerland	b
Primulaceae				
<i>Cyclamen intaminatum</i>	Wild	All	Turkey	b
<i>Cyclamen mirabile</i>	Wild	All	Turkey	b
<i>Cyclamen parviflorum</i>	Wild	All	Turkey	b
<i>Cyclamen persicum</i>	Wild	All	Turkey	b
<i>Cyclamen pseudibericum</i>	Wild	All	Turkey	b
<i>Cyclamen trochopentanthum</i>	Wild	All	Turkey	b

**COMMISSION REGULATION (EC) No 2088/2001
of 25 October 2001**

amending Regulation (EC) No 2342/1999 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 on the common organisation of the market in beef and veal as regards premium schemes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1512/2001 ⁽²⁾, and in particular Article 4(8), Article 6(7), Article 10(3), Article 11(5) and Article 20 thereof,

Whereas:

- (1) Calculation of the minimum and maximum number of heifers expressed as a percentage as laid down respectively in the first, second and third subparagraphs of Article 6(2) and in the fourth subparagraph of Article 10(1) of Regulation (EC) No 1254/1999 may produce a result which is not a whole number. Provision should therefore be made for rounding-off so that a whole number of animals is obtained.
- (2) Article 41 of Commission Regulation (EC) No 2342/1999 of 28 October 1999 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 on the common organisation of the market in beef and veal as regards premium schemes ⁽³⁾, as last amended by Regulation (EC) No 1458/2001 ⁽⁴⁾, lays down certain rules on the payment of advances. Continuing low demand resulting from consumers' concerns about the consequences of the diseases which have come to light over the past few months has produced a difficult situation on the beef and veal market, so to enable producers to continue to meet their financial commitments an increase in the amount of the advances for the special premium, suckler-cow premium, slaughter premium and additional payments should be authorised.

- (3) In view of the way in which events are developing this Regulation should enter into force immediately.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2342/1999 is amended as follows:

1. The following Article 29a is inserted:

'Article 29a

Rounding-off of animal numbers

If the calculation of the minimum and maximum number of heifers expressed as a percentage as laid down respectively in the first, second and third subparagraphs of Article 6(2) and in the fourth subparagraph of Article 10(1) of Regulation (EC) No 1254/1999 produces a result which is not a whole number, that number shall be rounded down to the nearest whole number if it is less than 0,5 and up to the nearest whole number if it is 0,5 or more.'

2. In Article 41(1), the final subparagraph is replaced by the following:

'However, as regards the 2000 and 2001 calendar years, an advance equal to 80 % of the special premium, the suckler cow premium, the slaughter premium and the additional payments may be paid.'

Article 2

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

However, Article 1(1) shall apply from 1 January 2002.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 201, 26.7.2001, p. 1.

⁽³⁾ OJ L 281, 4.11.1999, p. 30.

⁽⁴⁾ OJ L 194, 18.7.2001, p. 4.

COMMISSION REGULATION (EC) No 2089/2001
of 25 October 2001
fixing the export refunds on milk and milk products

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 31(3) thereof,

Whereas:

(1) Article 31 of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(2) Regulation (EC) No 1255/1999 provides that when the refunds on the products listed in Article 1 of the above-mentioned Regulation, exported in the natural state, are being fixed, account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 300 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports.

(3) Article 31(5) of Regulation (EC) No 1255/1999 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that

when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices.

(4) Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination.

(5) Article 31(3) of Regulation (EC) No 1255/1999 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; the amount of the refund may, however, remain at the same level for more than four weeks.

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 1681/2001 ⁽⁴⁾; the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽⁵⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 227, 23.8.2001, p. 36.

⁽⁵⁾ OJ L 178, 30.6.2001, p. 1.

- (7) Commission Regulation (EEC) No 896/84 ⁽¹⁾, as last amended by Regulation (EEC) No 222/88 ⁽²⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; those provisions provide for the possibility of varying refunds according to the date of manufacture of the products.
- (8) For the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account.
- (9) It follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation.

- (10) 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

The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71.

⁽²⁾ OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 25 October 2001 fixing the export refunds on milk and milk products

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0401 10 10 9000	970	EUR/100 kg	2,048	0402 29 91 9000	A02	EUR/kg	0,5033
0401 10 90 9000	970	EUR/100 kg	2,048	0402 29 99 9100	A02	EUR/kg	0,5033
0401 20 11 9100	970	EUR/100 kg	2,048	0402 29 99 9500	A02	EUR/kg	0,5475
0401 20 11 9500	970	EUR/100 kg	3,165	0402 91 11 9370	A02	EUR/100 kg	5,670
0401 20 19 9100	970	EUR/100 kg	2,048	0402 91 19 9370	A02	EUR/100 kg	5,670
0401 20 19 9500	970	EUR/100 kg	3,165	0402 91 31 9300	A02	EUR/100 kg	6,715
0401 20 91 9000	970	EUR/100 kg	4,005	0402 91 39 9300	A02	EUR/100 kg	6,715
0401 20 99 9000	970	EUR/100 kg	4,005	0402 91 99 9000	A02	EUR/100 kg	36,61
0401 30 11 9400	970	EUR/100 kg	9,24	0402 99 11 9350	A02	EUR/kg	0,1445
0401 30 11 9700	970	EUR/100 kg	13,88	0402 99 19 9350	A02	EUR/kg	0,1445
0401 30 19 9700	970	EUR/100 kg	13,88	0402 99 31 9150	A02	EUR/kg	0,1513
0401 30 31 9100	A02	EUR/100 kg	33,72	0402 99 31 9300	A02	EUR/kg	0,2191
0401 30 31 9400	A02	EUR/100 kg	52,67	0402 99 31 9500	A02	EUR/kg	0,3775
0401 30 31 9700	A02	EUR/100 kg	58,08	0402 99 39 9150	A02	EUR/kg	0,1513
0401 30 39 9100	A02	EUR/100 kg	33,72	0403 90 11 9000	A02	EUR/100 kg	—
0401 30 39 9400	A02	EUR/100 kg	52,67	0403 90 13 9200	A02	EUR/100 kg	—
0401 30 39 9700	A02	EUR/100 kg	58,08	0403 90 13 9300	A02	EUR/100 kg	43,73
0401 30 91 9100	A02	EUR/100 kg	66,19	0403 90 13 9500	A02	EUR/100 kg	46,00
0401 30 91 9500	A02	EUR/100 kg	97,28	0403 90 13 9900	A02	EUR/100 kg	49,55
0401 30 99 9100	A02	EUR/100 kg	66,19	0403 90 19 9000	A02	EUR/100 kg	49,82
0401 30 99 9500	A02	EUR/100 kg	97,28	0403 90 33 9400	A02	EUR/kg	0,4373
0402 10 11 9000	A02	EUR/100 kg	0	0403 90 33 9900	A02	EUR/kg	0,4955
0402 10 19 9000	A02	EUR/100 kg	0	0403 90 51 9100	970	EUR/100 kg	2,048
0402 10 91 9000	A02	EUR/kg	0	0403 90 59 9170	970	EUR/100 kg	13,88
0402 10 99 9000	A02	EUR/kg	0	0403 90 59 9310	A02	EUR/100 kg	33,72
0402 21 11 9200	A02	EUR/100 kg	—	0403 90 59 9340	A02	EUR/100 kg	52,10
0402 21 11 9300	A02	EUR/100 kg	44,00	0403 90 59 9370	A02	EUR/100 kg	52,10
0402 21 11 9500	A02	EUR/100 kg	46,45	0403 90 59 9510	A02	EUR/100 kg	52,10
0402 21 11 9900	A02	EUR/100 kg	50,00	0404 90 21 9120	A02	EUR/100 kg	—
0402 21 17 9000	A02	EUR/100 kg	—	0404 90 21 9160	A02	EUR/100 kg	—
0402 21 19 9300	A02	EUR/100 kg	44,00	0404 90 23 9120	A02	EUR/100 kg	—
0402 21 19 9500	A02	EUR/100 kg	46,45	0404 90 23 9130	A02	EUR/100 kg	44,00
0402 21 19 9900	A02	EUR/100 kg	50,00	0404 90 23 9140	A02	EUR/100 kg	46,45
0402 21 91 9100	A02	EUR/100 kg	50,33	0404 90 23 9150	A02	EUR/100 kg	50,00
0402 21 91 9200	A02	EUR/100 kg	50,74	0404 90 29 9110	A02	EUR/100 kg	50,36
0402 21 91 9350	A02	EUR/100 kg	51,23	0404 90 29 9115	A02	EUR/100 kg	50,73
0402 21 91 9500	A02	EUR/100 kg	56,06	0404 90 29 9125	A02	EUR/100 kg	51,27
0402 21 99 9100	A02	EUR/100 kg	50,33	0404 90 29 9140	A02	EUR/100 kg	56,09
0402 21 99 9200	A02	EUR/100 kg	50,74	0404 90 81 9100	A02	EUR/kg	—
0402 21 99 9300	A02	EUR/100 kg	51,23	0404 90 83 9110	A02	EUR/kg	—
0402 21 99 9400	A02	EUR/100 kg	54,75	0404 90 83 9130	A02	EUR/kg	0,4400
0402 21 99 9500	A02	EUR/100 kg	56,06	0404 90 83 9150	A02	EUR/kg	0,4645
0402 21 99 9600	A02	EUR/100 kg	60,82	0404 90 83 9170	A02	EUR/kg	0,5000
0402 21 99 9700	A02	EUR/100 kg	63,45	0404 90 83 9936	A02	EUR/kg	0,1445
0402 21 99 9900	A02	EUR/100 kg	66,55	0405 10 11 9500	L05	EUR/100 kg	146,34
0402 29 15 9200	A02	EUR/kg	—	0405 10 11 9700	L05	EUR/100 kg	150,00
0402 29 15 9300	A02	EUR/kg	0,4402	0405 10 19 9500	L05	EUR/100 kg	146,34
0402 29 15 9500	A02	EUR/kg	0,4647	0405 10 19 9700	L05	EUR/100 kg	150,00
0402 29 15 9900	A02	EUR/kg	0,5000	0405 10 30 9100	L05	EUR/100 kg	146,34
0402 29 19 9300	A02	EUR/kg	0,4402	0405 10 30 9300	L05	EUR/100 kg	150,00
0402 29 19 9500	A02	EUR/kg	0,4647	0405 10 30 9700	L05	EUR/100 kg	150,00
0402 29 19 9900	A02	EUR/kg	0,5000	0405 10 50 9300	L05	EUR/100 kg	150,00

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0405 10 50 9500	L05	EUR/100 kg	146,34		L03	EUR/100 kg	—
0405 10 50 9700	L05	EUR/100 kg	150,00		A24	EUR/100 kg	27,09
0405 10 90 9000	L05	EUR/100 kg	155,49		L04	EUR/100 kg	27,09
0405 20 90 9500	L05	EUR/100 kg	137,20		400	EUR/100 kg	—
0405 20 90 9700	L05	EUR/100 kg	142,69		A01	EUR/100 kg	27,09
0405 90 10 9000	L05	EUR/100 kg	190,59	0406 10 20 9870	A00	EUR/100 kg	—
0405 90 90 9000	L05	EUR/100 kg	150,00	0406 10 20 9900	A00	EUR/100 kg	—
0406 10 20 9100	A00	EUR/100 kg	—	0406 20 90 9100	A00	EUR/100 kg	—
0406 10 20 9230	L02	EUR/100 kg	—	0406 20 90 9913	L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	32,03		A24	EUR/100 kg	49,95
	L04	EUR/100 kg	32,03		L04	EUR/100 kg	49,95
	400	EUR/100 kg	—		400	EUR/100 kg	20,23
	A01	EUR/100 kg	32,03		A01	EUR/100 kg	49,95
0406 10 20 9290	L02	EUR/100 kg	—	0406 20 90 9915	L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	29,79		A24	EUR/100 kg	65,93
	L04	EUR/100 kg	29,79		L04	EUR/100 kg	65,93
	400	EUR/100 kg	—		400	EUR/100 kg	26,95
	A01	EUR/100 kg	29,79		A01	EUR/100 kg	65,93
0406 10 20 9300	L02	EUR/100 kg	—	0406 20 90 9917	L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	13,08		A24	EUR/100 kg	70,05
	L04	EUR/100 kg	13,08		L04	EUR/100 kg	70,05
	400	EUR/100 kg	—		400	EUR/100 kg	28,65
	A01	EUR/100 kg	13,08		A01	EUR/100 kg	70,05
0406 10 20 9610	L02	EUR/100 kg	—	0406 20 90 9919	L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	43,44		A24	EUR/100 kg	78,29
	L04	EUR/100 kg	43,44		L04	EUR/100 kg	78,29
	400	EUR/100 kg	—		400	EUR/100 kg	31,96
	A01	EUR/100 kg	43,44		A01	EUR/100 kg	78,29
0406 10 20 9620	L02	EUR/100 kg	—	0406 20 90 9990	A00	EUR/100 kg	—
	L03	EUR/100 kg	—	0406 30 31 9710	L02	EUR/100 kg	—
	A24	EUR/100 kg	44,06		L03	EUR/100 kg	—
	L04	EUR/100 kg	44,06		A24	EUR/100 kg	12,33
	400	EUR/100 kg	—		L04	EUR/100 kg	6,58
	A01	EUR/100 kg	44,06		400	EUR/100 kg	—
0406 10 20 9630	L02	EUR/100 kg	—		A01	EUR/100 kg	12,33
	L03	EUR/100 kg	—	0406 30 31 9730	L02	EUR/100 kg	—
	A24	EUR/100 kg	49,18		L03	EUR/100 kg	—
	L04	EUR/100 kg	49,18		A24	EUR/100 kg	18,09
	400	EUR/100 kg	—		L04	EUR/100 kg	9,64
	A01	EUR/100 kg	49,18		400	EUR/100 kg	—
0406 10 20 9640	L02	EUR/100 kg	—		A01	EUR/100 kg	18,09
	L03	EUR/100 kg	—	0406 30 31 9910	L02	EUR/100 kg	—
	A24	EUR/100 kg	72,28		L03	EUR/100 kg	—
	L04	EUR/100 kg	72,28		A24	EUR/100 kg	12,33
	400	EUR/100 kg	—		L04	EUR/100 kg	6,58
	A01	EUR/100 kg	72,28		400	EUR/100 kg	—
0406 10 20 9650	L02	EUR/100 kg	—	0406 30 31 9930	A01	EUR/100 kg	12,33
	L03	EUR/100 kg	—		L02	EUR/100 kg	—
	A24	EUR/100 kg	60,23		L03	EUR/100 kg	—
	L04	EUR/100 kg	60,23		A24	EUR/100 kg	18,09
	400	EUR/100 kg	—		L04	EUR/100 kg	9,64
	A01	EUR/100 kg	60,23		400	EUR/100 kg	—
0406 10 20 9660	A00	EUR/100 kg	—		A01	EUR/100 kg	18,09
0406 10 20 9830	L02	EUR/100 kg	—	0406 30 31 9950	L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	22,34		A24	EUR/100 kg	26,31
	L04	EUR/100 kg	22,34		L04	EUR/100 kg	14,03
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	22,34		A01	EUR/100 kg	26,31
0406 10 20 9850	L02	EUR/100 kg	—				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 30 39 9500	L02	EUR/100 kg	—	0406 90 23 9900	L04	EUR/100 kg	87,47
	L03	EUR/100 kg	—		400	EUR/100 kg	28,48
	A24	EUR/100 kg	18,09		A01	EUR/100 kg	99,91
	L04	EUR/100 kg	9,64		L02	EUR/100 kg	—
	400	EUR/100 kg	—		L03	EUR/100 kg	—
0406 30 39 9700	A01	EUR/100 kg	18,09	0406 90 25 9900	A24	EUR/100 kg	88,33
	L02	EUR/100 kg	—		L04	EUR/100 kg	76,81
	L03	EUR/100 kg	—		400	EUR/100 kg	—
	A24	EUR/100 kg	26,31		A01	EUR/100 kg	88,33
	L04	EUR/100 kg	14,03		L02	EUR/100 kg	—
0406 30 39 9930	400	EUR/100 kg	—	0406 90 27 9900	L03	EUR/100 kg	—
	A01	EUR/100 kg	26,31		A24	EUR/100 kg	87,38
	L02	EUR/100 kg	—		L04	EUR/100 kg	76,30
	L03	EUR/100 kg	—		400	EUR/100 kg	—
	A24	EUR/100 kg	26,31		A01	EUR/100 kg	87,38
0406 30 39 9950	L04	EUR/100 kg	14,03	0406 90 31 9119	L02	EUR/100 kg	—
	400	EUR/100 kg	—		L03	EUR/100 kg	—
	A01	EUR/100 kg	26,31		A24	EUR/100 kg	79,14
	L02	EUR/100 kg	—		L04	EUR/100 kg	69,11
	L03	EUR/100 kg	—		400	EUR/100 kg	—
0406 30 90 9000	A24	EUR/100 kg	29,75	0406 90 33 9119	A01	EUR/100 kg	79,14
	L04	EUR/100 kg	15,87		L02	EUR/100 kg	—
	400	EUR/100 kg	—		L03	EUR/100 kg	—
	A01	EUR/100 kg	29,75		A24	EUR/100 kg	72,85
	L02	EUR/100 kg	—		L04	EUR/100 kg	63,51
0406 40 50 9000	L03	EUR/100 kg	—	0406 90 33 9919	400	EUR/100 kg	16,32
	A24	EUR/100 kg	31,21		A01	EUR/100 kg	72,85
	L04	EUR/100 kg	16,64		L02	EUR/100 kg	—
	400	EUR/100 kg	—		L03	EUR/100 kg	—
	A01	EUR/100 kg	31,21		A24	EUR/100 kg	72,85
0406 40 90 9000	L04	EUR/100 kg	76,50	0406 90 33 9951	L04	EUR/100 kg	63,51
	L03	EUR/100 kg	—		400	EUR/100 kg	16,32
	A24	EUR/100 kg	76,50		A01	EUR/100 kg	72,85
	400	EUR/100 kg	—		L02	EUR/100 kg	—
	A01	EUR/100 kg	76,50		L03	EUR/100 kg	—
0406 90 13 9000	L02	EUR/100 kg	—	0406 90 35 9190	A24	EUR/100 kg	66,81
	L03	EUR/100 kg	—		L04	EUR/100 kg	58,05
	A24	EUR/100 kg	78,56		400	EUR/100 kg	—
	L04	EUR/100 kg	78,56		A01	EUR/100 kg	66,81
	400	EUR/100 kg	—		L02	EUR/100 kg	—
0406 90 15 9100	A01	EUR/100 kg	78,56	0406 90 35 9990	L03	EUR/100 kg	—
	L02	EUR/100 kg	—		A24	EUR/100 kg	66,86
	L03	EUR/100 kg	—		L04	EUR/100 kg	58,63
	A24	EUR/100 kg	98,91		400	EUR/100 kg	—
	L04	EUR/100 kg	86,38		A01	EUR/100 kg	66,86
0406 90 17 9100	400	EUR/100 kg	38,51	0406 90 37 9000	L02	EUR/100 kg	28,30
	A01	EUR/100 kg	98,91		L03	EUR/100 kg	—
	L02	EUR/100 kg	—		A24	EUR/100 kg	103,33
	L03	EUR/100 kg	—		L04	EUR/100 kg	89,85
	A24	EUR/100 kg	102,21		400	EUR/100 kg	39,27
0406 90 21 9900	L04	EUR/100 kg	89,26		A01	EUR/100 kg	103,33
	400	EUR/100 kg	39,70		L02	EUR/100 kg	—
	A01	EUR/100 kg	102,21		L03	EUR/100 kg	—
	L02	EUR/100 kg	—		A24	EUR/100 kg	103,33
	L03	EUR/100 kg	—		L04	EUR/100 kg	89,85
	A24	EUR/100 kg	102,21		400	EUR/100 kg	25,67
	L04	EUR/100 kg	89,26		A01	EUR/100 kg	103,33
	400	EUR/100 kg	39,70		L02	EUR/100 kg	—
	A01	EUR/100 kg	102,21		L03	EUR/100 kg	—
	L02	EUR/100 kg	—		A24	EUR/100 kg	98,91
	L03	EUR/100 kg	—		L04	EUR/100 kg	86,38
	A24	EUR/100 kg	99,91		400	EUR/100 kg	38,51
	L04	EUR/100 kg	—		A01	EUR/100 kg	98,91
	400	EUR/100 kg	—		L02	EUR/100 kg	—
	A01	EUR/100 kg	—		L03	EUR/100 kg	—

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 61 9000	L02	EUR/100 kg	39,96	0406 90 78 9500	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		A24	EUR/100 kg	90,08
	A24	EUR/100 kg	110,19		L04	EUR/100 kg	78,86
	L04	EUR/100 kg	95,20		400	EUR/100 kg	—
	400	EUR/100 kg	36,55		A01	EUR/100 kg	90,08
	A01	EUR/100 kg	110,19	0406 90 79 9900	L02	EUR/100 kg	—
0406 90 63 9100	L02	EUR/100 kg	36,41		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		A24	EUR/100 kg	88,70
	A24	EUR/100 kg	109,27		L04	EUR/100 kg	78,12
	L04	EUR/100 kg	94,70		400	EUR/100 kg	—
	400	EUR/100 kg	40,89		A01	EUR/100 kg	88,70
0406 90 63 9900	A01	EUR/100 kg	109,27	0406 90 81 9900	L02	EUR/100 kg	—
	L02	EUR/100 kg	29,09		L03	EUR/100 kg	—
	L03	EUR/100 kg	—		A24	EUR/100 kg	92,33
	A24	EUR/100 kg	105,55		L04	EUR/100 kg	80,62
	L04	EUR/100 kg	91,04		400	EUR/100 kg	30,43
	400	EUR/100 kg	31,28	0406 90 85 9930	A01	EUR/100 kg	92,33
0406 90 69 9100	A01	EUR/100 kg	105,55		L02	EUR/100 kg	—
	A00	EUR/100 kg	—		L03	EUR/100 kg	—
0406 90 69 9910	L02	EUR/100 kg	—		A24	EUR/100 kg	100,22
	L03	EUR/100 kg	—		L04	EUR/100 kg	87,07
	A24	EUR/100 kg	105,55		400	EUR/100 kg	37,91
	L04	EUR/100 kg	91,04	0406 90 85 9970	A01	EUR/100 kg	100,22
	400	EUR/100 kg	31,28		L02	EUR/100 kg	—
	A01	EUR/100 kg	105,55		L03	EUR/100 kg	—
0406 90 73 9900	L02	EUR/100 kg	—		A24	EUR/100 kg	91,86
	L03	EUR/100 kg	—		L04	EUR/100 kg	79,82
	A24	EUR/100 kg	90,87		400	EUR/100 kg	33,17
	L04	EUR/100 kg	79,29	0406 90 85 9999	A01	EUR/100 kg	91,86
	400	EUR/100 kg	33,66		A00	EUR/100 kg	—
	A01	EUR/100 kg	90,87	0406 90 86 9100	A00	EUR/100 kg	—
0406 90 75 9900	L02	EUR/100 kg	—		L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	91,86		A24	EUR/100 kg	86,90
	L04	EUR/100 kg	79,82		L04	EUR/100 kg	73,24
	400	EUR/100 kg	14,20		400	EUR/100 kg	17,68
	A01	EUR/100 kg	91,86	0406 90 86 9200	A01	EUR/100 kg	86,90
0406 90 76 9300	L02	EUR/100 kg	—		L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	82,43		A24	EUR/100 kg	87,82
	L04	EUR/100 kg	71,98		L04	EUR/100 kg	74,30
	400	EUR/100 kg	—		400	EUR/100 kg	19,38
	A01	EUR/100 kg	82,43	0406 90 86 9300	A01	EUR/100 kg	87,82
0406 90 76 9400	L02	EUR/100 kg	—		L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	92,33		A24	EUR/100 kg	92,33
	L04	EUR/100 kg	80,62		L04	EUR/100 kg	78,94
	400	EUR/100 kg	14,79		400	EUR/100 kg	21,93
	A01	EUR/100 kg	92,33	0406 90 86 9400	A01	EUR/100 kg	92,33
0406 90 76 9500	L02	EUR/100 kg	—		L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	87,08		A24	EUR/100 kg	100,22
	L04	EUR/100 kg	76,70		L04	EUR/100 kg	87,07
	400	EUR/100 kg	14,79		400	EUR/100 kg	25,67
	A01	EUR/100 kg	87,08	0406 90 86 9900	A01	EUR/100 kg	100,22
0406 90 78 9100	L02	EUR/100 kg	—		L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	86,92		A24	EUR/100 kg	100,22
	L04	EUR/100 kg	74,38		L04	EUR/100 kg	87,07
	400	EUR/100 kg	—		400	EUR/100 kg	25,67
	A01	EUR/100 kg	86,92		A01	EUR/100 kg	100,22
0406 90 78 9300	L02	EUR/100 kg	—				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 87 9100	A00	EUR/100 kg	—		400	EUR/100 kg	—
0406 90 87 9200	L02	EUR/100 kg	—		A01	EUR/100 kg	38,79
	L03	EUR/100 kg	—	0406 90 87 9973	L02	EUR/100 kg	—
	A24	EUR/100 kg	72,41		L03	EUR/100 kg	—
	L04	EUR/100 kg	61,04		A24	EUR/100 kg	89,03
	400	EUR/100 kg	15,81		L04	EUR/100 kg	77,74
	A01	EUR/100 kg	72,41		400	EUR/100 kg	15,39
0406 90 87 9300	L02	EUR/100 kg	—		A01	EUR/100 kg	89,03
	L03	EUR/100 kg	—	0406 90 87 9974	L02	EUR/100 kg	—
	A24	EUR/100 kg	80,66		L03	EUR/100 kg	—
	L04	EUR/100 kg	68,23		A24	EUR/100 kg	96,21
	400	EUR/100 kg	17,85		L04	EUR/100 kg	84,37
	A01	EUR/100 kg	80,66		400	EUR/100 kg	15,39
0406 90 87 9400	L02	EUR/100 kg	—		A01	EUR/100 kg	96,21
	L03	EUR/100 kg	—	0406 90 87 9975	L02	EUR/100 kg	—
	A24	EUR/100 kg	81,88		L03	EUR/100 kg	—
	L04	EUR/100 kg	70,01		A24	EUR/100 kg	97,28
	400	EUR/100 kg	19,55		L04	EUR/100 kg	86,06
	A01	EUR/100 kg	81,88		400	EUR/100 kg	20,40
0406 90 87 9951	L02	EUR/100 kg	—		A01	EUR/100 kg	97,28
	L03	EUR/100 kg	—	0406 90 87 9979	L02	EUR/100 kg	—
	A24	EUR/100 kg	90,68		L03	EUR/100 kg	—
	L04	EUR/100 kg	79,18		A24	EUR/100 kg	88,33
	400	EUR/100 kg	27,03		L04	EUR/100 kg	76,81
	A01	EUR/100 kg	90,68		400	EUR/100 kg	15,39
0406 90 87 9971	L02	EUR/100 kg	—		A01	EUR/100 kg	88,33
	L03	EUR/100 kg	—	0406 90 88 9100	A00	EUR/100 kg	—
	A24	EUR/100 kg	90,68	0406 90 88 9300	L02	EUR/100 kg	—
	L04	EUR/100 kg	79,18		L03	EUR/100 kg	—
	400	EUR/100 kg	21,93		A24	EUR/100 kg	70,98
	A01	EUR/100 kg	90,68		L04	EUR/100 kg	60,27
0406 90 87 9972	A24	EUR/100 kg	38,79		400	EUR/100 kg	19,38
	L03	EUR/100 kg	—		A01	EUR/100 kg	70,98
	L04	EUR/100 kg	33,73				

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

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

The other destinations are defined as follows:

L02 Switzerland, Liechtenstein,

L03 Ceuta, Melilla, Iceland, Norway, Andorra, Gibraltar, Holy See (often referred to as Vatican City), Malta, Turkey, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovakia, Hungary, Romania, Bulgaria, Canada, Cyprus, Australia and New Zealand,

L04 Albania, Slovenia, Croatia, Bosnia and Herzegovina, Yugoslavia and the Former Yugoslav Republic of Macedonia,

L05 all destinations except Poland and the United States of America.

970 includes the exports referred to in Articles 36(1)(a) and (c) and 44(1)(a) and (b) of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11) and exports under contracts with armed forces stationed on the territory of a Member State which do not come under its flag.

COMMISSION REGULATION (EC) No 2090/2001
of 25 October 2001
amending the export refunds on syrups and certain other sugar sector products exported in the
natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The refunds on syrups and certain other sugar products were fixed by Commission Regulation (EC) No 1909/2001 ⁽²⁾.
- (2) It follows from applying the rules, criteria and other provisions contained in Regulation (EC) No 1909/2001 to the information at present available to the Commis-

sion that the export refunds at present in force should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in Article 1(1)(d), (f) and (g) of Regulation (EC) No 1260/2001, exported in the natural state, as fixed in the Annex to Regulation (EC) No 1909/2001 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 261, 29.9.2001, p. 27.

ANNEX

to the Commission Regulation of 25 October 2001 amending the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	A00	EUR/100 kg dry matter	39,81 ⁽²⁾
1702 60 10 9000	A00	EUR/100 kg dry matter	39,81 ⁽²⁾
1702 60 80 9100	A00	EUR/100 kg dry matter	75,64 ⁽⁴⁾
1702 60 95 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3981 ⁽¹⁾
1702 90 30 9000	A00	EUR/100 kg dry matter	39,81 ⁽²⁾
1702 90 60 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3981 ⁽¹⁾
1702 90 71 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3981 ⁽¹⁾
1702 90 99 9900	A00	EUR/1 % sucrose × net 100 kg of product	0,3981 ⁽¹⁾ ⁽³⁾
2106 90 30 9000	A00	EUR/100 kg dry matter	39,81 ⁽²⁾
2106 90 59 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3981 ⁽¹⁾

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 2091/2001
of 25 October 2001
amending representative prices and additional duties for the import of certain products in the
sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) The amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation

(EC) No 1309/2001 ⁽⁴⁾, as last amended by Regulation (EC) No 2030/2001 ⁽⁵⁾.

- (2) It follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 141, 24.6.1995, p. 16.

⁽³⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁴⁾ OJ L 177, 30.6.2001, p. 21.

⁽⁵⁾ OJ L 274, 17.10.2001, p. 14.

ANNEX

to the Commission Regulation of 25 October 2001 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	20,61	6,00
1701 11 90 ⁽¹⁾	20,61	11,52
1701 12 10 ⁽¹⁾	20,61	5,81
1701 12 90 ⁽¹⁾	20,61	11,00
1701 91 00 ⁽²⁾	27,27	11,60
1701 99 10 ⁽²⁾	27,27	7,08
1701 99 90 ⁽²⁾	27,27	7,08
1702 90 99 ⁽³⁾	0,27	0,38

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10.4.1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21.4.1972, p. 1).

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 2092/2001**of 25 October 2001****fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1987/2001 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, as last amended by Regulation (EC) No 1563/2001 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. Whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. Whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000 provides that a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1722/93 ⁽⁸⁾, as last amended by Commission Regulation (EC) No 1786/2001 ⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark stipulates that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 26 October 2001.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 271, 12.10.2001, p. 5.

⁽⁵⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁶⁾ OJ L 208, 1.8.2001, p. 8.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 242, 12.9.2001, p. 3.

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

Done at Brussels, 25 October 2001.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 25 October 2001 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

		(EUR/100 kg)	
CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases	— — — — —	— — — — —
1002 00 00	Rye	2,786	2,786
1003 00 90	Barley – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	— —	— —
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of: – starch: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ : – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – where goods falling within subheading 2208 ⁽³⁾ are exported – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	2,544 0,513 2,544 1,908 0,385 1,908 0,513 2,544 2,544 0,513 2,544	2,544 0,513 2,544 1,908 0,385 1,908 0,513 2,544 2,544 0,513 2,544

(EUR/100 kg)			
CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly-milled rice:		
	– round grain	17,600	17,600
	– medium grain	17,600	17,600
	– long grain	17,600	17,600
1006 40 00	Broken rice	4,000	4,000
1007 00 90	Sorghum	—	—

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

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

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

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

COMMISSION REGULATION (EC) No 2093/2001
of 25 October 2001
amending the rates of the refunds applicable to certain products from the sugar sector exported in
the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular Article 27(5)(a) and (15) thereof,

Whereas:

- (1) The rates of the refunds applicable from 1 October 2001 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 1924/2001 ⁽²⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 1924/2001 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 1924/2001 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 261, 29.9.2001, p. 54.

ANNEX

to the Commission Regulation of 25 October 2001 amending the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex I to the Treaty

Product	Rate of refund in EUR/100 kg	
	In case of advance fixing of refunds	Other
White sugar:	39,81	39,81

**COMMISSION REGULATION (EC) No 2094/2001
of 25 October 2001**

**fixing the maximum export refund on common wheat in connection with the invitation to tender
issued in Regulation (EC) No 943/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to all third countries except for Poland was opened pursuant to Commission Regulation (EC) No 943/2001 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 19 to 25 October 2001, pursuant to the invitation to tender issued in Regulation (EC) No 943/2001, the maximum refund on exportation of common wheat shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 133, 16.5.2001, p. 3.

COMMISSION REGULATION (EC) No 2095/2001
of 25 October 2001
concerning tenders notified in response to the invitation to tender for the export of barley issued
in Regulation (EC) No 1558/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of barley to all third countries except the United States of America and Canada was opened pursuant to Commission Regulation (EC) No 1558/2001 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92

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

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 19 to 25 October 2001 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 1558/2001.

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 205, 31.7.2001, p. 33.

COMMISSION REGULATION (EC) No 2096/2001
of 25 October 2001
concerning tenders notified in response to the invitation to tender for the export of rye issued in
Regulation (EC) No 1005/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1005/2001 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92

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

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 19 to 25 October 2001 in response to the invitation to tender for the refund for the export of rye issued in Regulation (EC) No 1005/2001.

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 140, 24.5.2001, p. 10.

**COMMISSION REGULATION (EC) No 2097/2001
of 25 October 2001
fixing production refunds on cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 7(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1667/2000 ⁽⁴⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EC) No 1786/2001 ⁽⁶⁾, and in particular Article 3 thereof,

Whereas:

- (1) Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund. The basis for the calculation is established in Article 3 of the said Regulation. The refund thus calculated must be fixed once a

month and may be altered if the price of maize and/or wheat changes significantly.

- (2) The production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable.
- (3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 242, 12.9.2001, p. 3.

COMMISSION REGULATION (EC) No 2098/2001
of 25 October 2001
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 25 October 2001 fixing the export refunds on cereal-based compound feedingstuffs

Product codes benefiting from export refund:

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

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	A00	EUR/t	25,44
Cereal products excluding maize and maize products	A00	EUR/t	0,00

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

COMMISSION REGULATION (EC) No 2099/2001**of 25 October 2001****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

(2) Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.

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

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

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

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 26 October 2001.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 25 October 2001 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C01	EUR/t	35,62	1104 23 10 9100	A00	EUR/t	38,16
1102 20 10 9400 ⁽¹⁾	C01	EUR/t	30,53	1104 23 10 9300	A00	EUR/t	29,26
1102 20 90 9200 ⁽¹⁾	C01	EUR/t	30,53	1104 29 11 9000	A00	EUR/t	0,00
1102 90 10 9100	C01	EUR/t	0,00	1104 29 51 9000	A00	EUR/t	0,00
1102 90 10 9900	C01	EUR/t	0,00	1104 29 55 9000	A00	EUR/t	0,00
1102 90 30 9100	C01	EUR/t	0,00	1104 30 10 9000	A00	EUR/t	0,00
1103 12 00 9100	A00	EUR/t	0,00	1104 30 90 9000	A00	EUR/t	6,36
1103 13 10 9100 ⁽¹⁾	A00	EUR/t	45,79	1107 10 11 9000	A00	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	A00	EUR/t	35,62	1107 10 91 9000	A00	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	A00	EUR/t	30,53	1108 11 00 9200	A00	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	A00	EUR/t	30,53	1108 11 00 9300	A00	EUR/t	0,00
1103 19 10 9000	A00	EUR/t	27,86	1108 12 00 9200	A00	EUR/t	40,70
1103 19 30 9100	A00	EUR/t	0,00	1108 12 00 9300	A00	EUR/t	40,70
1103 21 00 9000	A00	EUR/t	0,00	1108 13 00 9200	A00	EUR/t	40,70
1103 29 20 9000	A00	EUR/t	0,00	1108 13 00 9300	A00	EUR/t	40,70
1104 11 90 9100	A00	EUR/t	0,00	1108 19 10 9200	A00	EUR/t	60,80
1104 12 90 9100	A00	EUR/t	0,00	1108 19 10 9300	A00	EUR/t	60,80
1104 12 90 9300	A00	EUR/t	0,00	1109 00 00 9100	A00	EUR/t	0,00
1104 19 10 9000	A00	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	A00	EUR/t	39,88
1104 19 50 9110	A00	EUR/t	40,70	1702 30 59 9000 ⁽²⁾	A00	EUR/t	30,53
1104 19 50 9130	A00	EUR/t	33,07	1702 30 91 9000	A00	EUR/t	39,88
1104 21 10 9100	A00	EUR/t	0,00	1702 30 99 9000	A00	EUR/t	30,53
1104 21 30 9100	A00	EUR/t	0,00	1702 40 90 9000	A00	EUR/t	30,53
1104 21 50 9100	A00	EUR/t	0,00	1702 90 50 9100	A00	EUR/t	39,88
1104 21 50 9300	A00	EUR/t	0,00	1702 90 50 9900	A00	EUR/t	30,53
1104 22 20 9100	A00	EUR/t	0,00	1702 90 75 9000	A00	EUR/t	41,79
1104 22 30 9100	A00	EUR/t	0,00	1702 90 79 9000	A00	EUR/t	29,00
				2106 90 55 9000	A00	EUR/t	30,53

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

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

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

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

C01: All destinations except Poland.

COMMISSION REGULATION (EC) No 2100/2001**of 25 October 2001****fixing the export refunds on rice and broken rice and suspending the issue of export licences**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1987/2001 ⁽²⁾, and in particular the second subparagraph of Article 13(3) and (15) thereof,

Whereas:

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

(2) Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(3) Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.

(4) Export possibilities exist for a quantity of 14 569 tonnes of rice to certain destinations. The procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 409/2001 ⁽⁵⁾ should be used. Account should be taken of this when the refunds are fixed.

(5) Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated.

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(7) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.

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

(9) It follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto.

(10) For the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted.

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 14 569 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 26 October 2001.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 271, 12.10.2001, p. 5.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 60, 1.3.2001, p. 27.

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

Done at Brussels, 25 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 25 October 2001 fixing the export refunds on rice and broken rice and suspending the issue of export licences

Product code	Destination	Unit of measurement	Amount of refunds (1)	Product code	Destination	Unit of measurement	Amount of refunds (1)
1006 20 11 9000	R01	EUR/t	136,00	1006 30 65 9100	R01	EUR/t	170,00
1006 20 13 9000	R01	EUR/t	136,00		R02	EUR/t	176,00
1006 20 15 9000	R01	EUR/t	136,00		R03	EUR/t	181,00
1006 20 17 9000	—	EUR/t	—		064	EUR/t	150,00
1006 20 92 9000	R01	EUR/t	136,00		A97	EUR/t	176,00
1006 20 94 9000	R01	EUR/t	136,00		021 and 023	EUR/t	176,00
1006 20 96 9000	R01	EUR/t	136,00	1006 30 65 9900	R01	EUR/t	170,00
1006 20 98 9000	—	EUR/t	—		064	EUR/t	150,00
1006 30 21 9000	R01	EUR/t	136,00		A97	EUR/t	176,00
1006 30 23 9000	R01	EUR/t	136,00	1006 30 67 9100	021 and 023	EUR/t	176,00
1006 30 25 9000	R01	EUR/t	136,00		064	EUR/t	150,00
1006 30 27 9000	—	EUR/t	—	1006 30 67 9900	064	EUR/t	150,00
1006 30 42 9000	R01	EUR/t	136,00	1006 30 92 9100	R01	EUR/t	170,00
1006 30 44 9000	R01	EUR/t	136,00		R02	EUR/t	176,00
1006 30 46 9000	R01	EUR/t	136,00		R03	EUR/t	181,00
1006 30 48 9000	—	EUR/t	—		064	EUR/t	150,00
1006 30 61 9100	R01	EUR/t	170,00		A97	EUR/t	176,00
	R02	EUR/t	176,00		064	EUR/t	150,00
	R03	EUR/t	181,00	1006 30 94 9100	R01	EUR/t	170,00
	064	EUR/t	150,00		R02	EUR/t	176,00
	A97	EUR/t	176,00		R03	EUR/t	181,00
	021 and 023	EUR/t	176,00		064	EUR/t	150,00
1006 30 61 9900	R01	EUR/t	170,00		A97	EUR/t	176,00
	A97	EUR/t	176,00		021 and 023	EUR/t	176,00
	064	EUR/t	150,00	1006 30 94 9900	R01	EUR/t	170,00
1006 30 63 9100	R01	EUR/t	170,00		A97	EUR/t	176,00
	R02	EUR/t	176,00		064	EUR/t	150,00
	R03	EUR/t	181,00	1006 30 96 9100	R01	EUR/t	170,00
	064	EUR/t	150,00		R02	EUR/t	176,00
	A97	EUR/t	176,00		R03	EUR/t	181,00
	021 and 023	EUR/t	176,00		064	EUR/t	150,00
1006 30 63 9900	R01	EUR/t	170,00		A97	EUR/t	176,00
	064	EUR/t	150,00		021 and 023	EUR/t	176,00
	A97	EUR/t	176,00	1006 30 96 9900	R01	EUR/t	170,00
					A97	EUR/t	176,00
					064	EUR/t	150,00
				1006 30 98 9100	021 and 023	EUR/t	176,00
				1006 30 98 9900	—	EUR/t	—
				1006 40 00 9000	—	EUR/t	—

(1) The procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 applies to licences applied for under that Regulation for quantities according to the destination:
 destination R01: 4 347 t,
 all destinations R02 and R03: 2 159 t,
 destinations 021 and 023: 763 t,
 destination 064: 7 000 t,
 destination A97: 300 t.

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

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

The other destinations are defined as follows:

R01 Switzerland, Liechtenstein, communes of Livigno and Campione d'Italia.

R02 Morocco, Algeria, Tunisia, Malta, Egypt, Israel, Lebanon, Libya, Syria, Ex-Spanish Sahara, Cyprus, Jordan, Iraq, Iran, Yemen, Kuwait, United Arab Emirates, Oman, Bahrain, Qatar, Saudi Arabia, Eritrea, West Bank/Gaza Strip, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovenia, Slovakia, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Yugoslavia, Former Yugoslav Republic of Macedonia, Albania, Romania, Bulgaria, Georgia, Armenia, Azerbaijan, Moldova, Ukraine, Kazakstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan.

R03 Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Uruguay, Paraguay, Brazil, Venezuela, Canada, Mexico, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Cuba, Bermuda, South Africa, Australia, New Zealand, Hong Kong SAR, Singapore, A40, A11 except Suriname, Guyana, Madagascar.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 October 2001

amending the Annexes to Council Decision 97/101/EC establishing a reciprocal exchange of information and data from networks and individual stations measuring ambient air pollution within the Member States

(notified under document number C(2001) 3093)

(Text with EEA relevance)

(2001/752/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/101/EC of 27 January 1997 establishing a reciprocal exchange of information and data from networks and individual stations measuring ambient air pollution within the Member States ⁽¹⁾, and in particular Article 7 thereof,

Whereas:

- (1) Decision 97/101/EC lays down a system for reciprocal exchange of information and data on ambient air pollution.
- (2) It is appropriate to amend the Annexes to that Decision in order to adapt the list of pollutants covered as well as requirements on additional information, validation and aggregation.

- (3) The measures provided for in this Decision are in accordance with the opinion of the Committee instituted by Article 12(2) of Council Directive 96/62/EC ⁽²⁾,

HAS ADOPTED THIS DECISION:

Article 1

The Annexes to Decision 97/101/EC are replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 October 2001.

For the Commission

Margot WALLSTRÖM

Member of the Commission

⁽¹⁾ OJ L 35, 5.2.1997, p. 14.

⁽²⁾ OJ L 296, 21.11.1996, p. 55.

ANNEX

ANNEX I

LIST OF POLLUTANTS, STATISTICAL PARAMETERS AND UNITS OF MEASUREMENT

1. Pollutants listed in Annex I to Directive 96/62/EC on air quality

2. Pollutants not listed in Annex I to Directive 96/62/EC on air quality

Pollutants to be reported under Directives other than Directive 96/62/EC are listed in Section 3 under Nos 14 and 15. Pollutants only to be reported if available are listed under Nos 16 to 63.

3. Pollutants, units of measurement, averaging times:

No	ISO-code ⁽¹⁾	Formula	Name of pollutant	Units of measurement ⁽²⁾	Average over ⁽³⁾	Expressed as	Relevant Directives ⁽⁴⁾
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Pollutants listed in Annex I of the Directive 96/62/EC on air quality

1	01	SO ₂	sulphur dioxide	µg/m ³	1 h		1999/30/EC 80/779/EEC 89/427/EEC ⁽⁵⁾
2	03	NO ₂	nitrogen dioxide	µg/m ³	1 h		1999/30/EC 85/203/EEC
3	24	PM ₁₀	suspended particulates (<10 µm)	µg/m ³	24 h		1999/30/EC 96/62/EC
4	39	PM _{2,5} ⁽⁶⁾	suspended particulates (<2,5 µm)	µg/m ³	24 h		1999/30/EC 96/62/EC
5	22	SPM	suspended particulates (total)	µg/m ³	24 h		80/779/EEC 89/427/EEC
6	19	Pb	lead	µg/m ³	24 h		1999/30/EC 82/884/EC
7	08	O ₃	ozone	µg/m ³	1 h		92/72/EEC
8	V4	C ₆ H ₆	benzene	µg/m ³	24 h		96/62/EC 2000/69/EC
9	04	CO	carbon monoxide	µg/m ³	1 h		96/62/EC 2000/69/EC
10	82	Cd ⁽⁷⁾	cadmium	ng/m ³	24 h		96/62/EC
11	80	As	arsenic	ng/m ³	24 h		96/62/EC
12	87	Ni	nickel	ng/m ³	24 h		96/62/EC
13	85	Hg	mercury	ng/m ³	24 h		96/62/EC

Pollutants to be reported under other EU Directives

14	11	BS	black smoke	µg/m ³	24 h		80/779/EEC 89/427/EEC
15	35	NO _x	nitrogen oxides	µg/m ³	1 h	NO ₂ equivalent	1999/30/EC

Other pollutants ⁽⁸⁾

16	V8	C ₂ H ₆	ethane	µg/m ³	24 h		
17	V9	H ₂ C=CH ₂	ethene (ethylene)	µg/m ³	24 h		
18	V3	HC=CH	ethine (acetylene)	µg/m ³	24 h		

No	ISO-code ⁽¹⁾	Formula	Name of pollutant	Units of measurement ⁽²⁾	Average over ⁽³⁾	Expressed as	Relevant Directives ⁽⁴⁾
19	VN	$\text{H}_3\text{C}-\text{CH}_2-\text{CH}_3$	propane	$\mu\text{g}/\text{m}^3$	24 h		
20	VP	$\text{CH}_2=\text{CH}-\text{CH}_3$	propene	$\mu\text{g}/\text{m}^3$	24 h		
21	V6	$\text{H}_3\text{C}-\text{CH}_2-\text{CH}_2-\text{CH}_3$	n-butane	$\mu\text{g}/\text{m}^3$	24 h		
22	V5	$\text{H}_3\text{C}-\text{CH}(\text{CH}_3)_2$	iso-butane	$\mu\text{g}/\text{m}^3$	24 h		
23	V1	$\text{H}_2\text{C}=\text{CH}-\text{CH}_2-\text{CH}_3$	1-butene	$\mu\text{g}/\text{m}^3$	24 h		
24	V2	$\text{H}_3\text{C}-\text{CH}=\text{CH}-\text{CH}_3$	trans-2-butene	$\mu\text{g}/\text{m}^3$	24 h		
25	V7	$\text{H}_3\text{C}-\text{CH}=\text{CH}-\text{CH}_3$	cis-2-butene	$\mu\text{g}/\text{m}^3$	24 h		
26	V0	$\text{CH}_2=\text{CH}-\text{CH}=\text{CH}_2$	butadiene 1,3	$\mu\text{g}/\text{m}^3$	24 h		
27	VK	$\text{H}_3\text{C}-(\text{CH}_2)_3-\text{CH}_3$	n-pentane	$\mu\text{g}/\text{m}^3$	24 h		
28	V1	$\text{H}_3\text{C}-\text{CH}_2-\text{CH}(\text{CH}_3)_2$	iso-pentane	$\mu\text{g}/\text{m}^3$	24 h		
29	VL	$\text{H}_2\text{C}=\text{CH}-\text{CH}_2-\text{CH}_2-\text{CH}_3$	1-pentene	$\mu\text{g}/\text{m}^3$	24 h		
30	VM	$\text{H}_3\text{C}-\text{HC}=\text{CH}-\text{CH}_2-\text{CH}_3$	2-pentene	$\mu\text{g}/\text{m}^3$	24 h		
31	VF	$\text{H}_2\text{C}=\text{CH}-\text{C}(\text{CH}_3)=\text{CH}_2$	isoprene	$\mu\text{g}/\text{m}^3$	24 h		
32	VD	C_6H_{14}	n-hexane	$\mu\text{g}/\text{m}^3$	24 h		
33	n.a. ⁽⁹⁾	$(\text{CH}_3)_2-\text{CH}-\text{CH}_2-\text{CH}_2-\text{CH}_3$	i-hexane	$\mu\text{g}/\text{m}^3$	24 h		
34	VC	C_7H_{16}	n-heptane	$\mu\text{g}/\text{m}^3$	24 h		
35	VH	C_8H_{18}	n-octane	$\mu\text{g}/\text{m}^3$	24 h		
36	VG	$(\text{CH}_3)_3-\text{C}-\text{CH}_2-\text{CH}-(\text{CH}_3)_2$	iso-octane	$\mu\text{g}/\text{m}^3$	24 h		
37	VQ	$\text{C}_6\text{H}_5-\text{CH}_3$	toluene	$\mu\text{g}/\text{m}^3$	24 h		
38	VA	$\text{C}_6\text{H}_5-\text{C}_2\text{H}_5$	ethyl benzene	$\mu\text{g}/\text{m}^3$	24 h		
39	VU	$\text{m,p-C}_6\text{H}_4(\text{CH}_3)_2$	m,p-xylene	$\mu\text{g}/\text{m}^3$	24 h		
40	VV	$\text{o-C}_6\text{H}_4-(\text{CH}_3)_2$	o-xylene	$\mu\text{g}/\text{m}^3$	24 h		
41	VS	$\text{C}_6\text{H}_3-(\text{CH}_3)_3$	1,2,4-trimethylbenzene	$\mu\text{g}/\text{m}^3$	24 h		
42	VR	$\text{C}_6\text{H}_3(\text{CH}_3)_3$	1,2,3-trimethylbenzene	$\mu\text{g}/\text{m}^3$	24 h		
43	VT	$\text{C}_6\text{H}_3(\text{CH}_3)_3$	1,3,5-trimethylbenzene	$\mu\text{g}/\text{m}^3$	24 h		
44	VB	HCHO	formaldehyde	$\mu\text{g}/\text{m}^3$	1 h		
45	20	THC (NM)	total non-methane hydrocarbons	$\mu\text{g}/\text{m}^3$	24 h	C equivalent	

No	ISO-code ⁽¹⁾	Formula	Name of pollutant	Units of measurement ⁽²⁾	Average over ⁽³⁾	Expressed as	Relevant Directives ⁽⁴⁾
46	10	SA	strong acidity	µg/m ³	24 h	SO ₂ equivalent	82/459/EEC (alternative to SO ₂)
47	n.a.	PM ₁	suspended particulates (<1 µm)	µg/m ³	24 h		96/62/EC
48	16	CH ₄	methane	µg/m ³	24 h		
49	83	Cr	chromium	ng/m ³	24 h		
50	90	MN	manganese	ng/m ³	24 h		
51	05	H ₂ S	hydrogen sulphide	µg/m ³	24 h		
52	n.a.	CS ₂	carbon disulphide	µg/m ³	1 h		
53	n.a.	C ₆ H ₅ -CH=CH ₂	styrene	µg/m ³	24 h		
54	n.a.	CH ₂ =CH-CN	acrylonitrile	µg/m ³	24 h		
55	H3	C1CHCCl ₂	trichloroethylene	µg/m ³	24 h		
56	H4	C ₂ Cl ₄	tetrachloroethylene	µg/m ³	24 h		
57	n.a.	CH ₂ Cl ₂	dichloromethane	µg/m ³	24 h		
58	P6	BaP	benzo(a)pyrene	ng/m ³	24 h		
59	n.a.	VC	vinyl chloride	µg/m ³	24 h		
60	09	PAN	peroxyacetyl nitrate	µg/m ³	1 h		
61	21	NH ₃	ammonia	µg/m ³	24 h		
62	n.a.	N-dep.	wet nitrogen deposition	mg/(m ² *month)	1 month	N equivalent	
63	n.a.	S-dep.	wet sulphur deposition	mg/(m ² *month)	1 month	S equivalent	

⁽¹⁾ ISO 7168-2: 1999.

⁽²⁾ Use at least two figures for each value reported, e.g. 1,4 mg/m³ or 21 µg/m³.

⁽³⁾ Some measurement techniques involve sampling times from a few minutes up to several weeks. In such a case values with different averaging times differing from those listed in this column can be reported indicating the actual averaging period.

⁽⁴⁾ Directives in force when the revised Annexes to the exchange of information Decision enter into force.

⁽⁵⁾ Amending Directive 80/779/EEC.

⁽⁶⁾ No reference method available for PM_{2,5} (particulate matter) when the revised Annexes to the exchange of information Decision enter into force.

⁽⁷⁾ For heavy metals and PAH, community legislation is currently under preparation that is expected to result, in particular, in a list of specific PAH substances and proposals for amendments to this Decision as necessary.

⁽⁸⁾ If available.

⁽⁹⁾ Not available.

4. Data, calculated over the calendar year, to be transmitted to the Commission

Member States shall send raw data or shall send raw data and statistics.

For those Member States who transfer raw data and statistics the following statistics are required.

— For pollutants 1 to 61:

the arithmetic mean, the median, the percentiles 98 (and 99,9 which may be transmitted on a voluntary basis for pollutants for which the mean is calculated over one hour) and the maximum calculated from raw data corresponding to the recommended averaging times indicated in the table above,

— for pollutants 62 and 63:

total monthly deposition, calculated from raw data corresponding to the recommended averaging times indicated in the table above.

The y^{th} percentile should be selected from the values actually measured. All the values should be listed in increasing order:

$$X_1 \leq X_2 \leq X_3 \leq \dots \leq X_k \leq \dots \leq X_{N-1} \leq X_N$$

The y^{th} percentile is the concentration X_k , where the value of k is calculated as follows:

$$k = (q \times N)$$

with q being equal to $y/100$ and N the number of values actually measured.

The value of $(q \times N)$ should be rounded off to the nearest whole number.

All the results should be expressed at the following conditions of temperature and pressure: 293 K and 101,3 kPa, except for pollutants 62 and 63. For particle bound components, data from the year 2001 and onwards should be reported at ambient conditions.

5. Data transmission to the Commission:

Data shall be transmitted by one of the following data formats: ISO 7168 version 2 extended format, NASA-AMES 1001/1010 or DEM ⁽¹⁾ compatible format; or in DEM database:

The Commission will confirm receipt of data and the number of stations and pollutants.

⁽¹⁾ Data exchange module provided on behalf of the European Commission.

ANNEX II

INFORMATION CONCERNING NETWORKS, STATIONS AND MEASUREMENT TECHNIQUES

Member States shall report on the following points: I.1, I.4.1 to I.4.4, I.5, II.1.1, II.1.4, II.1.8, II.1.10, II.1.11 and II.2.1. To the extent possible, as much information as feasible should be supplied on the other points:

I. INFORMATION CONCERNING NETWORKS**I.1. Name****I.2. Abbreviation****I.3. Type of networks (local industry, town/city, urban area, county, region, entire country, international, etc.)****I.4. Body responsible for network management**

I.4.1. Name

I.4.2. Name of person responsible

I.4.3. Address

I.4.4. Telephone and fax numbers

I.4.5. e-mail

I.4.6. Website address

I.5. Time reference basis (UTC, local)**II. INFORMATION CONCERNING STATIONS****II.1. General information**

II.1.1. Name of the station

II.1.2. Name of the town/city of location when applicable

II.1.3. National and/or local reference number or code

II.1.4. Station code given under the present decision and to be provided by the Commission

II.1.5. Name of technical body responsible for the station (if different from that responsible for the network)

II.1.6. Bodies or programmes to which data are reported (by compound, if necessary) (local, national, European Commission, GEMS, OECD, EMEP, etc.)

II.1.7. Monitoring objective(s) (compliance with the requirements of legal instruments exposure assessment (human health and/or ecosystems and/or materials), trend analysis, emission assessment, etc.)

II.1.8. Geographical coordinates (according to ISO 6709: geographical longitude and latitude and geodetic altitude)

II.1.9. NUTS level IV (nomenclature des unités territoriales statistiques)

II.1.10. Pollutants measured

II.1.11. Meteorological parameters measured

II.1.12. Other relevant information: prevailing wind direction, ratio between distance from and height of closest obstacles, etc.

II.2. Classification of stationII.2.1. *Type of area*

II.2.1.1. Urban:

continuously built-up area

II.2.1.2. Suburban:

largely built-up area: continuous settlement of detached buildings mixed with non-urbanised areas (small lakes, woods, agricultural)

- II.2.1.3. Rural ⁽¹⁾:
all areas that not fulfil the criteria for urban/suburban areas
- II.2.2. *Type of station in relation to dominant emission sources*
- II.2.2.1. Traffic:
stations located such that their pollution level is influenced mainly by emissions from a nearby road/street
- II.2.2.2. Industrial:
stations located such that their pollution level is influenced mainly by nearby single industrial sources or industrial areas
- II.2.2.3. Background:
stations that are neither traffic nor industrial ⁽²⁾
- II.2.3. *Additional information about the station*
- II.2.3.1. Area of representativeness (radius). For traffic stations, give instead the length of street/road that the station represents
- II.2.3.2. Urban and suburban stations
— population of town/city
- II.2.3.3. Traffic stations
— assessed traffic volume (annual average daily traffic)
— distance from kerb
— heavy-duty fraction of traffic
— traffic speed
— distance between and height of building facades (street canyons)
— width of street/road (non-canyon streets)
- II.2.3.4. Industrial stations
— type of industry(ies) (selected nomenclature for air pollutants code)
— distance to source/source area
- II.2.3.5. Rural background stations (subcategories)
— near-city
— regional
— remote
- III. INFORMATION CONCERNING MEASUREMENT CONFIGURATION BY COMPOUND
- III.1. **Equipment**
- III.1.1. Name
- III.1.2. Analytical principle or measurement method
- III.2. **Characteristics of sampling**
- III.2.1. Location of sampling point (facade of building, pavement, kerbside, courtyard, etc.)
- III.2.2. Height of sampling point
- III.2.3. Result-integrating time
- III.2.4. Sampling time
-

⁽¹⁾ If the station is measuring ozone additional information on the status of rural background is to be provided (II.2.3.5).

⁽²⁾ Located such that their pollution level is not mainly influenced by any single source or street but rather by the integrated contribution from all sources upwind of the station (e.g. by all traffic, combustion sources, etc. upwind of a station in a city or by all upwind source areas (cities, industrial areas) in a rural area).

ANNEX III**DATA VALIDATION PROCEDURE AND QUALITY ASSURANCE**

All transmitted data are deemed to be valid.

It is the responsibility of the Member States to ensure that a quality assurance procedure is in place, which meets in general the objectives of this Decision and in particular the objectives of the relevant Directives.

ANNEX IV**CRITERIA FOR THE AGGREGATION OF DATA AND THE CALCULATION OF STATISTICAL PARAMETERS****These criteria mainly concern the data capture**

If criteria for the aggregation of data and the calculation of statistical parameters have not been laid down in EU directives the following applies:

(a) Aggregation of data

The criteria for the calculation of one-hour and 24-hour values from data with a smaller averaging time are

- | | |
|------------------------|--|
| — for one-hour values: | Minimum data capture 75 %, |
| — for 24-hour values: | At least 13 one-hour values available, not more than six successive one-hour values missing. |

(b) Calculation of statistical parameters

- | | |
|---|----------------------------|
| — for the mean and the median: | minimum data capture 50 %, |
| — for the percentiles 98, 99,9 and the maximum: | minimum data capture 75 %. |

The ratio between the number of valid data for the two seasons of the year considered cannot be greater than 2, the two seasons being winter (from January to March inclusive and from October to December inclusive) and summer (from April to September inclusive).

COMMISSION DECISION
of 17 October 2001
concerning a questionnaire for Member States reports on the implementation of Directive
2000/53/EC of the European Parliament and of the Council on end-of-life vehicles

(notified under document number C(2001) 3096)

(Text with EEA relevance)

(2001/753/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles ⁽¹⁾, and in particular Article 9 thereof,

The Member States shall draw up their reports on the implementation of Directive 2000/53/EC on the basis of the questionnaire in the Annex.

Whereas:

Article 2

(1) Under Directive 2000/53/EC Member States are to send to the Commission a report on the implementation of the Directive.

This Decision is addressed to all Member States.

(2) The report should cover in detail both the incorporation of the Directive into national law and its implementation. It should be drawn up on the basis of the questionnaire in this Decision.

Done at Brussels, 17 October 2001.

(3) The measures provided for in this Directive are in accordance with the opinion of the Committee established in accordance with Article 6 of Council Directive 91/692/EEC ⁽²⁾,

For the Commission

Margot WALLSTRÖM

Member of the Commission

⁽¹⁾ OJ L 269, 21.10.2000, p. 34.

⁽²⁾ OJ L 377, 31.12.1991, p. 48.

ANNEX

QUESTIONNAIRE

for the report of the Member States on the transposition and implementation of Directive 2000/53/EC on end-of-life vehicles

There is no need to repeat information already supplied, but please indicate where and when that information was provided.

1. Incorporation into National Law

- 1.1. Has the Commission been provided with the national laws and regulations which implement Directive 2000/53/EC into national law? (Yes/No)
 - 1.1.1. If the answer to question 1.1 is 'Yes', please provide details.
 - 1.1.2. If the answer to 1.1 is 'No', please state the reasons why.
- 1.2. Has the Member State transposed any provision listed in Article 10(3) by means of agreements between the competent authorities and the economic sector concerned? (Yes/No)
- 1.3. If the answer to question 1.2 is 'Yes', please provide details.
- 1.4. Has any producer and his vehicles been exempted from Articles 7(4), 8 and 9, pursuant to the exemption possibility allowed under Article 3(3) of Directive 2000/53/EC? (Yes/No)
 - 1.4.1. If the answer to 1.4 is 'Yes', please provide details.
- 1.5. Have the necessary measures pursuant to Article 4(1) been taken? (Yes/No)
 - 1.5.1. If the answer to 1.5 is 'Yes', please provide details.
 - 1.5.2. If the answer to 1.5 is 'No', please state the reasons why.
- 1.6. Have the necessary measures pursuant to Article 4(2)(a) been taken? (Yes/No)
 - 1.6.1. If the answer to 1.6 is 'Yes', please provide details.
 - 1.6.2. If the answer to 1.6 is 'No', please state the reasons why.
- 1.7. Have the necessary measures pursuant to Article 5(1) been taken? (Yes/No)
 - 1.7.1. If the answer to 1.7 is 'Yes', please provide details.
 - 1.7.2. If the answer to 1.7 is 'No', please state the reasons why.
- 1.8. Have the necessary measures pursuant to Article 5(2) been taken? (Yes/No)
 - 1.8.1. If the answer to 1.8 is 'Yes', please provide details.
 - 1.8.2. If the answer to 1.8 is 'No', please state the reasons why.
- 1.9. Have the necessary measures pursuant to Article 5(3) been taken? (Yes/No)
 - 1.9.1. If the answer to 1.9 is 'Yes', please provide details.
 - 1.9.2. If the answer to 1.9 is 'No', please state the reasons why.
 - 1.9.3. Has the Member State made use of the clause under Article 5(3) allowing producers, dealers and collectors, on behalf of an authorised treatment facility, to issue certificates of destruction under the conditions specified therein? (Yes/No)
 - 1.9.3.1. If the answer to 1.9.3 is 'Yes', please provide details.
 - 1.9.4. Has the Member State made use of Article 5(3), last paragraph? (Yes/No)
 - 1.9.5. If the answer to 1.9.4 is 'Yes', please provide details.
 - 1.9.6. If the answer to 1.9.4 is 'Yes', has the Commission been informed thereof? (Yes/No)
 - 1.9.7. If the answer to 1.9.6 is 'No', please state the reasons why.

- 1.10. Have the necessary measures pursuant to Article 5(4) been taken? (Yes/No)
 - 1.10.1. If the answer to 1.10 is 'Yes', please provide details, including detailed information corresponding to paragraphs 2 and 3 of Article 5(4).
 - 1.10.2. If the answer to 1.10 is 'No', please state the reasons why.
- 1.11. Have the necessary measures pursuant to Article 5(5) been taken? (Yes/No)
 - 1.11.1. If the answer to 1.11 is 'Yes', please provide details.
 - 1.11.2. If the answer to 1.11 is 'No', please state the reasons why.
- 1.12. Have the necessary measures pursuant to Article 6(1) been taken? (Yes/No)
 - 1.12.1. If the answer to 1.12 is 'Yes', please provide details.
 - 1.12.2. If the answer to 1.12 is 'No', please state the reasons why.
- 1.13. Have the necessary measures pursuant to Article 6(2) been taken? (Yes/No)
 - 1.13.1. If the answer to 1.13 is 'Yes', please provide details.
 - 1.13.2. If the answer to 1.13 is 'No', please state the reasons why.
 - 1.13.3. If the answer to 1.13 is 'Yes', has any derogation under Article 6(2), second paragraph, been applied? (Yes/No)
 - 1.13.4. If the answer to 1.13.3 is 'Yes', please provide details.
 - 1.13.5. If the answer to 1.13.3 is 'Yes', have the results been sent to the Commission? (Yes/No)
 - 1.13.6. If the answer to 1.13.5 is 'No', please state the reasons why.
- 1.14. Have the necessary measures pursuant to Article 6(3) been taken? (Yes/No)
 - 1.14.1. If the answer to 1.14 is 'Yes', please provide details.
 - 1.14.2. If the answer to 1.14 is 'No', please state the reasons why.
- 1.15. Have the necessary measures pursuant to Article 6(4) been taken? (Yes/No)
 - 1.15.1. If the answer to 1.15 is 'Yes', please provide details.
 - 1.15.2. If the answer to 1.15 is 'No', please state the reasons why.
- 1.16. Have the necessary measures pursuant to Article 6(5) been taken? (Yes/No)
 - 1.16.1. If the answer to 1.16 is 'Yes', please provide details.
 - 1.16.2. If the answer to 1.16 is 'No', please state the reasons why.
- 1.17. Have the necessary measures pursuant to Article 7(1) been taken? (Yes/No)
 - 1.17.1. If the answer to 1.17 is 'Yes', please provide details.
 - 1.17.2. If the answer to 1.17 is 'No', please state the reasons why.
- 1.18. Have the necessary measures pursuant to Article 7(2) been taken? (Yes/No)
 - 1.18.1. If the answer to 1.18 is 'Yes', please provide details. In particular, provide details on the reuse, recycling and recovery rates set for the years 2006 and 2015.
 - 1.18.2. If the answer to 1.18 is 'No', please state the reasons why.
 - 1.18.3. Has the provision contained in Article 7(2)(a), second paragraph, been used? If the answer is 'Yes', please provide details.
 - 1.18.4. If the answer to question 1.18.3 is 'Yes', have the Commission and the other Member States been informed according to this provision? (Yes/No) If the answer is 'Yes', please provide details. If the answer is 'No', please state the reasons why.
- 1.19. Have the necessary measures pursuant to Article 8(1) been taken? (Yes/No)
 - 1.19.1. If the answer to 1.19 is 'Yes', please provide details.
 - 1.19.2. If the answer to 1.19 is 'No', please state the reasons why.

- 1.20. Have the necessary measures pursuant to Article 8(3) been taken? (Yes/No)
- 1.20.1. If the answer to 1.20 is 'Yes', please provide details.
- 1.20.2. If the answer to 1.20 is 'No', please state the reasons why.
- 1.21. Have the necessary measures pursuant to Article 8(4) been taken? (Yes/No)
- 1.21.1. If the answer to 1.21 is 'Yes', please provide details.
- 1.21.2. If the answer to 1.21 is 'No', please state the reasons why.
- 1.22. Have the necessary measures pursuant to Article 9(2) been taken? (Yes/No)
- 1.22.1. If the answer to 1.22 is 'Yes', please provide details.
- 1.22.2. If the answer to 1.22 is 'No', please state the reasons why.

2. Implementation of the Directive

The following information is to be provided each time an implementation report is sent to the Commission. This information is to be provided insofar as available, taking into account where appropriate the need to protect commercial and industrial confidentiality. Furthermore, it is understood that the fact that information is to be provided on non-legally binding measures contained in the Directive does not affect the legal nature of such measures.

- 2.1. Have any new measures in accordance with Articles 4(1)(a) and (b) been taken? (Yes/No)
 - 2.1.1. If the answer to 2.1 is 'Yes', please provide details.
 - 2.2. In accordance with Article 4(1)(c), please provide the available information on types and quantities of recycled materials in vehicles and in other products as well as on the market situation for recycled materials.
 - 2.3. Please indicate the number of vehicles collected and transferred to authorised treatment facilities in each calendar year of the reference period.
 - 2.4. Please indicate the number of treatment facilities authorised or registered in accordance with Article 6.
 - 2.5. Please indicate the number of end-of-life vehicles delivered at authorised treatment facilities and having no or a negative market value. Please provide details on the average negative value of these end-of-life vehicles.
 - 2.6. Please indicate the number of treatment establishments or undertakings which have introduced certified environmental management systems.
 - 2.7. Have any new measures in accordance with Article 7(1) been taken? (Yes/No)
 - 2.7.1. If the answer to 2.7 is 'Yes', please provide details.
 - 2.8. Please provide information on the rates of reuse, recycling and recovery attained in each calendar year of the reference period, in pursuance of the objectives laid down in Article 7(2).
 - 2.9. Please provide details on the information concerning dismantling, storage and testing made available by producers and manufacturers of components pursuant to Articles 8(3) and 8(4).
 - 2.10. Please provide information, pursuant to Article 9(1) on, if any, possible changes in the structure of motor vehicle dealing and of the collection, dismantling, shredding, recovery and recycling industries. Please indicate in particular if any competition distortion between or within Member States has been identified.
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COMMISSION DECISION
of 23 October 2001
amending Decision 93/197/EEC with regard to importation of equidae from Saint Pierre and Miquelon

(notified under document number C(2001) 3166)

(Text with EEA relevance)

(2001/754/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 imports from third countries of equidae⁽¹⁾, as last amended by Commission Decision 2001/298/EC⁽²⁾, and in particular Article 13(2), Article 15, Article 16, Article 19(i) and (ii) thereof,

Whereas:

- (1) Council Decision 79/542/EEC⁽³⁾, as last amended by Commission Decision 2001/731/EC⁽⁴⁾, draws up a list of third countries from which the Member States authorise imports of bovine animals, swine, equidae, sheep and goats, fresh meat and meat products.
- (2) Saint Pierre and Miquelon is included in Part 1 of Decision 79/542/EEC, thereby imports into Member States of equidae are authorised in principle.
- (3) Commission Decision 93/197/EEC⁽⁵⁾, as last amended by Decision 2001/619/EC⁽⁶⁾, laid down the animal health conditions and veterinary certification for imports of registered equidae and equidae for breeding and production.
- (4) Following a Commission veterinary inspection mission to Saint Pierre and Miquelon the equine health situation appears to be under the satisfactory control of the veterinary services and in particular the availability of a quarantine station allows the safe imports into Saint Pierre and Miquelon of equidae from third countries.
- (5) Therefore it appears appropriate to lay down the animal health conditions and veterinary certification for imports into the Member States of equidae in accordance with the animal health situation of the third country concerned and to amend Decision 93/197/EEC accordingly.

(6) For clarity the ISO country code should be used for amendments of lists of third countries.

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

HAS ADOPTED THIS DECISION:

Article 1

Member States shall authorise the imports of registered equidae and equidae for breeding and production from Saint Pierre and Miquelon conforming to the requirements in the animal health certificate set out in Annex II (G) of Decision 93/197/EEC.

Article 2

Decision 93/197/EEC is amended as follows:

1. The following words are added to Annex I:

‘Group G
Saint Pierre and Miquelon (PM)’

2. The following is added to Annex II:

- (a) ‘G Health certificate for imports of registered equidae and equidae for breeding and production from third countries assigned to Group G.’;
- (b) the Annex to this Decision.

Article 3

This Decision is addressed to all Member States.

Done at Brussels, 23 October 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 146, 14.6.1979, p. 15.

⁽⁴⁾ OJ L 274, 17.10.2001, p. 22.

⁽⁵⁾ OJ L 86, 6.4.1993, p. 16.

⁽⁶⁾ OJ L 215, 9.8.2001, p. 55.

ANNEX

— G —

HEALTH CERTIFICATE

for imports into Community territory of registered equidae and equidae for breeding and production from Saint Pierre and Miquelon

Certificate No:

Third country of dispatch ⁽¹⁾:

Ministry responsible:

I. Identification of the animal

Species (horse, ass, mule, hinny)	Breed Age Sex	Method of identification and identification ^(*)

^(*) A passport identifying the equine animal may be attached to this certificate provided that its number is stated.

(a) No of identification document (passport)

(b) Validated by

(Name of competent authority)

II. Origin and destination of the equine animal

The equine animal is to be sent from:
(place of export)

directly to:
(Member State and place of destination)

by aircraft ⁽³⁾/ship ⁽³⁾:
(indicate flight number or registered name of boat)

Name and address of consignor:

.....

Name and address of consignee:

.....

III. Health information

I, the undersigned official veterinarian of
(insert name of country)

certify that the animal described above:

(a) 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) has been examined today and shows no clinical signs of disease ⁽²⁾;

- (c) is not intended for slaughter under a national programme of infectious or contagious disease eradication;
- (d) has either been resident on the territory of the country ⁽¹⁾ of dispatch during at least 90 days immediately preceding the exportation (or since birth if the animal is less than 90 days old or since entry if it was imported directly from the European Community during the previous 90 days), or it was resident in the country of dispatch for at least 60 days since entry, if it was imported directly under the conditions specified in the attached 'Import and quarantine requirements' from a third country during a period of less than 90 days prior to embarkation to the European Community; and in any case it has been separated from equidae not of the same health status during the last 30 days prior to embarkation;
- (e) comes from the territory of a country ⁽¹⁾ in which:
 - (i) Venezuelan equine encephalomyelitis has not occurred during the last two years;
 - (ii) dourine has not occurred during the last six months;
 - (iii) glanders has not occurred during the last six months;
 - (iv) vesicular stomatitis has not occurred during the last six months ⁽³⁾;

or

it was tested on a sample of blood taken within 21 days of export ⁽³⁾ or during post-import quarantine ⁽³⁾ on ⁽³⁾, by virus neutralisation test for vesicular stomatitis, with negative result at a dilution of 1 in 12 ⁽³⁾ ⁽⁴⁾;

- (v) in the case of an uncastrated male animal older than 180 days and more than 90 days resident in the country of dispatch:
 - either equine viral arteritis has not been officially recorded during the last six months ⁽³⁾,

or

 - the animal was tested on a blood sample taken within 21 days of export ⁽³⁾ or during post-import quarantine ⁽³⁾, on ⁽³⁾ by virus neutralization test for equine viral arteritis with negative result at a dilution of 1 in 4 ⁽³⁾ ⁽⁴⁾,

or

 - an aliquot of the entire semen of the animal taken within 21 days of export ⁽³⁾ or during post-import quarantine ⁽³⁾, on ⁽³⁾ was tested with negative result by virus isolation test for equine viral arteritis ⁽³⁾ ⁽⁴⁾,

or

 - the animal was vaccinated on ⁽³⁾ against equine viral arteritis under official veterinary supervision with a vaccine approved by the competent authority, according to the following programmes for initial vaccination and has been re-vaccinated at regular intervals ⁽³⁾ ⁽⁴⁾.

Programmes for initial vaccination against equine viral arteritis:

Instruction: Cross out vaccination programmes that do not apply to the animal described above.

- (a) Vaccination was carried out on the day a blood sample was taken that subsequently proved negative in a virus isolation test for equine viral arteritis at a dilution of 1 in 4.
- (b) Vaccination was carried out during a period of isolation of not more than 15 days under official veterinary supervision commencing on the day a blood sample was taken that was tested during that time with negative result in a virus neutralisation test for equine viral arteritis at a dilution of 1 in 4.
- (c) Vaccination was carried out when the animal was at an age of 180 to 270 days, during a period of isolation under official veterinary supervision. During the isolation period two blood samples taken at least 10 days apart proved a stable or declining antibody titre in a virus neutralisation test for equine viral arteritis;
- (f) does not come from the territory of a country ⁽¹⁾ considered, in accordance with EC legislation, as infected with African horse sickness and was either:
 - not vaccinated against African horse sickness ⁽³⁾,

or

 - was vaccinated against African horse sickness on ⁽³⁾, not more than 24 months and at least 110 days prior to pre-export isolation by administration of a registered polyvalent vaccine as prescribed by the vaccine manufacturer ⁽³⁾ ⁽⁴⁾;

- (g) does not come from a holding which was subject to a prohibition order for animal health reasons which laid down the following conditions:
- (i) If not all the animals of species susceptible to the disease located on the holding were slaughtered, 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 results two Coggins tests three months apart on the animals remaining after the infected animals have been slaughtered in the case of infectious anaemia,
 - six months in the case of vesicular stomatitis,
 - 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 were slaughtered, the prohibition lasted for 30 days, or 15 days in the case of anthrax, beginning on the day on which, following the destruction of the animals, the disinfection of the premises was satisfactorily completed;
- (h) it was subjected to a Coggins test for equine infectious anaemia carried out with negative result on a sample of blood taken within 30 days of export on⁽¹⁾;
- (i) shows no clinical signs of contagious equine metritis and does not come from a holding where there has been any suspicion of contagious equine metritis during the past two months nor had contact indirectly or directly through coitus with equidae infected or suspected of being infected with contagious equine metritis;
- (j) has, to the best of my knowledge and according to the declaration of the owner or his representative, not been in contact with animals showing clinical signs of an infectious or contagious disease transmissible to equidae during 15 days prior to export.

IV. The equine animal will be sent directly to the Member State of destination of the European Community without coming into contact with other equidae not certified at least to the standards of the European Community for permanent importation. The aircraft will be cleansed and disinfected in advance with a disinfectant officially recognized in the country of dispatch.

The attached declaration signed by the owner or representative is part of the certificate.

The attached "Import and quarantine conditions" are part of the certificate.

V. The certificate is valid for 10 days. In the case of transport by ship the time is prolonged by the time of the voyage.

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

.....
(name in block capitals and capacity)

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

⁽¹⁾ Territory of a country means the whole territory or the part of the territory in accordance with Article 13(2) of Directive 90/426/EEC as laid down in Commission Decision 92/160/EEC as last amended.

⁽²⁾ The certificate must be issued on the day of loading of the equine animal for dispatch to the Member State of destination or on the last working day before embarkation.

⁽³⁾ Delete as appropriate.

⁽⁴⁾ The test(s) carried out, their results and the vaccination have to be entered in the identification document (passport).

⁽⁵⁾ Insert date.

DECLARATION

Reference to health certificate No:

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

of the equine animal described above declare:

1. The equine animal will be sent directly from the premises of dispatch to the premises of destination without coming into contact with other equidae not at least accompanied by a certificate for permanent importation into the European Community.
2. The animal has either remained in (exporting country) since birth or entered the exporting country at least 60 days prior to this declaration.
3. During 15 days prior to export the equine animal has not been in contact with animals suffering from infectious or contagious diseases transmissible to equidae.

.....
(Place, date)

.....
(Signature)

.....
(signature of the official veterinarian signing the certificate) ⁽²⁾

⁽¹⁾ Delete as appropriate.

⁽²⁾ The colour of the stamp and the signature must be different to that of the printing.

Import and quarantine conditions for equidae imported into Saint Pierre and Miquelon during a period of less than three months prior to export to the European Community

Equidae imported into Saint Pierre and Miquelon during the 90 days preceding export to the European Community must comply with the following requirements:

1. Residence and quarantine

- (1) The animals must have been resident in Saint Pierre and Miquelon for at least 60 days.
- (2) Immediately after arrival from a third country the animals must be isolated in an approved quarantine station for at least 40 days, protected from vector insects.
- (3) The quarantine premises must at least comply with the conditions set up in Section III (g) of the Health Certificate in Annex II (G) to Decision 93/197/EEC and meet the minimum standards laid down in Annex B to Directive 91/496/EEC, as last amended.
- (4) During the quarantine period the equine animal must not come into contact with equidae not eligible for imports into the European Union.

2. Animal health tests

- (1) The animal must be subjected to the following tests carried out with the specified results on samples of blood taken, if not specified otherwise, not earlier than 21 days after the commencing of the isolation period:
 - (a) a Coggins test for equine infectious anaemia with negative result;
 - (b) a complement fixation test for dourine with negative results at a dilution of 1 in 5;
 - (c) a complement fixation test for glanders with negative results at a dilution of 1 in 5;
 - (d) a test for African horse sickness as described in Annex D to Directive 90/426/EEC and two occasions, carried out on samples of blood taken with an interval of between 21 and 30 days, the second of which must have been taken within 10 days of release from quarantine either:
 - with negative reactions, if it has not been vaccinated, or
 - without increase in antibody level, if it has been vaccinated. This vaccination must have been officially certified in its import certificate ⁽¹⁾/passport ⁽¹⁾;
 - (e) an ELISA test for equine encephalosis on two occasions, carried out on samples of blood taken with an interval of between 21 and 30 days, the second of which must have been taken within 10 days of completing the quarantine either:
 - with negative reactions, or
 - without increase in antibody level;
 - (f) a virus neutralisation test for vesicular stomatitis with negative result at a dilution of 1 in 12;
 - (g) a haemagglutination inhibition test for Venezuelan equine encephalomyelitis as described in detail in Chapter 2.5.12 of the OIE-Manual of Standards for Diagnostic Tests and Vaccines, 4th Edition, 2000, on two occasions, carried out on samples of blood taken with an interval of between 21 and 30 days, the second of which must have been taken within 10 days of completing the quarantine either:
 - with negative reactions, if it has not been vaccinated, or
 - without increase in antibody level, if the animal was vaccinated with a TC-83 based attenuated vaccine and this vaccination was carried out at least six months prior to imports. This vaccination must have been officially certified in its import certificate ⁽¹⁾/passport ⁽¹⁾;
 - (h) a haemagglutination inhibition test to western and eastern equine encephalomyelitis on two occasions, carried out on samples of blood taken with an interval of at least 21 days, the second of which must have been taken within 10 days of completing the quarantine either:
 - with negative reactions, if it has not been vaccinated, or
 - without increase in antibody count, if the animal was vaccinated against western and eastern equine encephalomyelitis with inactivated vaccine at least 30 days and not more than six months prior to imports. This vaccination must have been officially certified in its import certificate ⁽¹⁾/passport ⁽¹⁾;
 - (i) an IG-M capture ELISA test for the detection of antibodies against the Japanese B-encephalitis virus carried out with negative result or either a virus neutralisation test or haemagglutination inhibition test carried out on two occasions on blood samples taken with an interval of at least 21 days, the second of which must have been taken within 10 days of completing the quarantine, with either negative result in each case or without a more than fourfold increase in antibody titres.

⁽¹⁾ Delete as appropriate.

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- (2) The test required for equine viral arteritis in Section III(e)(v) must be carried out during the quarantine period for uncastrated male animals older than 180 days and resident on Saint Pierre and Miquelon for less than 90 days.
 - (3) The laboratory tests must be carried out in an approved laboratory in the European Community.
 - (4) All laboratory tests and their results and vaccinations must be entered in the identification document (passport) or attached in copy to the certificate.'
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