

English edition

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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 704/2002

of 25 March 2002

temporarily suspending autonomous Common Customs Tariff duties on imports of certain industrial products and opening and providing for the administration of autonomous Community tariff quotas on imports of certain fishery products into the Canary Islands

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 299(2) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee,

Having regard to the opinion of the Committee of the Regions,

Whereas:

- (1) In October and November 2000 the Spanish authorities asked to maintain the Common Customs Tariff (CCT) measures for the Canary Islands first introduced by Council Regulation (EEC) No 1911/91 of 26 June 1991 on the application of the provisions of Community law to the Canary Islands ⁽³⁾, which expired on 31 December 2001, for another period of 10 years and submitted some documentation justifying their request. However, the time to evaluate the documentation was insufficient to reach a definitive conclusion as to whether maintaining the measures for the requested period was still justified.
- (2) The application of the tariff measures was therefore prolonged for one year by Council Regulations (EC) No 1105/2001 of 30 May 2001 amending Regulation (EEC) No 1911/91 ⁽⁴⁾ and (EC) No 1106/2001 of 30 May 2001 extending the period of application of Regulation (EEC) No 3621/92 temporarily suspending the autonomous Common Customs Tariff duties on imports of certain fishery products into the Canary Islands and Regulation (EC) No 527/96 temporarily suspending the autonomous Common Customs Tariff duties and progressively introducing the Common Customs Tariff duties on imports of certain industrial products into the Canary Islands ⁽⁵⁾.
- (3) Since the introduction of specific measures for the Canary Islands in 1991 the economic situation of the region has significantly improved. Average income of

workers and employees have almost reached the corresponding averages of Spain. Unemployment has fallen to levels which correspond to the Spanish average (around 12 %) and the gap in the living standard of the people between the Islands and Spain has almost been closed. This development was mainly due to the enormous increase in the tourist sector and the commerce related to it and to improvements in the agricultural sector.

- (4) At the same time, however, it was noted that development of the manufacturing sector stayed significantly behind the other two sectors and is in danger of being completely sidelined. The contribution of this sector to the gross national product (GNP) of the Canary Islands has fallen in the last two years to less than 6 % of the local GNP. The reasons for this decrease will be explained below. A further decrease in this area of economy bares the risk that the overall economic situation becomes more vulnerable in view of a certain volatility of international tourism on which the islands are more and more dependent.
- (5) Until now the industrial sector in the Canaries mainly produces for the local market of the islands and has, despite its vicinity to the African continent, enormous difficulties in finding customers for its products outside the islands. This difficult situation is mainly caused by a lack of transport means and the high level of transport costs for the purchase and the distribution of goods. This has a negative impact on the manufacturing costs of finished goods which can lead to an increase in manufacturing costs of up to 12 % compared to manufacturing costs of similar companies on the Spanish peninsula depending on the type of product. In addition, the development of energy prices and its worldwide impact on transport costs in the last two years has certainly contributed to a further deterioration of the competitive situation of the industrial sector on the islands. Furthermore, at the same time the advantages resulting from autonomous tariff suspensions introduced since 1991 in order to support the development of this sector were continuously reduced. This had the effect that the competitiveness of the local industries in relation to its competitors on the Spanish mainland and the rest of the Community suffered severely.

⁽¹⁾ OJ C 75 E, 26.3.2002, p. 343.

⁽²⁾ Opinion delivered on 5 February 2002 (not yet published in the Official Journal).

⁽³⁾ OJ L 171, 29.6.1991, p. 1.

⁽⁴⁾ OJ L 151, 7.6.2001, p. 1.

⁽⁵⁾ OJ L 151, 7.6.2001, p. 3.

- (6) Both aspects contributed to the standstill in the industrial development which lead to disconnection of the sector from the general economic developments of the Canary Islands.
- (7) Given the social and economic development in the Canary Islands since 1991 it is not appropriate to phase out by the end of 2001 the existing autonomous tariff measures. An elimination of these measures would have an immediate inflationary effect on the Canarian market and would risk to eliminate more or less the already very small industrial base of the islands. It is, however, necessary to restructure the tariff measures taking hereby into account the changes in the social and economic situation of the people living on the islands, the difficult competitive situation of the local industries, and the changes of the duty rates of the CCT due to the results of the Uruguay round.
- (8) Distinction should therefore be made between the treatment of end-consumer industrial products, capital investment goods and raw materials, parts and components for industrial transformation and maintenance. Products subject to CCT duties below 2 % on 1 January 2002 should be excluded from the suspensions since the economic impact resulting from the suspension is considered to be insignificant. Furthermore, products within the scope of the proposal for a Council Decision on the arrangements concerning the AIEM tax applicable in the Canary Islands should also be excluded from tariff suspension as it would be against the single market principle to replace Community customs duties by local taxes.
- (9) Imports of end-consumer products benefited in the years 2000 and 2001 from an average duty advantage of 4,5 %. Since the economic and social situation of the people living on the islands has very much improved since 1991 and considering that there are other regions in the Community whose economic situation are significantly worse and which do not benefit from similar advantages, it is appropriate that the duty suspensions for end-consumer products should be phased out.
- (10) However, in order to avoid inflationary effects on the Canarian market, the suspensions and tariff quotas should be repealed step by step over a period of five years.
- (11) In order to avoid a deflection of the trade with end-consumer products, the suspensions should only apply to products which are unloaded from ship or aircraft when the customs declaration for release into free circulation is submitted to the Spanish customs authorities located on the Canary Islands and which are removed from the customs area after release into free circulation. Also special provisions need to be foreseen for the import of motor cars.
- (12) As demonstrated above the industrial sector faces today the risk of being completely sidelined and is further away than ever from the possibility of achieving an economy of scale by selling its products to customers outside the islands. In order to give this sector the possibility of restoring and improving its competitiveness, it is necessary to set a framework of measures which gives a long-term perspective to investors and enables the economic operators to reach a level of industrial and commercial activities which makes it more interesting for cargo transport companies to offer better services at reasonable prices.
- (13) It is, therefore, appropriate to suspend in full the CCT duties for capital investment goods and raw materials, parts and components for industrial transformation and maintenance used by companies in the Canary Islands for a period of 10 years starting on 1 January 2002.
- (14) The suspensions should be made conditional on the end use of the products in accordance with the customs legislation in force.
- (15) The exceptional geographical situation of the Canary Islands in relation to the sources of supply of certain fishery products which are essential for domestic consumption entails additional costs for this sector. This natural handicap can be remedied, *inter alia*, by temporarily suspending customs duties on imports of the products in question from third countries within Community tariff quotas of an appropriate volume.
- (16) The competent Spanish authorities have submitted a report on the working of the tariff suspension arrangements under Council Regulation (EEC) No 3621/92, and the Commission has examined the impact of the measures adopted on imports of certain fishery products into the Canary Islands.
- (17) The Commission considers that two tariff quotas for certain fishery products are warranted because they would cover the needs of the Canary Islands' domestic market while ensuring that flows of reduced-duty imports into the Community remain predictable and clearly identifiable.
- (18) To avoid directly affecting the working of the internal market, measures should be taken to ensure that fishery products for which suspension is requested are intended solely for the Canary Islands' domestic market.
- (19) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽¹⁾ codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations.

⁽¹⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 993/2001 (OJ L 141, 28.5.2001, p. 1).

- (20) Measures should be taken to permit the Commission to be regularly informed of the imports in question and provision should be made to empower the Commission, following receipt of the opinion of the Customs Code Committee to adopt temporary measures, if necessary, designed to prevent any speculative movement of deflection of trade till a definitive solution is adopted by the Community institutions.
- (21) Amendments to the Combined Nomenclature do not normally give rise to any substantive changes to the nature of the measures. For reasons of simplification, provision should therefore be made to empower the Commission, following receipt of the opinion of the Customs Code Committee, to make the necessary amendments and technical adaptations of the Annexes to this Regulation, including the publication of a consolidated version.
- (22) In order to ensure a continuity with the measures set out in Regulation (EEC) No 1911/91, it is necessary to apply the measures provided in this Regulation from 1 January 2002,

HAS ADOPTED THIS REGULATION:

Article 1

- From 1 January 2002 to 31 December 2006 the CCT duties applicable to imports into the Canary Islands of end-consumer products listed in Annex I Section A shall be suspended at the levels and in accordance with the timetable laid down in the said section.
- From 1 January 2002 to 31 December 2006 the CCT duties applicable to imports into the Canary Islands of end-consumer products listed in Annex I Section B shall be suspended at the levels and in accordance with the timetable laid down in this section up to the amounts indicated.
- The suspensions shall only be applied to goods which are unloaded from ship or aircraft before the customs declaration for release into free circulation is submitted to the customs authorities located on the Canary Islands.

Imported motor cars falling within CN code 8703 and motor cycles falling within CN code 8711 for which duties have been suspended in accordance with this Regulation have to be registered for a period of at least 24 month by persons having their

main residence on the Canary Islands in accordance with the provisions of the Spanish road traffic laws.

4. From 1 January 2002 to 31 December 2011 the CCT duties applicable to imports into the Canary Islands of capital investment goods for commercial and industrial use listed in Annex II shall be suspended in full. These goods shall be used for a period of at least 24 months after the release into free circulation by economic operators located on the Canary Islands.

5. From 1 January 2002 to 31 December 2011 the CCT duties applicable to imports into the Canary Islands of raw materials, parts and components used for industrial transformation and maintenance listed in Annex III shall be suspended in full.

Article 2

- The competent Spanish authorities shall take the measures necessary to ensure compliance with Article 1. They shall inform the Commission of implemented measures before 1 July 2002.
- The suspension of duties referred to in Article 1(4) and (5) shall be subject to end-use in accordance with Articles 21 and 82 of Council Regulation (EEC) No 2913/92 ⁽¹⁾ and to the controls laid down by the Community implementing provisions for those Articles.
- The tariff quotas listed in Annex I Section B and Annex IV shall be administered by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

- From 1 January 2002 to 31 December 2006 the CCT duties applicable to imports into the Canary Islands of the fishery products listed in Annex IV shall be suspended in full for the quantity indicated.
- The basic quota volumes set out in Annex IV shall be increased by 2,5 % each year.
- The suspension referred to in paragraph 1 shall be granted exclusively for products intended for the Canary Islands' domestic market. They shall only be applied to fishery products which are unloaded from ship or aircraft before the customs declaration for release into free circulation is submitted to the customs authorities located on the Canary Islands.

The competent Spanish authorities shall adopt the measures necessary to ensure compliance, and in particular the levying of CCT duties, when the products in question are dispatched to other parts of the customs territory of the Community. They shall inform the Commission of implemented measures before 1 July 2002.

⁽¹⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council (OJ L 311, 12.12.2000, p. 17).

Article 4

1. The competent Spanish authorities shall send on 1 March and 1 October of each year a semi-annual report to the Commission on the imports of goods for which duty suspensions have been granted in accordance with the provisions of Article 1. The reports shall cover the period from 1 January to 30 June and 1 July to 31 December of each year respectively. The reports shall show for each the 8 digit CN code, the total customs value and the total weight of the imports during the six-month period. The report shall be broken down into four parts in accordance with the Annexes I, II and III of this Regulation.

2. If the Spanish authorities wish to eliminate or add new products to the products listed in Annex II and III of this Regulation, they shall lodge before 1 April of each year a request to the Commission accompanied by satisfactory documentary evidence justifying the request. The Commission will examine the request on the basis of the evidence submitted and propose to the Council, when the request is considered acceptable, the necessary amendments to the Annexes concerned.

Article 5

1. Before 1 June 2004 the competent Spanish authorities shall submit a report to the Commission on the implementation of the measures referred to in Article 3. The Commission will examine the impact of the measures adopted and, on the basis of this mid-term review, propose to the Council, if necessary, any relevant amendments to the quantities to be imported.

2. Before 1 June 2006 the competent Spanish authorities shall submit a report to the Commission on the implementation of the measures referred to in Article 3 after 2004. The Commission will re-examine the impact of the measures adopted and, on the basis of its findings, submit to the Council any relevant proposals for the period after 2006.

Article 6

1. Where the Commission has reasons to believe that the suspensions introduced by this Regulation has led to a deflection of the trade for a specific product it may, after receipt of the opinion of the Customs Code Committee, provisionally repeal the suspension by Commission Regulation for a period not longer than 12 months. Import duties for products for which the suspension has been provisionally repealed shall be secured by a guarantee, and the release of the products concerned for free circulation in the Canary Islands shall be conditional upon the provision of such a guarantee.

2. When the Council decides on a proposal from the Commission within the 12-month period that the suspension should definitively be repealed, the amounts of duties secured by guarantees shall be definitively collected.

3. If no definitive decision has been adopted within the 12-month period in accordance with paragraph 2, the securities shall be released.

Article 7

When necessary the Commission may, by Commission Regulation, after receipt of the opinion of the Customs Code Committee, make such amendments and technical adaptations to Annexes I to IV to this Regulation as are required as a consequence from amendments of the Combined Nomenclature.

Article 8

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

It shall apply from 1 January 2002.

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

Done at Brussels, 25 March 2002.

For the Council

The President

A. M. BIRULÉS Y BERTRÁN

ANNEX I

END-CONSUMER PRODUCTS

Section A

CN code ⁽¹⁾	Percentage of the CCT duty applied for the period			
	1.1.2002 to 31.12.2002	1.1.2003 to 31.12.2004	1.1.2005 to 31.12.2006	From 1.1.2007
4011 10 00	60	80	100	
4011 40	60	80	100	
4011 50 00	60	80	100	
4202 11	60	80	100	
4202 12 11	60	80	100	
4202 12 19	60	80	100	
4202 12 50	60	80	100	
4202 12 91	60	80	100	
4202 12 99	60	80	100	
4202 19 10	60	80	100	
4202 19 90	60	80	100	
4202 21 00	60	80	100	
4202 22 10	60	80	100	
4202 22 90	60	80	100	
4202 29 00	60	80	100	
4202 31 00	60	80	100	
4202 32 10	60	80	100	
4202 32 90	60	80	100	
4202 39 00	60	80	100	
4202 91	60	80	100	
4202 92 11	60	80	100	
4202 92 15	60	80	100	
4202 92 19	60	80	100	
4202 92 91	60	80	100	
4202 92 98	60	80	100	
4202 99 00	60	80	100	
4203 10 00	60	80	100	
4203 21 00	60	80	100	
4203 29 91	60	80	100	
4203 29 99	60	80	100	
4203 30 00	60	80	100	
4203 40 00	60	80	100	
5401 10 90	80	80	100	
5401 20 90	80	80	100	
5508 10 90	60	80	100	
5508 20 90	60	80	100	
5511	60	80	100	
6101	35	60	80	100
6102	35	60	80	100
6103	35	60	80	100

CN code ⁽¹⁾	Percentage of the CCT duty applied for the period			
	1.1.2002 to 31.12.2002	1.1.2003 to 31.12.2004	1.1.2005 to 31.12.2006	From 1.1.2007
6104	35	60	80	100
6105	35	60	80	100
6106	35	60	80	100
6107 11 00	35	60	80	100
6107 12 00	35	60	80	100
6107 19 00	35	60	80	100
6107 21 00	35	60	80	100
6107 22 00	35	60	80	100
6107 29 00	35	60	80	100
6107 91	35	60	80	100
6107 92 00	35	60	80	100
6107 99 00	35	60	80	100
6108 11 00	35	60	80	100
6108 19 00	35	60	80	100
6108 21 00	35	60	80	100
6108 22 00	35	60	80	100
6108 29 00	35	60	80	100
6108 31	35	60	80	100
6108 32	35	60	80	100
6108 39 00	35	60	80	100
6108 91	35	60	80	100
6108 92 00	35	60	80	100
6108 99	35	60	80	100
6109	35	60	80	100
6110 11 10	35	60	80	100
6110 11 30	35	60	80	100
6110 11 90	35	60	80	100
6110 12 10	35	60	80	100
6110 12 90	35	60	80	100
6110 19 10	35	60	80	100
6110 19 90	35	60	80	100
6110 20 10	35	60	80	100
6110 20 91	35	60	80	100
6110 20 99	35	60	80	100
6110 30 10	35	60	80	100
6110 30 91	35	60	80	100
6110 30 99	35	60	80	100
6110 90	35	60	80	100
6111 10 10	35	60	80	100
6111 10 90	35	60	80	100
6111 20 10	35	60	80	100
6111 20 90	35	60	80	100
6111 30 10	35	60	80	100
6111 30 90	35	60	80	100

CN code ⁽¹⁾	Percentage of the CCT duty applied for the period			
	1.1.2002 to 31.12.2002	1.1.2003 to 31.12.2004	1.1.2005 to 31.12.2006	From 1.1.2007
6111 90 00	35	60	80	100
6112 11 00	35	60	80	100
6112 12 00	35	60	80	100
6112 19 00	35	60	80	100
6112 20 00	35	60	80	100
6112 39 10	35	60	80	100
6112 39 90	35	60	80	100
6112 49 10	35	60	80	100
6112 49 90	35	60	80	100
6113 00 10	35	60	80	100
6113 00 90	35	60	80	100
6114	35	60	80	100
6115	35	60	80	100
6116	35	60	80	100
6117	35	60	80	100
6201	35	60	80	100
6202	35	60	80	100
6203	35	60	80	100
6204	35	60	80	100
6205	35	60	80	100
6206	35	60	80	100
6207 11 00	35	60	80	100
6207 19 00	35	60	80	100
6207 21 00	35	60	80	100
6207 22 00	35	60	80	100
6207 29 00	35	60	80	100
6207 91	35	60	80	100
6207 92 00	35	60	80	100
6207 99 00	35	60	80	100
6208 11 00	35	60	80	100
6208 19	35	60	80	100
6208 21 00	35	60	80	100
6208 22 00	35	60	80	100
6208 29 00	35	60	80	100
6208 91	35	60	80	100
6208 92 00	35	60	80	100
6208 99 00	35	60	80	100
6209	35	60	80	100
6210	35	60	80	100
6211	35	60	80	100
6212	35	60	80	100
6213	35	60	80	100
6214	35	60	80	100
6215	35	60	80	100

CN code ⁽¹⁾	Percentage of the CCT duty applied for the period			
	1.1.2002 to 31.12.2002	1.1.2003 to 31.12.2004	1.1.2005 to 31.12.2006	From 1.1.2007
6216 00 00	35	60	80	100
6217 10 00	35	60	80	100
6301 10 00	35	60	80	100
6301 20 10	35	60	80	100
6301 20 91	35	60	80	100
6301 20 99	35	60	80	100
6301 30 10	35	60	80	100
6301 30 90	35	60	80	100
6301 40 10	35	60	80	100
6301 40 90	35	60	80	100
6301 90 10	35	60	80	100
6301 90 90	35	60	80	100
6303 11 00	35	60	80	100
6303 12 00	35	60	80	100
6303 19 00	35	60	80	100
6303 91 00	35	60	80	100
6303 92 10	35	60	80	100
6303 92 90	35	60	80	100
6303 99 10	35	60	80	100
6303 99 90	35	60	80	100
6304	35	60	80	100
6306	35	60	80	100
6307 10 10	35	60	80	100
6307 10 30	35	60	80	100
6307 10 90	35	60	80	100
6307 20 00	35	60	80	100
6307 90 10	35	60	80	100
6307 90 91	35	60	80	100
6307 90 99	35	60	80	100
6308 00 00	35	60	80	100
6401	35	60	80	100
6402	35	60	80	100
6403 12 00	35	60	80	100
6403 19 00	35	60	80	100
6403 20 00	35	60	80	100
6403 51	35	60	80	100
6403 59 11	35	60	80	100
6403 59 31	35	60	80	100
6403 59 35	35	60	80	100
6403 59 39	35	60	80	100
6403 59 50	35	60	80	100
6403 59 91	35	60	80	100
6403 59 95	35	60	80	100
6403 59 99	35	60	80	100

CN code ⁽¹⁾	Percentage of the CCT duty applied for the period			
	1.1.2002 to 31.12.2002	1.1.2003 to 31.12.2004	1.1.2005 to 31.12.2006	From 1.1.2007
6403 91 11	35	60	80	100
6403 91 13	35	60	80	100
6403 91 16	35	60	80	100
6403 91 18	35	60	80	100
6403 91 91	35	60	80	100
6403 91 93	35	60	80	100
6403 91 96	35	60	80	100
6403 91 98	35	60	80	100
6403 99 11	35	60	80	100
6403 99 31	35	60	80	100
6403 99 33	35	60	80	100
6403 99 36	35	60	80	100
6403 99 38	35	60	80	100
6403 99 50	35	60	80	100
6403 99 91	35	60	80	100
6403 99 93	35	60	80	100
6403 99 96	35	60	80	100
6403 99 98	35	60	80	100
6404	35	60	80	100
6405 10	35	60	80	100
6405 20 10	35	60	80	100
6405 20 91	35	60	80	100
6405 20 99	35	60	80	100
6405 90 10	35	60	80	100
6405 90 90	35	60	80	100
8418 21 51	60	80	100	
8418 21 91	60	80	100	
8418 22 00	60	80	100	
8418 29 00	60	80	100	
8418 30 91	60	80	100	
8418 40 91	60	80	100	
8422 11 00	60	80	100	
8450 11 11	60	80	100	
8450 11 19	60	80	100	
8469 30 00	60	80	100	
8703	35	60	80	100
8711 10 00	60	80	100	
8711 20	60	80	100	
8711 30	60	80	100	
8711 40 00	60	80	100	
8711 50 00	60	80	100	
8711 90 00	60	80	100	
8712 00	60	80	100	

CN code ⁽¹⁾	Percentage of the CCT duty applied for the period			
	1.1.2002 to 31.12.2002	1.1.2003 to 31.12.2004	1.1.2005 to 31.12.2006	From 1.1.2007
9001	80	80	100	
9002 11 00	60	80	100	
9002 19 00	60	80	100	
9002 20 00	60	80	100	
9003	80	80	100	
9004	60	80	100	
9005	60	80	100	
9010 60 00	60	80	100	
9103	35	60	80	100
9105 11 00	35	60	80	100
9105 19 00	35	60	80	100
9105 21 00	35	60	80	100
9105 29 00	35	60	80	100
9105 91 00	35	60	80	100
9105 99	35	60	80	100
9501 00	35	60	80	100
9502 10	35	60	80	100
9503 30 30	35	60	80	100
9503 41 00	35	60	80	100
9503 60 90	35	60	80	100
9503 70 00	35	60	80	100
9503 80 10	35	60	80	100
9503 90 32	35	60	80	100
9503 90 34	35	60	80	100
9503 90 51	35	60	80	100
9505 10 90	35	60	80	100
9505 90 00	35	60	80	100
9506 11	35	60	80	100
9506 12 00	35	60	80	100
9506 19 00	35	60	80	100
9506 21 00	35	60	80	100
9506 29 00	35	60	80	100
9506 31 00	35	60	80	100
9506 32 00	35	60	80	100
9506 39	35	60	80	100
9506 40	35	60	80	100
9506 51 00	35	60	80	100
9506 59 00	35	60	80	100
9506 61 00	35	60	80	100
9506 62	35	60	80	100
9506 69 90	35	60	80	100

CN code ⁽¹⁾	Percentage of the CCT duty applied for the period			
	1.1.2002 to 31.12.2002	1.1.2003 to 31.12.2004	1.1.2005 to 31.12.2006	From 1.1.2007
9506 70 30	35	60	80	100
9506 70 90	35	60	80	100
9506 91 10	35	60	80	100
9506 99 90	35	60	80	100
9507 90 00	35	60	80	100

⁽¹⁾ CN codes applicable on 1 January 2002, adopted by Commission Regulation (EC) No 2031/2001 of 6 August 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and the Common Customs Tariff (OJ L 279, 23.10.2001).

Section B

Order No	CN code ⁽¹⁾	Percentage of the CCT duty applied for the period				
		1.1.2002 to 31.12.2002	1.1.2003 to 31.12.2004	1.1.2005 to 31.12.2006	From 1.1.2007	Quota volume (value 1 000 EUR)
09.2653	8518 10 80	60	80	100		4 000
	8518 21 90	60	80	100		
	8518 22 90	60	80	100		
	8518 29 80	60	80	100		
	8518 30 80	60	80	100		
	8518 40 91	60	80	100		
	8518 40 99	60	80	100		
	8518 50 90	60	80	100		
	8519 21 00	60	80	100		
	8519 29 00	60	80	100		
	8519 31 00	60	80	100		
	8519 39 00	60	80	100		
	8519 40 00	60	80	100		
	8519 93 31	60	80	100		
	8519 93 39	60	80	100		
	8519 93 81	60	80	100		
	8519 93 89	60	80	100		
	8519 99 12	60	80	100		
	8519 99 18	60	80	100		
	8519 99 90	60	80	100		
	8520 32 19	60	80	100		
	8520 32 50	60	80	100		
	8520 32 91	60	80	100		
	8520 32 99	60	80	100		
	8520 33 19	60	80	100		
	8520 33 90	60	80	100		
	8520 39 10	60	80	100		
	8520 39 90	60	80	100		
	8520 90 90	60	80	100		
	8521 10 30	60	80	100		
	8521 90 00	60	80	100		
	8522 10 00	60	80	100		
	8524 10 00	60	80	100		
	8524 32	60	80	100		
	8524 39 20	60	80	100		
	8524 39 80	60	80	100		
	8524 51 00	60	80	100		
	8524 52 00	60	80	100		
09.2654	8525 40 19	35	60	80	100	10 000
	8525 40 91	35	60	80	100	
	8525 40 99	35	60	80	100	

Order No	CN code ⁽¹⁾	Percentage of the CCT duty applied for the period				
		1.1.2002 to 31.12.2002	1.1.2003 to 31.12.2004	1.1.2005 to 31.12.2006	From 1.1.2007	Quota volume (value 1 000 EUR)
09.2655	8526 92 90	80	80	100		5 000
	8527 12 10	35	60	80	100	
	8527 12 90	35	60	80	100	
	8527 13 10	35	60	80	100	
	8527 13 91	35	60	80	100	
	8527 13 99	35	60	80	100	
	8527 21 20	35	60	80	100	
	8527 21 52	35	60	80	100	
	8527 21 59	35	60	80	100	
	8527 21 70	35	60	80	100	
	8527 21 92	35	60	80	100	
	8527 21 98	35	60	80	100	
	8527 29 00	35	60	80	100	
	8527 31 11	35	60	80	100	
	8527 31 19	35	60	80	100	
	8527 31 91	35	60	80	100	
	8527 31 93	35	60	80	100	
	8527 31 98	35	60	80	100	
	8527 32 90	35	60	80	100	
	8527 39	35	60	80	100	
	8527 90 98	35	60	80	100	
	8528 12	35	60	80	100	
	8528 13 00	35	60	80	100	
	8528 21	35	60	80	100	
	8528 22 00	35	60	80	100	
	8528 30 20	35	60	80	100	
	8528 30 90	35	60	80	100	
	8529 10 20	60	80	100		
	8529 10 31	60	80	100		
	8529 10 39	60	80	100		
	8529 10 40	60	80	100		
	8529 10 45	60	80	100		
09.2656	9006 40 00	35	60	80	100	3 000
	9006 51 00	35	60	80	100	
	9006 52 00	35	60	80	100	
	9006 53	35	60	80	100	
	9006 61 00	35	60	80	100	
	9006 62 00	35	60	80	100	
	9006 69 00	35	60	80	100	
	9006 99 00	35	60	80	100	
	9007 11 00	60	80	100		
	9008 10 00	80	80	100		

Order No	CN code ⁽¹⁾	Percentage of the CCT duty applied for the period				
		1.1.2002 to 31.12.2002	1.1.2003 to 31.12.2004	1.1.2005 to 31.12.2006	From 1.1.2007	Quota volume (value 1 000 EUR)
09.2657	9101	35	60	80	100	3 000
	9102	35	60	80	100	
	9113 10 10	35	60	80	100	
	9113 10 90	35	60	80	100	
	9113 20 00	35	60	80	100	
	9113 90 10	35	60	80	100	
	9113 90 30	35	60	80	100	
	9113 90 90	35	60	80	100	

⁽¹⁾ CN codes applicable on 1 January 2002, adopted by Commission Regulation (EC) No 2031/2001 of 6 August 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and the Common Customs Tariff (OJ L 279, 23.10.2001).

ANNEX II

Capital investments goods for commercial and industrial use

CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾
4011 20	8450 11 90	8501 52 93	8701 10 00	9008 20 00
4011 30 90	8450 12 00	8501 52 99	8701 20	9008 30 00
4011 61 00	8450 19 00	8501 53 50	8701 90 90	9008 40 00
4011 62 00	8450 20 00	8501 53 92		
4011 63 00	8450 90 00	8501 53 94	8702 10 11	9009 12 00
4011 69 00		8501 53 99	8702 10 19	9009 22 00
4011 92 00	8469 12 00	8501 61 91	8202 10 91	9009 30 00
4011 93 00	8469 20 00	8501 61 99	8702 10 99	
4011 94 00		8501 62 90	8702 90 11	9010 10 00
4011 99 00	8472 10 00	8501 63 90	8702 90 19	9010 50 90
4011 29 10	8472 20 00	8501 64 00	8702 90 31	9011 10 90
	8472 30 00		8702 90 39	9011 20 90
5608	8472 90 10	8518 40 30	8702 90 90	9011 80 00
	8472 90 80	8518 90 00		9011 90 90
6403 30 00			8704 21 31	
6403 40 00			8704 21 39	9012 10 90
	8473 10 19	8519 10 00	8704 21 91	9012 90 90
8415 10 10	8473 40 19		8704 21 99	
8415 10 90		8520 10 00	8704 22	9030 10 90
8415 20 00	8501 10 10		8704 23	9030 20 90
8415 81 90	8501 10 91	8521 10 80	8704 31 31	9030 31 90
8415 82 80	8501 10 93	8522 90 59	8704 31 39	9030 39 30
8415 83 90	8501 10 99	8522 90 98	8704 31 91	9030 39 91
8415 90 90	8501 20 90		8704 31 99	9030 39 99
	8501 31 90	8523 30 00	8704 32	9106
8418 30 99	8501 32 91		8704 90 00	
8418 40 99	8501 32 99	8524 53 00		9107 00 00
8418 50	8501 33 90	8524 60 00	8705	
8418 61 90	8501 34 50	8524 99 90		9207 10
8418 69	8501 34 91		9006 10 90	9207 90
8418 91	8501 34 99	8525 10 80	9006 20 00	
8418 99	8501 40 91	8525 30 10	9006 30 00	9506 91 90
	8501 40 99	8525 30 90	9006 59 00	
8427	8501 51 90	8526 10 90		9507 10 00
8431 20 00	8501 52 91	8526 91 90	9007 19 00	9507 20 90
			9007 20 00	9507 30 00

⁽¹⁾ CN codes applicable on 1 January 2002, adopted by Commission Regulation (EC) No 2031/2001 of 6 August 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and the Common Customs Tariff (OJ L 279, 23.10.2001).

ANNEX III

Raw materials, parts and components for industrial transformation and maintenance

CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾
3901	4810 14 91	5205	5512	8707
3904 10 00	4810 19 10			
	4810 22 10	5208	5513	8708
4407 24 15	4810 22 91			
4407 24 30	4810 29	5209	5514	8714 11 00
4407 25 10	4810 31 00			8714 19 00
4407 25 30	4810 32 10	5210	5515	8714 91
4407 25 50	4810 32 90			8714 92
4407 26 10	4810 92	5212	5516	8714 93
4407 26 30	4810 99 10		6001	8714 94
4407 26 50	4810 99 90	5401 10 11		8714 95 00
4407 29 05		5401 10 19	6002 40 00	8714 96
4407 29 20	5108	5401 20 10	6002 90 00	8714 99
4407 29 30				
4407 29 50	5110 00 00	5402	6217 90 00	9002 90 90
4407 29 83				
4407 29 85	5111 11 11	5403	6305 10 10	9006 91 90
4407 99 50	5111 11 19		6305 10 90	
	5111 11 91	5404 10	6305 20 00	9007 91 00
	5111 11 99	5404 90	6305 32 11	9007 92 00
4410	5111 19 11		6305 32 81	
4412 13 10	5111 19 19	5407	6305 32 89	9008 90 00
4412 13 90	5111 19 31		6305 32 90	
4412 14 00	5111 19 39	5408	6305 33 10	9010 90 90
4412 19 00	5111 19 91		6305 33 91	
4412 22 10	5111 19 99	5501	6305 33 99	9104 00 90
4412 22 91	5111 20 00		6305 39 00	9108 11 00
4412 22 99	5111 30	5502	6305 90 00	9108 12 00
4412 23 00	5111 90 10			9108 19 00
4412 29	5111 90 91	5503	6309 00 00	9108 20 00
4412 92 10	5111 90 93			9108 90 00
4412 92 91	5111 90 99	5504	6406	
4412 92 99				9109 11 00
4412 93 00	5112 11 10	5505 10	7601	9109 19 90
4412 99 20	5112 11 90	5505 20		9109 90 90
4412 99 80	5112 19 11		8529 10 70	
	5112 19 19	5506	8529 10 90	9110 11 10
4803 00	5112 19 91		8529 90 51	9110 11 90
	5112 19 99	5507 00 00	8529 90 59	9110 12 00
4804	5112 20 00		8529 90 72	9110 19 00
4805 30 90	5112 30	5508 10 11	8529 90 81	9110 90 00
4805 91 99	5112 90 10	5508 10 19	8529 90 88	
	5112 90 91	5508 20 10		9111
4810 13 11	5112 90 93		8706 00 11	
4810 13 91	5112 99	5509	8706 00 19	9112
4810 14 11			8706 00 91	
		5510	8706 00 99	9114

⁽¹⁾ CN codes applicable on 1 January 2002, adopted by Commission Regulation (EC) No 2031/2001 of 6 August 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and the Common Customs Tariff (OJ L 279, 23.10.2001).

ANNEX IV

Fishery products

Order No	CN code	Description	Quota volume (tonnes)	Quota duty (%)
09.2997	0303	Fish, frozen, excluding fish fillets and other fish meat of heading No 0304	20 000	0
	0304	Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen		
09.2651	0306	Crustaceans, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; crustaceans, in shell, cooked by steaming or by boiling in water, whether or not chilled, frozen, dried, salted or in brine; flours, meals and pellets of crustaceans, fit for human consumption	20 000	0
	0307	Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine; flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption		

COMMISSION REGULATION (EC) No 705/2002
of 25 April 2002
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 April 2002.

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

Done at Brussels, 25 April 2002.

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 April 2002 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	170,7
	204	117,7
	212	115,1
	999	134,5
0707 00 05	052	115,5
	628	156,3
	999	135,9
0709 90 70	052	101,1
	204	78,8
	999	89,9
0805 10 10, 0805 10 30, 0805 10 50	052	66,1
	204	43,8
	212	55,7
	220	66,4
	600	53,3
	624	79,5
	999	60,8
0805 50 10	052	48,9
	528	85,5
	999	67,2
0808 10 20, 0808 10 50, 0808 10 90	060	22,2
	388	86,5
	400	115,3
	404	107,1
	508	82,1
	512	89,1
	524	85,9
	528	88,0
	720	152,7
	804	115,3
	999	94,4
0808 20 50	388	81,3
	512	71,9
	528	94,5
	999	82,6

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 706/2002**of 25 April 2002****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⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾,

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 ⁽³⁾, and in particular Article 1(2) and Article 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 ⁽⁴⁾. 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 April 2002.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ 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 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 25 April 2002 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⁾	8,46	—	0
1703 90 00 ⁽¹⁾	13,16	—	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 707/2002
of 25 April 2002
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⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, 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 665/2002 ⁽³⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 665/2002 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 665/2002 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 April 2002.

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

Done at Brussels, 25 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 103, 19.4.2002, p. 5.

ANNEX

to the Commission Regulation of 25 April 2002 modifying 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	40,11 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	40,56 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	40,11 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	40,56 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4360
1701 99 10 9100	A00	EUR/100 kg	43,60
1701 99 10 9910	A00	EUR/100 kg	44,09
1701 99 10 9950	A00	EUR/100 kg	44,09
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4360

⁽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 28(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 2020/2001 (OJ L 273, 16.10.2001, p. 6).

**COMMISSION REGULATION (EC) No 708/2002
of 25 April 2002**

**fixing the maximum export refund for white sugar for the 36th 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⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, 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 ⁽³⁾ for the 2001/2002 marketing year, 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 36th 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 36th 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 47,128 EUR/100 kg.

Article 2

This Regulation shall enter into force on 26 April 2002.

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

Done at Brussels, 25 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 192, 14.7.2001, p. 3.

COMMISSION REGULATION (EC) No 709/2002**of 25 April 2002****on the issue of import licences for rice against applications submitted during the first 10 working days of April 2002 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 2458/2001 ⁽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 and fix the quantities available under the following tranche;
- (2) examination of the quantities for which applications have been submitted for under the April 2002 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

1. Import licences for rice against applications submitted during the first 10 working days of April 2002 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.

2. The quantities available under the following tranche shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 April 2002.

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

Done at Brussels, 25 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 37, 11.2.1998, p. 5.

⁽²⁾ OJ L 331, 15.12.2001, p. 10.

ANNEX

Reduction percentages to be applied to quantities applied for under the tranche for April 2002:

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

Origin	Reduction (%)	Quantity available for the additional tranche for July 2002 (in t)
United States of America	0 ⁽¹⁾	4 134,000
Thailand	0 ⁽¹⁾	6 289,132
Australia	0 ⁽¹⁾	571,500
Other origins	98,2896	0,000

⁽¹⁾ Issue for the quantity applied for.

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

Origin	Reduction (%)	Quantity available for the additional tranche for July 2002 (in t)
Australia	0 ⁽¹⁾	1 798,180
United States of America	0 ⁽¹⁾	0,000
Thailand	0 ⁽¹⁾	216,523
Other origins	—	117,000

⁽¹⁾ Issue for the quantity applied for.

COMMISSION REGULATION (EC) No 710/2002**of 25 April 2002****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 Commission Regulation (EC) No 411/2002 ⁽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 62, 5.3.2002, p. 27.

⁽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 April 2002.

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

Done at Brussels, 25 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 25 April 2002 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	38,51	1104 23 10 9100	A00	EUR/t	41,27
1102 20 10 9400 ⁽¹⁾	C01	EUR/t	33,01	1104 23 10 9300	A00	EUR/t	31,64
1102 20 90 9200 ⁽¹⁾	C01	EUR/t	33,01	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 19 40 9100	A00	EUR/t	0,00	1104 30 90 9000	A00	EUR/t	6,88
1103 13 10 9100 ⁽¹⁾	A00	EUR/t	49,52	1107 10 11 9000	A00	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	A00	EUR/t	38,51	1107 10 91 9000	A00	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	A00	EUR/t	33,01	1108 11 00 9200	A00	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	A00	EUR/t	33,01	1108 11 00 9300	A00	EUR/t	0,00
1103 19 10 9000	A00	EUR/t	20,38	1108 12 00 9200	A00	EUR/t	44,02
1103 19 30 9100	A00	EUR/t	0,00	1108 12 00 9300	A00	EUR/t	44,02
1103 20 60 9000	A00	EUR/t	0,00	1108 13 00 9200	A00	EUR/t	44,02
1103 20 20 9000	A00	EUR/t	0,00	1108 13 00 9300	A00	EUR/t	44,02
1104 19 69 9100	A00	EUR/t	0,00	1108 19 10 9200	A00	EUR/t	59,28
1104 12 90 9100	A00	EUR/t	0,00	1108 19 10 9300	A00	EUR/t	59,28
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	43,12
1104 19 50 9110	A00	EUR/t	44,02	1702 30 59 9000 ⁽²⁾	A00	EUR/t	33,01
1104 19 50 9130	A00	EUR/t	35,76	1702 30 91 9000	A00	EUR/t	43,12
1104 29 01 9100	A00	EUR/t	0,00	1702 30 99 9000	A00	EUR/t	33,01
1104 29 03 9100	A00	EUR/t	0,00	1702 40 90 9000	A00	EUR/t	33,01
1104 29 05 9100	A00	EUR/t	0,00	1702 90 50 9100	A00	EUR/t	43,12
1104 29 05 9300	A00	EUR/t	0,00	1702 90 50 9900	A00	EUR/t	33,01
1104 22 20 9100	A00	EUR/t	0,00	1702 90 75 9000	A00	EUR/t	45,19
1104 22 30 9100	A00	EUR/t	0,00	1702 90 79 9000	A00	EUR/t	31,86
				2106 90 55 9000	A00	EUR/t	33,01

⁽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 2020/2001 (OJ L 273, 16.10.2001, p. 6).

C01: All destinations except Poland.

COMMISSION REGULATION (EC) No 711/2002
of 25 April 2002
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 April 2002.

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

Done at Brussels, 25 April 2002.

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 April 2002 fixing the export refunds on cereal-based compound feeding-stuffs

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	27,51
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 712/2002
of 25 April 2002
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 411/2002 ⁽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 8,56/t.

Article 2

This Regulation shall enter into force on 26 April 2002.

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

Done at Brussels, 25 April 2002.

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 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 242, 12.9.2001, p. 3.

COMMISSION REGULATION (EC) No 713/2002

of 25 April 2002

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 595/2002 ⁽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 April 2002.

⁽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 91, 6.4.2002, p. 5.

⁽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 April 2002.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 25 April 2002 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	2,038	2,038
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	2,751 1,035 2,751 2,063 0,776 2,063 1,035 2,751 2,751 1,035 2,751	2,751 1,035 2,751 2,063 0,776 2,063 1,035 2,751 2,751 1,035 2,751

(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	16,500	16,500
	– medium grain	16,500	16,500
	– long grain	16,500	16,500
1006 40 00	Broken rice	3,900	3,900
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 714/2002
of 25 April 2002
fixing the maximum export refund on barley in connection with the invitation to tender 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 for 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 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 April 2002, pursuant to the invitation to tender issued in Regulation (EC) No 1558/2001, the maximum refund on exportation of barley shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 26 April 2002.

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

Done at Brussels, 25 April 2002.

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 715/2002
of 25 April 2002
fixing the maximum export refund on rye in connection with the invitation to tender 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 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 April 2002, pursuant to the invitation to tender issued in Regulation (EC) No 1005/2001, the maximum refund on exportation of rye shall be EUR 39,95/t.

Article 2

This Regulation shall enter into force on 26 April 2002.

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

Done at Brussels, 25 April 2002.

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 716/2002**of 25 April 2002****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 on exportation of common wheat to all third countries with the exclusion of 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 April 2002, 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 April 2002.

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

Done at Brussels, 25 April 2002.

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 717/2002
of 25 April 2002
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 Commission Regulation (EC) No 509/2002 ⁽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 156/2002 ⁽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⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽⁶⁾, 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 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 25, 29.1.2002, p. 24.

⁽⁵⁾ OJ L 178, 30.6.2001, p. 1.

⁽⁶⁾ OJ L 104, 20.4.2002, p. 26.

- (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 measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,
- HAS ADOPTED THIS REGULATION:
- Article 1*
- 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 April 2002.

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

Done at Brussels, 25 April 2002.

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 April 2002 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	1,0369
0401 10 90 9000	970	EUR/100 kg	2,048	0402 29 99 9100	A02	EUR/kg	1,0369
0401 20 11 9100	970	EUR/100 kg	2,048	0402 29 99 9500	A02	EUR/kg	1,1278
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	64,09
0401 30 39 9400	A02	EUR/100 kg	52,67	0403 90 13 9200	A02	EUR/100 kg	64,09
0401 30 39 9700	A02	EUR/100 kg	58,08	0403 90 13 9300	A02	EUR/100 kg	90,10
0401 30 91 9100	A02	EUR/100 kg	66,19	0403 90 13 9500	A02	EUR/100 kg	94,76
0401 30 91 9500	A02	EUR/100 kg	97,28	0403 90 13 9900	A02	EUR/100 kg	102,08
0401 30 99 9100	A02	EUR/100 kg	66,19	0403 90 19 9000	A02	EUR/100 kg	102,62
0401 30 99 9500	A02	EUR/100 kg	97,28	0403 90 33 9400	A02	EUR/kg	0,9010
0402 10 11 9000	A02	EUR/100 kg	65,00	0403 90 33 9900	A02	EUR/kg	1,0208
0402 10 19 9000	A02	EUR/100 kg	65,00	0403 90 51 9100	970	EUR/100 kg	2,048
0402 10 91 9000	A02	EUR/kg	0,6500	0403 90 59 9170	970	EUR/100 kg	13,88
0402 10 99 9000	A02	EUR/kg	0,6500	0403 90 59 9310	A02	EUR/100 kg	33,72
0402 21 11 9200	A02	EUR/100 kg	65,00	0403 90 59 9340	A02	EUR/100 kg	52,10
0402 21 11 9300	A02	EUR/100 kg	90,64	0403 90 59 9370	A02	EUR/100 kg	52,10
0402 21 11 9500	A02	EUR/100 kg	95,68	0403 90 59 9510	A02	EUR/100 kg	52,10
0402 21 11 9900	A02	EUR/100 kg	103,00	0404 90 21 9120	A02	EUR/100 kg	55,45
0402 21 17 9000	A02	EUR/100 kg	65,00	0404 90 21 9160	A02	EUR/100 kg	65,00
0402 21 19 9300	A02	EUR/100 kg	90,64	0404 90 23 9120	A02	EUR/100 kg	65,00
0402 21 19 9500	A02	EUR/100 kg	95,68	0404 90 23 9130	A02	EUR/100 kg	90,64
0402 21 19 9900	A02	EUR/100 kg	103,00	0404 90 23 9140	A02	EUR/100 kg	95,68
0402 21 91 9100	A02	EUR/100 kg	103,69	0404 90 23 9150	A02	EUR/100 kg	103,00
0402 21 91 9200	A02	EUR/100 kg	104,53	0404 90 29 9110	A02	EUR/100 kg	103,74
0402 21 91 9350	A02	EUR/100 kg	105,54	0404 90 29 9115	A02	EUR/100 kg	104,52
0402 21 91 9500	A02	EUR/100 kg	115,48	0404 90 29 9125	A02	EUR/100 kg	105,60
0402 21 99 9100	A02	EUR/100 kg	103,69	0404 90 29 9140	A02	EUR/100 kg	115,54
0402 21 99 9200	A02	EUR/100 kg	104,53	0404 90 81 9100	A02	EUR/kg	0,6500
0402 21 99 9300	A02	EUR/100 kg	105,54	0404 90 83 9110	A02	EUR/kg	0,6500
0402 21 99 9400	A02	EUR/100 kg	112,78	0404 90 83 9130	A02	EUR/kg	0,9064
0402 21 99 9500	A02	EUR/100 kg	115,48	0404 90 83 9150	A02	EUR/kg	0,9568
0402 21 99 9600	A02	EUR/100 kg	125,28	0404 90 83 9170	A02	EUR/kg	1,0300
0402 21 99 9700	A02	EUR/100 kg	130,70	0404 90 83 9936	A02	EUR/kg	0,1445
0402 21 99 9900	A02	EUR/100 kg	137,10	0405 10 11 9500	L05	EUR/100 kg	170,73
0402 29 15 9200	A02	EUR/kg	0,6500	0405 10 11 9700	L05	EUR/100 kg	175,00
0402 29 15 9300	A02	EUR/kg	0,9066	0405 10 19 9500	L05	EUR/100 kg	170,73
0402 29 15 9500	A02	EUR/kg	0,9571	0405 10 19 9700	L05	EUR/100 kg	175,00
0402 29 15 9900	A02	EUR/kg	1,0300	0405 10 30 9100	L05	EUR/100 kg	170,73
0402 29 19 9300	A02	EUR/kg	0,9066	0405 10 30 9300	L05	EUR/100 kg	175,00
0402 29 19 9500	A02	EUR/kg	0,9571	0405 10 30 9700	L05	EUR/100 kg	175,00
0402 29 19 9900	A02	EUR/kg	1,0300	0405 10 50 9300	L05	EUR/100 kg	175,00

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	170,73	0406 10 20 9850	L03	EUR/100 kg	—
0405 10 50 9700	L05	EUR/100 kg	175,00		A24	EUR/100 kg	27,09
0405 10 90 9000	L05	EUR/100 kg	181,41		L04	EUR/100 kg	27,09
0405 20 90 9500	L05	EUR/100 kg	160,07		400	EUR/100 kg	—
0405 20 90 9700	L05	EUR/100 kg	166,47		A01	EUR/100 kg	27,09
0405 90 10 9000	L05	EUR/100 kg	222,36	0406 10 20 9870	A00	EUR/100 kg	—
0405 90 90 9000	L05	EUR/100 kg	175,00	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	L03	EUR/100 kg	—	0406 20 90 9913	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	16,18
	A01	EUR/100 kg	32,03		A01	EUR/100 kg	49,95
0406 10 20 9290	L03	EUR/100 kg	—	0406 20 90 9915	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	21,56
	A01	EUR/100 kg	29,79		A01	EUR/100 kg	65,93
0406 10 20 9300	L03	EUR/100 kg	—	0406 20 90 9917	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	22,92
	A01	EUR/100 kg	13,08		A01	EUR/100 kg	70,05
0406 10 20 9610	L03	EUR/100 kg	—	0406 20 90 9919	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	25,57
	A01	EUR/100 kg	43,44		A01	EUR/100 kg	78,29
0406 10 20 9620	L03	EUR/100 kg	—	0406 20 90 9990	A00	EUR/100 kg	—
	A24	EUR/100 kg	44,06	0406 30 31 9710	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	L03	EUR/100 kg	—		A01	EUR/100 kg	12,33
	A24	EUR/100 kg	49,18	0406 30 31 9730	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	L03	EUR/100 kg	—		A01	EUR/100 kg	18,09
	A24	EUR/100 kg	72,28	0406 30 31 9910	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	L03	EUR/100 kg	—		A01	EUR/100 kg	12,33
	A24	EUR/100 kg	60,23	0406 30 31 9930	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	L03	EUR/100 kg	—	0406 30 31 9950	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

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 30 39 9500	L03	EUR/100 kg	—	0406 90 23 9900	400	EUR/100 kg	22,78
	A24	EUR/100 kg	18,09		A01	EUR/100 kg	99,91
	L04	EUR/100 kg	9,64		L03	EUR/100 kg	—
	400	EUR/100 kg	—		A24	EUR/100 kg	88,33
	A01	EUR/100 kg	18,09		L04	EUR/100 kg	76,81
0406 30 39 9700	L03	EUR/100 kg	—	0406 90 25 9900	400	EUR/100 kg	—
	A24	EUR/100 kg	26,31		A01	EUR/100 kg	88,33
	L04	EUR/100 kg	14,03		L03	EUR/100 kg	—
	400	EUR/100 kg	—		A24	EUR/100 kg	87,38
	A01	EUR/100 kg	26,31		L04	EUR/100 kg	76,30
0406 30 39 9930	L03	EUR/100 kg	—	0406 90 27 9900	400	EUR/100 kg	—
	A24	EUR/100 kg	26,31		A01	EUR/100 kg	87,38
	L04	EUR/100 kg	14,03		L03	EUR/100 kg	—
	400	EUR/100 kg	—		A24	EUR/100 kg	79,14
	A01	EUR/100 kg	26,31		L04	EUR/100 kg	69,11
0406 30 39 9950	L03	EUR/100 kg	—	0406 90 31 9119	400	EUR/100 kg	—
	A24	EUR/100 kg	29,75		A01	EUR/100 kg	79,14
	L04	EUR/100 kg	15,87		L03	EUR/100 kg	—
	400	EUR/100 kg	—		A24	EUR/100 kg	72,85
	A01	EUR/100 kg	29,75		L04	EUR/100 kg	63,51
0406 30 90 9000	L03	EUR/100 kg	—	0406 90 33 9119	400	EUR/100 kg	13,06
	A24	EUR/100 kg	31,21		A01	EUR/100 kg	72,85
	L04	EUR/100 kg	16,64		L03	EUR/100 kg	—
	400	EUR/100 kg	—		A24	EUR/100 kg	72,85
	A01	EUR/100 kg	31,21		L04	EUR/100 kg	63,51
0406 40 50 9000	L03	EUR/100 kg	—	0406 90 33 9919	400	EUR/100 kg	13,06
	A24	EUR/100 kg	76,50		A01	EUR/100 kg	72,85
	L04	EUR/100 kg	76,50		L03	EUR/100 kg	—
	400	EUR/100 kg	—		A24	EUR/100 kg	66,81
	A01	EUR/100 kg	76,50		L04	EUR/100 kg	58,05
0406 40 90 9000	L03	EUR/100 kg	—	0406 90 33 9951	400	EUR/100 kg	—
	A24	EUR/100 kg	78,56		A01	EUR/100 kg	66,81
	L04	EUR/100 kg	78,56		L03	EUR/100 kg	—
	400	EUR/100 kg	—		A24	EUR/100 kg	66,86
	A01	EUR/100 kg	78,56		L04	EUR/100 kg	58,63
0406 90 13 9000	L03	EUR/100 kg	—	0406 90 35 9190	400	EUR/100 kg	—
	A24	EUR/100 kg	98,91		A01	EUR/100 kg	66,86
	L04	EUR/100 kg	86,38		L03	EUR/100 kg	—
	400	EUR/100 kg	30,81		A24	EUR/100 kg	103,33
	A01	EUR/100 kg	98,91		L04	EUR/100 kg	89,85
0406 90 15 9100	L03	EUR/100 kg	—	0406 90 35 9990	400	EUR/100 kg	31,42
	A24	EUR/100 kg	102,21		A01	EUR/100 kg	103,33
	L04	EUR/100 kg	89,26		L03	EUR/100 kg	—
	400	EUR/100 kg	31,76		A24	EUR/100 kg	103,33
	A01	EUR/100 kg	102,21		L04	EUR/100 kg	89,85
0406 90 17 9100	L03	EUR/100 kg	—	0406 90 37 9000	400	EUR/100 kg	20,54
	A24	EUR/100 kg	102,21		A01	EUR/100 kg	103,33
	L04	EUR/100 kg	89,26		L03	EUR/100 kg	—
	400	EUR/100 kg	31,76		A24	EUR/100 kg	98,91
	A01	EUR/100 kg	102,21		L04	EUR/100 kg	86,38
0406 90 21 9900	L03	EUR/100 kg	—		400	EUR/100 kg	30,81
	A24	EUR/100 kg	99,91		A01	EUR/100 kg	98,91
	L04	EUR/100 kg	87,47				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 61 9000	L03	EUR/100 kg	—	0406 90 78 9500	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	29,24		A01	EUR/100 kg	90,08
	A01	EUR/100 kg	110,19		L03	EUR/100 kg	—
0406 90 63 9100	L03	EUR/100 kg	—	0406 90 79 9900	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	32,71		A01	EUR/100 kg	88,70
	A01	EUR/100 kg	109,27		L03	EUR/100 kg	—
0406 90 63 9900	L03	EUR/100 kg	—	0406 90 81 9900	A24	EUR/100 kg	73,33
	A24	EUR/100 kg	105,55		L04	EUR/100 kg	63,77
	L04	EUR/100 kg	91,04		400	EUR/100 kg	—
	400	EUR/100 kg	25,02		A01	EUR/100 kg	73,33
	A01	EUR/100 kg	105,55		L03	EUR/100 kg	—
0406 90 69 9100	A00	EUR/100 kg	—	0406 90 85 9930	A24	EUR/100 kg	92,33
0406 90 69 9910	L03	EUR/100 kg	—		L04	EUR/100 kg	80,62
	A24	EUR/100 kg	105,55		400	EUR/100 kg	24,34
	L04	EUR/100 kg	91,04		A01	EUR/100 kg	92,33
	400	EUR/100 kg	25,02		L03	EUR/100 kg	—
0406 90 73 9900	A01	EUR/100 kg	105,55	0406 90 85 9970	A24	EUR/100 kg	100,22
	L03	EUR/100 kg	—		L04	EUR/100 kg	87,07
	A24	EUR/100 kg	90,87		400	EUR/100 kg	30,33
	L04	EUR/100 kg	79,29		A01	EUR/100 kg	100,22
	400	EUR/100 kg	26,93		L03	EUR/100 kg	—
0406 90 75 9900	A01	EUR/100 kg	90,87	0406 90 85 9999	A24	EUR/100 kg	91,86
	L03	EUR/100 kg	—		L04	EUR/100 kg	79,82
	A24	EUR/100 kg	91,86		400	EUR/100 kg	26,54
	L04	EUR/100 kg	79,82		A01	EUR/100 kg	91,86
	400	EUR/100 kg	11,36		A00	EUR/100 kg	—
0406 90 76 9300	A01	EUR/100 kg	91,86	0406 90 86 9100	A00	EUR/100 kg	—
	L03	EUR/100 kg	—	0406 90 86 9200	L03	EUR/100 kg	—
	A24	EUR/100 kg	82,43		A24	EUR/100 kg	86,90
	L04	EUR/100 kg	71,98		L04	EUR/100 kg	73,24
	400	EUR/100 kg	—		400	EUR/100 kg	17,68
0406 90 76 9400	A01	EUR/100 kg	82,43		A01	EUR/100 kg	86,90
	L03	EUR/100 kg	—	0406 90 86 9300	L03	EUR/100 kg	—
	A24	EUR/100 kg	92,33		A24	EUR/100 kg	87,82
	L04	EUR/100 kg	80,62		L04	EUR/100 kg	74,30
	400	EUR/100 kg	11,83		400	EUR/100 kg	19,38
0406 90 76 9500	A01	EUR/100 kg	92,33	0406 90 86 9400	A01	EUR/100 kg	87,82
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	87,08		A24	EUR/100 kg	92,33
	L04	EUR/100 kg	76,70		L04	EUR/100 kg	78,94
	400	EUR/100 kg	11,83		400	EUR/100 kg	21,93
0406 90 78 9100	A01	EUR/100 kg	87,08	0406 90 86 9900	A01	EUR/100 kg	92,33
	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
0406 90 78 9300	A01	EUR/100 kg	86,92	A01	EUR/100 kg	100,22	
	L03	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	L03	EUR/100 kg	—		A01	EUR/100 kg	38,79
	A24	EUR/100 kg	72,41	0406 90 87 9973	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	L03	EUR/100 kg	—		A01	EUR/100 kg	89,03
	A24	EUR/100 kg	80,66	0406 90 87 9974	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	L03	EUR/100 kg	—		A01	EUR/100 kg	96,21
	A24	EUR/100 kg	81,88	0406 90 87 9975	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	L03	EUR/100 kg	—		A01	EUR/100 kg	97,28
	A24	EUR/100 kg	90,68	0406 90 87 9979	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	L03	EUR/100 kg	—		A01	EUR/100 kg	88,33
	A24	EUR/100 kg	90,68	0406 90 88 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	79,18	0406 90 88 9300	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 2020/2001 (OJ L 273, 16.10.2001, p. 6).

The other destinations are defined as follows:

L03 Ceuta, Melilla, Iceland, Norway, Switzerland, Liechtenstein, 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 718/2002**of 25 April 2002****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 Commission Regulation (EC) No 411/2002 ⁽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 5 000 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 2298/2001 ⁽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 5 000 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 April 2002.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 308, 27.11.2001, p. 16.

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

Done at Brussels, 25 April 2002.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 25 April 2002 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	137,00	1006 30 65 9100	R01	EUR/t	171,00
1006 20 13 9000	R01	EUR/t	137,00		R02	EUR/t	165,00
1006 20 15 9000	R01	EUR/t	137,00		R03	EUR/t	170,00
1006 20 17 9000	—	EUR/t	—		064	EUR/t	139,00
1006 20 92 9000	R01	EUR/t	137,00		A97	EUR/t	165,00
1006 20 94 9000	R01	EUR/t	137,00		021 and 023	EUR/t	165,00
1006 20 96 9000	R01	EUR/t	137,00	1006 30 65 9900	R01	EUR/t	171,00
1006 20 98 9000	—	EUR/t	—		064	EUR/t	139,00
1006 30 21 9000	R01	EUR/t	137,00		A97	EUR/t	165,00
1006 30 23 9000	R01	EUR/t	137,00	1006 30 67 9100	021 and 023	EUR/t	165,00
1006 30 25 9000	R01	EUR/t	137,00		064	EUR/t	139,00
1006 30 27 9000	—	EUR/t	—	1006 30 67 9900	064	EUR/t	139,00
1006 30 42 9000	R01	EUR/t	137,00	1006 30 92 9100	R01	EUR/t	171,00
1006 30 44 9000	R01	EUR/t	137,00		R02	EUR/t	165,00
1006 30 46 9000	R01	EUR/t	137,00		R03	EUR/t	170,00
1006 30 48 9000	—	EUR/t	—		064	EUR/t	139,00
1006 30 61 9100	R01	EUR/t	171,00		A97	EUR/t	165,00
	R02	EUR/t	165,00		021 and 023	EUR/t	165,00
	R03	EUR/t	170,00	1006 30 92 9900	R01	EUR/t	171,00
	064	EUR/t	139,00		A97	EUR/t	165,00
	A97	EUR/t	165,00		064	EUR/t	139,00
	021 and 023	EUR/t	165,00	1006 30 94 9100	R01	EUR/t	171,00
1006 30 61 9900	R01	EUR/t	171,00		R02	EUR/t	165,00
	A97	EUR/t	165,00		R03	EUR/t	170,00
	064	EUR/t	139,00		064	EUR/t	139,00
1006 30 63 9100	R01	EUR/t	171,00		A97	EUR/t	165,00
	R02	EUR/t	165,00		021 and 023	EUR/t	165,00
	R03	EUR/t	170,00	1006 30 94 9900	R01	EUR/t	171,00
	064	EUR/t	139,00		A97	EUR/t	165,00
	A97	EUR/t	165,00		064	EUR/t	139,00
	021 and 023	EUR/t	165,00	1006 30 96 9100	R01	EUR/t	171,00
1006 30 63 9900	R01	EUR/t	171,00		R02	EUR/t	165,00
	064	EUR/t	139,00		R03	EUR/t	170,00
	A97	EUR/t	165,00		064	EUR/t	139,00
	021 and 023	EUR/t	165,00		A97	EUR/t	165,00
	R01	EUR/t	171,00		021 and 023	EUR/t	165,00
	064	EUR/t	139,00	1006 30 96 9900	R01	EUR/t	171,00
	A97	EUR/t	165,00		A97	EUR/t	165,00
	021 and 023	EUR/t	165,00		064	EUR/t	139,00
	R01	EUR/t	171,00	1006 30 98 9100	021 and 023	EUR/t	165,00
	064	EUR/t	139,00	1006 30 98 9900	—	EUR/t	—
	A97	EUR/t	165,00	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 5 000 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 2020/2001 (OJ L 273, 16.10.2001, p. 6).

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.