

Official Journal

of the European Communities

ISSN 0378-6978

L 112

Volume 45

27 April 2002

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 719/2002
of 26 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 27 April 2002.

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

Done at Brussels, 26 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 26 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	148,5
	204	121,0
	212	115,1
	999	128,2
0707 00 05	052	110,0
	628	153,0
	999	131,5
0709 90 70	052	103,4
	204	78,8
	999	91,1
0805 10 10, 0805 10 30, 0805 10 50	052	57,2
	204	44,6
	212	59,9
	220	58,9
	600	56,0
	624	78,8
	999	59,2
0805 50 10	052	34,7
	388	68,8
	528	85,5
	999	63,0
0808 10 20, 0808 10 50, 0808 10 90	060	20,5
	388	87,1
	400	117,8
	404	106,8
	508	81,1
	512	87,4
	524	67,7
	528	88,1
	720	147,2
	804	113,6
	999	91,7
	999	91,7
0808 20 50	388	74,3
	512	71,7
	528	83,8
	999	76,6

⁽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 720/2002**of 26 April 2002****fixing a percentage for acceptance of contracts concluded for the optional distillation of table wine
and suspending the notification of new contracts for the optional distillation of table wine**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms ⁽¹⁾, as last amended by Regulation (EC) No 2464/2001 ⁽²⁾, and in particular Article 63(6) thereof,

Whereas:

- (1) Article 63 of Regulation (EC) No 1623/2000 lays down the conditions for the application of the distillation arrangements for wines referred to in Article 29 of Council Regulation (EC) No 1493/1999 ⁽³⁾, as last amended by Regulation (EC) No 2585/2001 ⁽⁴⁾. Those arrangements provide for subsidised, voluntary distillation in order to support the wine market and help ensure continued supplies to the potable alcohol sector, which traditionally uses this type of alcohol. To that end, wine producers and distillers conclude contracts, which the Member States notify to the Commission twice a month.
- (2) Article 63(6) lays down the conditions under which the Commission must intervene in the contract-approval procedure, setting a single percentage for acceptance of the contracts concluded for distillation and/or suspending the notification of new contracts, where the available budgetary resources or the absorption capacity of the potable alcohol sector are exceeded or may be exceeded.

- (3) For the 2001/2002 wine year the Commission has, for budgetary reasons and bearing in mind the absorption capacity of the potable alcohol sector, managed this distillation in quantitatively limited tranches. The third tranche was opened from 1 April 2002 by Commission Regulation (EC) No 378/2002 ⁽⁵⁾ opening a third tranche of distillation as provided for in Article 29 of Regulation (EC) No 1493/1999 for the 2001/2002 wine year. Contracts can be concluded under this tranche for a maximum of 2 million hl of table wine. On the basis of the quantities of wine for which the Member States notified new distillation contracts to the Commission on 22 April 2002, the Commission notes that that limit has been exceeded. The Commission should therefore set a single percentage for acceptance of the quantities notified for distillation and suspend the notification of new contracts,

HAS ADOPTED THIS REGULATION:

Article 1

1. Contracts concluded and notified to the Commission under Article 63(4) of Regulation (EC) No 1623/2000 on 22 April 2002 shall be accepted for 57,23 % of the wine covered.
2. Notification to the Commission of new contracts under Article 63(4) of Regulation (EC) No 1623/2000 is hereby suspended.

Article 2

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

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

Done at Brussels, 26 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 194, 31.7.2000, p. 45.

⁽²⁾ OJ L 331, 15.12.2001, p. 25.

⁽³⁾ OJ L 179, 14.7.1999, p. 1.

⁽⁴⁾ OJ L 345, 29.12.2001, p. 10.

⁽⁵⁾ OJ L 60, 1.3.2002, p. 22.

**COMMISSION REGULATION (EC) No 721/2002
of 26 April 2002**

fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 96th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

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

or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices and the maximum aid and processing securities applying for the 96th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 April 2002.

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

Done at Brussels, 26 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 26 April 2002 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 96th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Processing security		Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Maximum aid	Butter ≥ 82 %		85	81	—	81
	Butter < 82 %		83	79	—	79
	Concentrated butter		105	101	105	101
	Cream		—	—	36	34
Processing security	Butter		94	—	—	—
	Concentrated butter		116	—	116	—
	Cream		—	—	40	—

COMMISSION REGULATION (EC) No 722/2002**of 26 April 2002****fixing the maximum purchasing price for butter for the 49th invitation to tender carried out under the standing invitation to tender governed by Regulation (EC) No 2771/1999**

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 10 thereof,

Whereas:

- (1) Article 13 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 1614/2001 ⁽⁴⁾, provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed in relation to the intervention price applicable and that it may also be decided not to proceed with the invitation to tender.

- (2) As a result of the tenders received, the maximum buying-in price should be fixed as set out below.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 49th invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 23 April 2002, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 27 April 2002.

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

Done at Brussels, 26 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 214, 8.8.2001, p. 20.

COMMISSION REGULATION (EC) No 723/2002**of 26 April 2002****fixing the maximum aid for concentrated butter for the 268th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽³⁾, as last amended by Regulation (EC) No 124/1999 ⁽⁴⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; the end-use security must be fixed accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 268th special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

- | | |
|---------------------|-----------------|
| — maximum aid: | EUR 105/100 kg, |
| — end-use security: | EUR 116/100 kg. |

Article 2

This Regulation shall enter into force on 27 April 2002.

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

Done at Brussels, 26 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

COMMISSION REGULATION (EC) No 724/2002
of 26 April 2002
suspending the buying-in of butter in certain Member States

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⁾,

Having regard to Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 1614/2001 ⁽⁴⁾, and in particular Article 2 thereof,

Whereas:

- (1) Article 2 of Regulation (EC) No 2771/1999 lays down that buying-in by invitation to tender is to be opened or suspended by the Commission in a Member State, as appropriate, once it is observed that, for two weeks in succession, the market price in that Member State is below or equal to or above 92 % of the intervention price.

- (2) Commission Regulation (EC) No 593/2002 suspending the buying-in of butter in certain Member States ⁽⁵⁾ establishes the most recent list of Member States in which intervention is suspended. This list must be adjusted as a result of the market prices communicated by the Netherlands under Article 8 of Regulation (EC) No 2771/1999. In the interests of clarity, the list in question should be replaced and Regulation (EC) No 593/2002 should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Buying-in of butter by invitation to tender as provided for in Article 6(1) of Regulation (EC) No 1255/1999 is hereby suspended in Belgium, Denmark, Greece, Luxembourg, Austria and Sweden.

Article 2

Regulation (EC) No 593/2002 is hereby repealed.

Article 3

This Regulation shall enter into force on 27 April 2002.

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

Done at Brussels, 26 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 214, 8.8.2001, p. 20.

⁽⁵⁾ OJ L 91, 6.4.2002, p. 3.

COMMISSION REGULATION (EC) No 725/2002**of 26 April 2002****fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

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

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

- (3) The general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.
- (4) The specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 May 2002.

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

Done at Brussels, 26 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 288, 25.10.1974, p. 1.

ANNEX

to the Commission Regulation of 26 April 2002 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(EUR/t)

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	0,00
1002 00 00 9000	40,00
1003 00 90 9000	0,00
1005 90 00 9000	27,00
1006 30 92 9100	165,00
1006 30 92 9900	165,00
1006 30 94 9100	165,00
1006 30 94 9900	165,00
1006 30 96 9100	165,00
1006 30 96 9900	165,00
1006 30 98 9100	165,00
1006 30 98 9900	165,00
1006 30 65 9900	165,00
1007 00 90 9000	27,00
1101 00 15 9100	0,00
1101 00 15 9130	0,00
1102 10 00 9500	41,00
1102 20 10 9200	38,51
1102 20 10 9400	33,01
1103 11 10 9200	0,00
1103 13 10 9100	49,52
1104 12 90 9100	0,00

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

COMMISSION REGULATION (EC) No 726/2002
of 26 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⁾, as amended by Regulation (CE) No 707/2002 ⁽⁴⁾.
- (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 1 May 2002.

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

Done at Brussels, 26 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.

⁽⁴⁾ OJ L 111, 26.4.2002, p. 22.

ANNEX

to the Commission Regulation of 26 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	40,56 ⁽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	40,56 ⁽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	0,4409
1701 99 10 9100	A00	EUR/100 kg	44,09
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	0,4409

⁽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 727/2002**of 26 April 2002****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

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

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

(3) Article 30(3) of Regulation (EC) No 1260/2001 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one hundredth of the production refund applicable, pursuant to Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽⁴⁾ to the products listed in the Annex to the last mentioned Regulation;

(4) According to the terms of Article 30(1) of Regulation (EC) No 1260/2001, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said Regulation exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward-processing arrangements.

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

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

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

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

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

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 214, 8.9.1995, p. 16.

⁽⁴⁾ OJ L 178, 30.6.2001, p. 63.

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 2002.

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

Done at Brussels, 26 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 26 April 2002 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	A00	EUR/100 kg dry matter	44,09 ⁽²⁾
1702 60 10 9000	A00	EUR/100 kg dry matter	44,09 ⁽²⁾
1702 60 80 9100	A00	EUR/100 kg dry matter	83,77 ⁽⁴⁾
1702 60 95 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4409 ⁽¹⁾
1702 90 30 9000	A00	EUR/100 kg dry matter	44,09 ⁽²⁾
1702 90 60 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4409 ⁽¹⁾
1702 90 71 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4409 ⁽¹⁾
1702 90 99 9900	A00	EUR/1 % sucrose × net 100 kg of product	0,4409 ⁽¹⁾ ⁽³⁾
2106 90 30 9000	A00	EUR/100 kg dry matter	44,09 ⁽²⁾
2106 90 59 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4409 ⁽¹⁾

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

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

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

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

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

The numeric destination codes are set out in Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

COMMISSION REGULATION (EC) No 728/2002**of 26 April 2002****fixing the production refund on white sugar used in the chemical industry**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular Article 7(5) thereof,

Whereas:

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

each month. It may be adjusted in the intervening period where there is a significant change in the prices for sugar on the Community and/or world markets. The application of those provisions results in the production refund fixed in Article 1 of this Regulation for the period shown.

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refund on white sugar referred to in Article 4 of Regulation (EC) No 1265/2001 shall be equal to EUR 39,942/100 kg net.

Article 2

This Regulation shall enter into force on 1 May 2002.

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

Done at Brussels, 26 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 178, 30.6.2001, p. 63.

COMMISSION REGULATION (EC) No 729/2002**of 26 April 2002****fixing the maximum export refund on wholly milled round grain rice in connection with the invitation to tender issued in Regulation (EC) No 2007/2001**

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 Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2007/2001 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2007/2001 is hereby fixed on the basis of the tenders submitted from 19 to 25 April 2002 at 149,00 EUR/t.

Article 2

This Regulation shall enter into force on 27 April 2002.

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

Done at Brussels, 26 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 272, 13.10.2001, p. 13.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 730/2002**of 26 April 2002****fixing the maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain European third countries, in connection with the invitation to tender issued in Regulation (EC) No 2008/2001**

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 organization of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2008/2001 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain European third countries pursuant to the invitation to tender issued in Regulation (EC) No 2008/2001 is hereby fixed on the basis of the tenders submitted from 19 to 25 April 2002 at 182,00 EUR/t.

Article 2

This Regulation shall enter into force on 27 April 2002.

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

Done at Brussels, 26 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 272, 13.10.2001, p. 15.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 731/2002**of 26 April 2002****fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 2009/2001**

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 Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2009/2001 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2009/2001 is hereby fixed on the basis of the tenders submitted from 19 to 25 April 2002 at 175,00 EUR/t.

Article 2

This Regulation shall enter into force on 27 April 2002.

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

Done at Brussels, 26 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 272, 13.10.2001, p. 17.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 732/2002**of 26 April 2002****fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2010/2001**

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 Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2010/2001 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice 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

The maximum export refund on wholly milled long grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2010/2001 is hereby fixed on the basis of the tenders submitted from 19 to 25 April 2002 at 300,00 EUR/t.

Article 2

This Regulation shall enter into force on 27 April 2002.

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

Done at Brussels, 26 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 272, 13.10.2001, p. 19.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION DIRECTIVE 2002/35/EC
of 25 April 2002
amending Council Directive 97/70/EC setting up a harmonised safety regime for fishing vessels of
24 metres in length and over
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 97/70/EC of 11 December 1997 setting up a harmonised safety regime for vessels of 24 metres in length and over ⁽¹⁾, as amended by Commission Directive 1999/19/EC ⁽²⁾, and in particular Article 8 thereof,

Whereas:

- (1) The Torremolinos Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, hereinafter referred to as the 'Torremolinos Protocol' was adopted on 2 April 1993.
- (2) Directive 97/70/EC establishes a harmonised safety regime for certain fishing vessels, applying the Torremolinos Protocol to them.
- (3) In order to ensure consistency in the application of the provisions of the Annex to the Torremolinos Protocol for the application of Article 3(1) of Directive 97/70/EC, it appears necessary to harmonise the interpretations left to the discretion of the administrations of the Member States of certain of those provisions. These harmonised interpretations should apply only to fishing vessels constructed on or after 1 January 2003 as they imply important changes in the construction of fishing vessels.
- (4) Directive 97/70/EC should therefore be amended accordingly.
- (5) The measures provided for in this Directive are in accordance with the opinion of the Committee established by Article 12 of Council Directive 93/75/EEC ⁽³⁾, as last amended by Commission Directive 98/74/EC ⁽⁴⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 97/70/EC is hereby replaced by the text in the Annex to this Directive.

Article 2

1. Member States shall adopt and publish, before 1 January 2003 the provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof. They shall apply those provisions from 1 January 2003.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the provisions of national law, which they adopt in the field covered by this Directive.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 25 April 2002.

For the Commission

Loyola DE PALACIO

Vice-President

⁽¹⁾ OJ L 34, 9.2.1998, p. 1.

⁽²⁾ OJ L 83, 27.3.1999, p. 48.

⁽³⁾ OJ L 247, 5.10.1993, p. 19.

⁽⁴⁾ OJ L 276, 13.10.1998, p. 7.

ANNEX

ANNEX I

Adaptation of provisions of the Annex to the Torremolinos Protocol for application of Article 3(1) of Directive 97/70/EC

For the purpose of this Annex:

1. "New fishing vessel built on or after 1 January 2003" means a new fishing vessel for which:
 - (a) on or after 1 January 2003 the building or major conversion contract is placed; or
 - (b) the building or major conversion contract has been placed before 1 January 2003, and which is delivered three years or more after that date; or
 - (c) in the absence of a building contract, on or after 1 January 2003:
 - the keel is laid, or
 - construction identifiable with a specific ship begins, or
 - assembly has commenced comprising at least 50 tonnes or 1 % of the estimated mass of all structural material, whichever is less.

PART A**Adaptations applicable to all fishing vessels to which the Directive applies, except to new fishing vessels built on or after 1 January 2003****CHAPTER I: GENERAL PROVISIONS****Regulation 2: Definitions**

Paragraph (1) "New vessel" has to be replaced by the definition of "new fishing vessel" contained in Article 2 to this Directive.

CHAPTER V: FIRE PROTECTION, FIRE DETECTION, FIRE EXTINCTION AND FIRE FIGHTING**Regulation 2: Definitions**

Paragraph (2) "standard fire test" to be read with the following changes at the end with regard to the standard temperature curve:

"... The standard time-temperature curve is defined by a smooth curve drawn through the following internal furnace temperature points:

— initial internal furnace temperature:	20 °C
— at the end of the first five minutes:	576 °C
— at the end of 10 minutes:	679 °C
— at the end of 15 minutes:	738 °C
— at the end of 30 minutes:	841 °C
— at the end of 60 minutes:	945 °C"

CHAPTER VII: LIFE-SAVING APPLIANCES AND ARRANGEMENTS**Regulation 1: Application**

Paragraph (2) to be read as follows: "Regulations 13 and 14 shall also apply to existing vessels of 45 metres in length and over, provided that the administration may defer the implementation of the requirements of these regulations until 1 February 1999."

Regulation 13: Radio life-saving appliances

Paragraph (2) to be read as follows: "Two-way VHF radiotelephone apparatus provided on board existing vessels and not complying with the performance standards adopted by the organisation may be accepted by the administration until 1 February 1999, provided that the administration is satisfied that they are compatible with approved two-way VHF radiotelephone apparatus."

CHAPTER IX: RADIO COMMUNICATIONS**Regulation 1: Application**

Paragraph (1), second sentence, to be read as follows:

"However, for existing vessels, the administration may defer the implementation of the requirements until 1 February 1999."

Regulation 3: Exemptions

Paragraph (2)(c) to be read as follows:

"when the vessel will be taken permanently out of service before 1 February 2001."

PART B**Adaptation applicable to new fishing vessels built on or after 1 January 2003**

The existing text of the following regulations shall be read as follows:

CHAPTER I: GENERAL PROVISIONS**Regulation 2: Definitions**

Subparagraph (22)(a)(ii)

The bulkhead shall be located at a distance from the forward perpendicular: not less than 0,05L and not more than 0,05L plus 1,35 m for vessels of less than 45 m in length.

Regulation 6: Surveys

Subparagraph (1)(c)

In addition to the periodical survey required in subparagraph (b)(i), intermediate surveys with regard to the structure and machinery of the vessel at intervals of two years plus/minus three months for vessels constructed of material other than wood and at intervals specified by the Administration for vessels constructed of wood. The surveys shall also be such as to ensure that alterations, which would adversely affect the safety of the vessel or the crew, have not been made.

CHAPTER II: CONSTRUCTION, WATERTIGHT INTEGRITY AND EQUIPMENT**Regulation 1: Construction**

Paragraph (1)

Strength and construction of hull, superstructures, deckhouses, machinery casings, companionways and any other structures and vessel's equipment shall be sufficient to withstand all foreseeable conditions of the intended service and shall be in accordance with the rules of a recognised organisation.

Regulation 2: Watertight doors

Paragraph (1)

The number of openings in watertight bulkheads, as required by regulation 1(3), shall be reduced to the minimum compatible with the general arrangements and operational needs of the vessel; openings shall be fitted with watertight closing appliances complying with the rules of a recognised organisation. Watertight doors shall be of an equivalent strength to the adjacent unpierced structure.

Regulation 2: Watertight doors

Subparagraph (3)(a)

In vessels of 45 m in length and over, watertight doors shall be of the sliding type in:

spaces where it is intended to open them at sea and if located with their sills below the deepest operating waterline, unless the Administration considers it to be impracticable or unnecessary taking into account the type and operation of the vessel.

Exemptions from this regulation allowed by a Member State shall be subject to the procedure of Article 4 of this Directive.

Regulation 5: Hatchways**Paragraph (3)**

Arrangements for securing wood hatchway covers weathertight shall be provided in accordance with the standards as given in regulations 14 and 15 of Annex I to the International Convention on Load Lines 1966 ⁽¹⁾.

Regulation 9: Ventilators**Paragraph (1)**

In vessels of 45 m in length and over, the height above deck of ventilator coamings, other than machinery space ventilator coamings, shall be at least 900 mm on the working deck and at least 760 mm on the superstructure deck. In vessels of less than 45 m in length the height of these coamings shall be 760 mm and 450 mm respectively. The height above deck of machinery space ventilator openings, necessary to continuously supply the machinery space and, on demand, immediately supply the generator room, in general shall be in compliance with regulation II/9(3). However, where due to the ships size and arrangements this is not practicable, lesser heights, but in all cases not less than 900 mm above the working deck and the superstructure deck, may be accepted with the provision of weathertight closing appliances in accordance with regulation II/9(2) in combination with other suitable arrangements to ensure an uninterrupted adequate supply of ventilation to the spaces.

Regulation 12: Side scuttles**Paragraph (6)**

The Administration may accept side scuttles and windows without deadlights in side and aft bulkheads of deckhouses located on or above the working deck if satisfied that the safety of the vessel will not be impaired, taking into account the rules of recognised organisations based upon the relevant ISO standards.

Regulation 15: Anchor equipment

Anchor equipment designed for quick and safe operation shall be provided, which shall consist of anchoring equipment, anchor chains or wire ropes, stoppers and a windlass or other arrangements for dropping and hoisting the anchor and for holding the vessel at anchor in all foreseeable service conditions. Vessels shall also be provided with adequate mooring equipment for safe mooring in all operating conditions. Anchor and mooring equipment shall be in accordance with the rules of a recognised organisation.

CHAPTER III: STABILITY AND ASSOCIATED SEAWORTHINESS**Regulation 1: General**

Vessels shall be so designed and constructed that the requirements of this chapter will be satisfied in the operating conditions referred to in regulation 7. Calculations of the righting lever curves shall be carried out in accordance with the IMO Code on Intact Stability for All Types of Ships ⁽²⁾.

Regulation 2: Stability criteria**Paragraph (1)**

The following minimum stability criteria shall be met unless the Administration is satisfied that operating experience justifies departures therefrom. Any departure from the required minimum stability criteria, allowed by a Member State, shall be subject to the procedure of Article 4 of this Directive ⁽³⁾.

Subparagraph (1)(d)

The initial metacentric height GM shall not be less than 350 mm for single deck vessels. In vessels with complete superstructure the metacentric height may be reduced to the satisfaction of the Administration but in no case shall be less than 150 mm. Reduction of the required metacentric height, allowed by a Member State, shall be subject to the procedure of Article 4 of this Directive.

⁽¹⁾ The International Convention on Load Lines 1966, as established by the International Conference on Load Lines on 5 April 1966 and adopted by the International Maritime Organisation by its Resolution A.133(V) on 25 October 1967.

⁽²⁾ The Code on Intact Stability for All Types of Ships Covered by IMO Instruments adopted by the International Maritime Organisation by resolution A.749(18) on 4 November 1993, as amended by resolution MSC.75(69).

⁽³⁾ The stability criteria for offshore supply vessels in paragraph 4.5.6.2.1 to 4.5.6.2.4 in the IMO Code on Intact Stability for All Types of Ships may be considered as equivalent to the stability criteria in regulation 2(1)(a) to (c). This equivalence can only be applied, subject to satisfaction of the Administration, for fishing vessels with a hull form which is similar to that of offshore supply vessels.

Paragraph (3)

Where ballast is provided to ensure compliance with paragraph (1), its nature and arrangements shall be to the satisfaction of the Administration. In vessels with a length of less than 45 m, such ballast shall be permanent. Where ballast is permanent, it shall be solid and fixed securely in the vessel. The Administration may accept liquid ballast, stored in completely filled tanks which are not connected to any pumping system of the vessel. If liquid ballast is used as permanent ballast to ensure compliance with paragraph (1), details shall be included in the Certificate of Compliance and in the stability booklet.

Permanent ballast shall not be removed from the ship or relocated without the approval of the Administration.

Regulation 4: Particular fishing methods

Vessels engaged in particular fishing methods where additional external forces are imposed on the vessel during fishing operations, shall meet the stability criteria of regulation 2(1) increased, if necessary, to the satisfaction of the Administration. Vessels engaged in beam trawling shall comply with the following increased stability criteria:

- (a) the criteria for the area's under the righting lever and for the righting levers as given in regulation 2(1)(a) and (b) shall be increased by 20 %;
- (b) the metacentric height shall not be less than 500 mm;
- (c) the criteria as given under (a) shall be applicable only to vessels with an installed propulsion power not exceeding the value in kilowatts as given in the following formulas:
 - $N = 0,6 L_s^2$ for vessels with a length of 35 m or less, and
 - $N = 0,7 L_s^2$ for vessels with a length of 37 m and over,
 - at intermediate length of the vessel the coefficient for L_s has to be obtained by interpolation in between 0,6 and 0,7,
 - L_s is the overall length according to the Tonnage Certificate.

If the installed propulsion power exceeds the values for the standard propulsion power as given in the above formulas the criteria as mentioned under (a) shall be increased directly proportional to the higher propulsion power.

The Administration shall be satisfied that the above increased stability criteria for beam trawlers are met in the operating conditions mentioned under regulation 7(1) of this chapter.

For the calculation of the stability, the beams shall be assumed to be hoisted up to an angle of 45 degrees with the horizontal.

Regulation 5: Severe wind and rolling

Vessels shall be able to withstand the effect of severe wind and rolling in associated sea conditions taking account of the seasonal weather conditions, the sea states in which the vessel will operate, the type of vessel and its mode of operation. The relevant calculations shall be carried out in accordance with the IMO Code on Intact Stability for all Types of Ships.

Regulation 8: Ice accretion

This regulation applies except where the modification of the icing allowance, left to the discretion of the Administration by recommendation 2 ⁽¹⁾ is not allowed.

Regulation 9: Inclining test

Paragraph (2)

Where alterations are made to a vessel affecting its light ship condition and/or the position of the centre of gravity, the vessel shall, if the Administration considers this necessary taking into account the vessels stability margins, be reinclined and the stability information revised. However, if the lightweight variation exceeds 2 % from the original lightweight and it cannot be demonstrated by calculation that the vessel continues to comply with the stability criteria, the vessel shall be re-inclined.

⁽¹⁾ For sea areas where ice accretion may occur and modifications of the icing allowance are suggested, see Guidance relating to Ice Accretion contained in recommendation 2 of attachment 3 to the final Act of the Torremolinos Conference.

Regulation 12: Bow height

The bow height shall be sufficient, to prevent the excessive shipping of water.

For vessels operating in restricted areas not more than 10 miles from the coast, the minimum bow height shall be to the satisfaction of the Administration and be determined taking into account the seasonal weather conditions, the sea states in which the vessel will operate, the type of the vessel and its mode of operation.

For vessels operating in all other areas:

1. where, during the fishing operations, the catch has to be stowed into the fish holds via hatchways, which are situated on an exposed working deck forward of the deckhouse or superstructure, the minimum bow height shall be calculated in accordance with the method of calculation, contained in recommendation 4 of attachment 3 to the Final Act of the Torremolinos conference;
2. where the catch has to be stowed into the fish holds via a hatchway, which is situated on an exposed working deck, protected by a deckhouse or superstructure, the minimum bow height shall be in accordance with regulation 39 of Annex I to the International Load Line Convention 1966, but shall not be less than 2 000 mm. In this respect the maximum permissible operating draught is to be regarded in place of the assigned summer freeboard.

Regulation 14: Subdivision and damage stability

Vessels of 100 m in length and over, where the total number of persons carried is 100 or more, shall be capable, of remaining afloat with positive stability, after flooding of any compartment assumed damaged, having regard to the type of vessel, the intended service and area of operation ⁽¹⁾. Calculations to be carried out in accordance with the guidance as mentioned in the footnote.

CHAPTER IV: MACHINERY AND ELECTRICAL INSTALLATIONS AND PERIODICALLY UNATTENDED MACHINERY SPACES**Regulation 3: General****Paragraph (1)**

Main propulsion, control, steam pipe, fuel oil, compressed air, electrical and refrigeration systems; auxiliary machinery; boilers and other pressure vessels; piping and pumping arrangements; steering equipment and gears, shafts and couplings for power transmission shall be designed, constructed, tested, installed and serviced in accordance with the rules of a recognised organisation. This machinery and equipment, as well as lifting gear, winches, fish handling and fish processing equipment shall be protected so as to reduce to a minimum any danger to persons on board. Special attention shall be paid to moving parts, hot surfaces and other dangers.

Paragraph (7)

The Administration shall be satisfied that regulations 16 to 18 are uniformly implemented and applied in accordance with the rules of a recognised organisation ⁽²⁾.

Paragraph (9)

Measures shall be taken to the satisfaction of the Administration to ensure that all equipment is functioning in a reliable manner in all operating conditions, including manoeuvring, and that arrangements in accordance with the rules of a recognised organisation are made for regular inspections and routine tests to ensure continuous reliable operation.

Paragraph (10)

Vessels shall be provided with documentary evidence, complying with the rules of a recognised organisation, of their fitness to operate with periodically unattended machinery spaces.

Regulation 6: Steam boilers, feed systems and steam piping arrangements**Paragraph (1)**

Every steam boiler and every unfired steam generator shall be provided with not less than two safety valves of adequate capacity. However, the Administration may, having regard to the output or any other features of any steam boiler or unfired steam generator, permit only one safety valve to be fitted if satisfied that adequate protection against overpressure is thereby provided in accordance with the rules of a recognised organisation.

⁽¹⁾ See the guidance on subdivision and damage stability calculations contained in recommendation 5 of attachment 3 to the Final Act of the Torremolinos Conference.

⁽²⁾ See also the recommendation, published by the International Electrotechnical Commission and, in particular, Publication 92, "Electric installations in ships".

Regulation 8: Wheelhouse control**Subparagraph (1)(b)**

Where remote control of propulsion machinery is provided from the wheelhouse, the following shall apply: the remote control referred to in subparagraph (a) shall be performed by means of a control device complying with the rules of a recognised organisation with, where necessary, means of preventing overload of the propulsion machinery.

Regulation 10: Arrangements for fuel oil, lubricating oil and other flammable oils**Paragraph (4)**

Fuel oil pipes which, if damaged, would allow oil escape from a storage, settling or daily service tank situated above the double bottom, shall be fitted with a cock or valve on the tank capable of being closed from a safe position outside the space concerned in the event of a fire arising in the space in which such tanks are situated. In the special case of deep tanks situated in any shaft or pipe tunnel or similar space, valves on the tank shall be fitted but control in the event of fire may be effected by means of an additional valve on the pipe or pipes outside the tunnel or similar space. If such additional valve is fitted in the machinery space, it shall be capable of being operated outside this space.

Paragraph (7)(a)

Fuel oil pipes and their valves and fittings shall be steel or other equivalent material, provided that a minimum of flexible pipes may be used. Such flexible pipes and end attachments shall be of adequate strength and shall be constructed of approved fire resistant material or have fire-resistant coatings in accordance with the rules of a recognised organisation. Fitting of those flexible pipes shall be in accordance with the IMO MSC. Circ. 647 "Guidelines to minimise leakages from flammable liquid systems".

Paragraph (10)

The arrangements for the storage, distribution and use of oil employed in pressure lubrication systems shall be in accordance with the rules of a recognised organisation. Such arrangements in machinery spaces of category A and, wherever practicable, in other machinery spaces shall at least comply with the provisions of paragraphs (1), (3), (6) and (7) and in so far as necessary, in accordance with the rules of a recognised organisation, with paragraphs (2) and (4). This does not preclude the use of sight flow glasses in lubrication systems provided they are shown by test to have a suitable degree of fire resistance.

Paragraph (11)

The arrangements for the storage, distribution and use of flammable oils employed under pressure in power transmission systems other than oil referred to in paragraph (10) in control and activating systems and heating systems shall be in accordance with the rules of a recognised organisation. In locations where means of ignition are present such arrangements shall at least comply with the provisions of paragraphs (2) and (6) and with the provisions of paragraphs (3) and (7) in respect of strength and construction.

Regulation 12: Protection against noise

Measures shall be taken to reduce the effects of noise upon personnel in machinery spaces to levels as given in the IMO Code on Noise Levels on Board Ships ⁽¹⁾.

Regulation 13: Steering gear**Paragraph (1)**

Vessels shall be provided with a main steering gear and an auxiliary means of actuating the rudder in compliance with the rules of a recognised organisation. The main steering gear and the auxiliary means of actuating the rudder shall be arranged so that so far as is reasonable and practicable a single failure in one of them will not render the other one inoperative.

Regulation 16: Main source of electrical power**Subparagraph (1)(a)**

Where electrical power constitutes the only means of maintaining auxiliary services essential for the propulsion and the safety of the vessel, a main source of electrical power shall be provided which shall include at least two generating sets, one of which may be driven by the main engine. In accordance with the rules of a recognised organisation other arrangements having equivalent electrical capability may be accepted.

⁽¹⁾ The Code on Noise Levels on Board Ships as adopted by the International Maritime Organisation by its resolution A.468(XII) on 19 November 1981.

CHAPTER V: FIRE PROTECTION, FIRE DETECTION, FIRE EXTINCTION AND FIRE FIGHTING**Regulation 1: General****Subparagraph (c)**

Method IIIF: The fitting of an automatic fire alarm and detection system in all spaces in which a fire might be expected to originate, generally with no restriction on the type of internal divisional bulkheads, except that in no case shall the area of any accommodation space or spaces bounded by an "A" or "B" class division exceed 50 m². However, the Administration may increase this area for public spaces up to 75 m².

Regulation 2: Definitions**Paragraph (1)**

"Non-combustible material" means a material which neither burns nor gives off flammable vapours in sufficient quantity for self-ignition when heated to approximately 750 °C, this being determined in accordance with the IMO Fire Test Procedures Code ⁽¹⁾. Any other material is a combustible material.

Paragraph (2) "standard fire test" to be read as follows:

"A standard fire test" is one in which the specimens of the relevant bulkheads or decks are exposed in a test furnace to temperatures corresponding approximately to the standard temperature curve. The test methods shall be in accordance with the IMO Fire Test Procedures Code.

Paragraph (3) (last sentence)

The Administration shall require a test of a prototype bulkhead or deck to ensure that it meets the above requirements for integrity and temperature rise in accordance with the IMO Fire Test Procedures Code.

Paragraph (4) (last sentence)

The Administration shall require a test of a prototype division to ensure that it meets the above requirements for integrity and temperature rise in accordance with the IMO Fire Test Procedures Code.

Paragraph (6) (last sentence)

The Administration shall require a test of a prototype division to ensure that it meets the above requirement for integrity and temperature rise in accordance with the IMO Fire Test Procedures Code.

Paragraph (9)

Low flame spread means that the surface thus described will adequately restrict the spread of flame, this being determined in accordance with the IMO Fire Test Procedures Code.

Regulation 4: Bulkheads within the accommodation and service spaces**Paragraph (4)**

Method IIIF: There shall be no restriction on the construction of bulkheads not required by this or other regulations of this part to be "A" or "B" class divisions. In no case shall the area of any accommodation space or spaces bounded by a continuous "A" or "B" class division exceed 50 m², except in individual cases where "C" class bulkheads are required in accordance with table 1 in regulation 7. However, the Administration may increase this area for public spaces up to 75 m².

Regulation 7: Fire integrity of bulkheads and decks**Last note to tables**

(*) Where an asterisk appears in the tables the division is required to be of steel or equivalent material but is not required to be of "A" class standard.

Where a deck is penetrated for the passage of electrical cables, pipes and vent ducts, such penetrations shall be made tight to prevent the passage of flame and smoke.

⁽¹⁾ The International Code for Application of Fire Test Procedures (FTP Code), as adopted by the Maritime Safety Committee of the International Maritime Organisation by resolution MSC. 61(67).

Regulation 8: Details of construction

Paragraph (3), Methods IF, IIF and IIIF

- (a) Except in cargo spaces or refrigerated compartments of service spaces insulating materials shall be non-combustible. Vapour barriers and adhesives used in conjunction with insulation, as well as the insulation of pipe fittings for cold service systems need not be of non-combustible material, but they shall be kept to the minimum quantity practicable and their exposed surfaces shall have low flame characteristics, this being determined in accordance with the IMO Fire Test Procedures Code. In spaces where penetration of oil products is possible, the surface of insulation shall be impervious to oil or oil vapour.

Regulation 9: Ventilation systems

Subparagraph (1)(a)

Ventilation ducts shall be of non-combustible material. Short ducts, however, not generally exceeding 2 m in length and with a cross section not exceeding 0,02 m² need not be non-combustible, subject to the following conditions:

- (i) these ducts shall be of a material which has low flame spread characteristics, this being determined in accordance with the IMO Fire Test Procedures Code.

Regulation 11: Miscellaneous items

Paragraph (2)

Paints, varnishes and other finishes used on exposed interior surfaces shall not be capable of producing excessive quantities of smoke or toxic gases or vapours, to be determined in accordance with the IMO Fire Test Procedures Code.

Regulation 12: Storage of gas cylinders and dangerous materials

Paragraph (4)

Except as necessary for service within the space, electrical wiring and fittings shall not be permitted within compartments used for the storage of highly flammable liquids or liquefied gases. Where such electrical fittings are installed, they shall be of a certified safe type and comply with the relevant provisions of the International Standard IEC Publication 79 "Electrical apparatus for explosive gas atmospheres". Sources of heat shall be kept clear of such spaces and "No smoking" and "No naked light" notices shall be displayed in a prominent position.

Regulation 13: Means of escape

Paragraph (1)

Stairways and ladders leading to and from all accommodation spaces and in spaces in which the crew is normally employed, other than machinery spaces, shall be so arranged as to provide ready means of escape to the open deck and thence to the survival craft. In particular in relation to these spaces:

- (e) the continuity of the means of escape shall be to the satisfaction of the Administration. Stairways and corridors used as means for escape shall be not less than 700 mm in clear width and shall have a handrail on at least one side. Doorways which give access to a stairway shall be not less than 700 mm in clear width.

Paragraph (2)

Two means of escape shall be provided from every machinery space of category A by one of the following means:

- (a) two sets of steel ladders as widely separated as possible leading to doors in the upper part of the space similarly separated and from which access is provided to the open deck. In general, one of these ladders shall provide continuous fire shelter from the lower part of the space to a safe position outside the space. However, the Administration may not require such shelter if, due to special arrangements or dimensions of the machinery space, a safe escape route from the lower part of this space is provided. This shelter shall be of steel, insulated to "A-60" class standard and be provided with a "A-60" class self-closing steel door at the lower end; or

Regulation 14: Automatic sprinkler and fire alarm and fire detection systems (Method IIF)

Paragraph (11)

Spare sprinkler heads shall be provided for each section of sprinklers.

Spare sprinkler heads shall include all types and ratings installed in the vessel and shall be provided as follows:

- less than 100 sprinkler heads: 3 spare heads,
- less than 300 sprinkler heads: 6 spare heads,
- 300 to 1 000 sprinkler heads: 12 spare heads.

Regulation 15: Automatic fire alarm and fire detection systems (Method IIIF)**Paragraph (4)**

The system shall be operated by an abnormal air temperature, by an abnormal concentration of smoke or other factors indicative of incipient fire in any one of the spaces to be protected. Systems which are sensitive to air temperature shall not operate at less than 54 °C and shall operate at a temperature not greater than 78 °C when the temperature increase to those levels is not more than 1 °C per minute. At the discretion of the Administration the permissible temperature of operation may be increased to 30 °C above the maximum deckhead temperature in drying rooms and similar places of normally high ambient temperature. Systems which are sensitive to smoke concentration shall operate on the reduction of the intensity of a transmitted light beam. Smoke detectors shall be certified to operate before the smoke density exceeds 12,5 % obscuration per metre, but not until the smoke density exceeds 2 % obscuration per metre. Other equally effective methods of operation may be accepted at the discretion of the Administration. The detection system shall not be used for any purpose other than fire detection.

Regulation 17: Fire pumps**Paragraph (2)**

If a fire in any one compartment could put all the fire pumps out of action, there shall be an alternative means of providing water for fire fighting. In vessels of 75 m in length and over this alternative means shall be a fixed emergency fire pump independently driven. This emergency fire pump shall be capable of supplying two jets of water at a minimum pressure of 0,25 N/mm².

Regulation 20: Fire extinguishers**Paragraph (2)**

1. For each type of fire extinguisher carried, capable of being recharged on board, 100 % spare charges for the first 10 extinguishers shall be provided and 50 % for the remaining extinguishers but not more than 60.
2. For fire extinguishers which cannot be recharged on board, at least 50 % additional fire extinguishers of same type and capacity shall be provided in lieu of spare charges.
3. Instructions for recharging should be carried on board. Only refills approved for the fire extinguishers in question may be used for recharging.

Paragraph (4)

Fire extinguishers shall be examined annually by a competent person, authorised by the Administration. Each extinguisher shall be provided with a sign indicating that it has been examined. All containers of permanently pressurised fire extinguishers and propellant bottles of non-pressurised extinguishers shall be hydraulic pressure tested every 10 years.

Regulation 21: Portable fire extinguishers in control stations and accommodations and service spaces**Paragraph (2)**

1. For fire extinguishers, capable of being recharged on board, 100 % spare charges for the first 10 extinguishers shall be provided and 50 % for the remaining extinguishers but not more than 60.
2. For fire extinguishers which cannot be recharged on board at least 50 % additional fire extinguishers of same type and capacity shall be provided in lieu of spare charges.
3. Instructions for recharging should be carried on board. Only refills approved for the fire extinguishers in question may be used for recharging.

Regulation 24: Firefighter's outfits**Paragraph (1)**

At least two firefighter's outfits shall be carried. The firefighter's outfits shall be in accordance with the IMO Fire Safety Systems Code, Chapter III, regulations 2.1, 2.1.1 and 2.1.2. Two spare charges shall be provided for each required breathing apparatus.

Regulation 25: Firecontrol plan

There shall be a permanently exhibited fire control plan. The contents of such a plan shall be in accordance with IMO Resolution A.654(16) "Graphical symbols for fire control plans" and IMO Resolution A.756(18) "Guidelines on the information to be provided with fire control plans".

Regulation 28: Structural fire protection**Subparagraph (2)(a)**

In vessels, the hull of which is constructed of non-combustible materials, the decks and bulkheads separating machinery spaces of category A from accommodation spaces, service spaces or control stations shall be constructed to "A-60" class standard where the machinery space of category A is not provided with a fixed fire extinguishing system and to "A-30" class standard where such a system is fitted. Decks and bulkheads separating other machinery spaces from accommodation, service spaces and control stations shall be constructed to "A-0" class standard.

Decks and bulkheads separating control stations from accommodation and service spaces shall be constructed to "A" class standard in accordance with the tables 1 and 2 of regulation 7 of this chapter, except that the Administration may permit the fitting of "B-15" class divisions for separating such spaces as skipper's cabin from the wheelhouse, where such spaces are considered to be a part of the wheelhouse.

Regulation 31: Miscellaneous items**Paragraph (1)**

Exposed surfaces within accommodation spaces, service spaces, control stations, corridor and stairway enclosures and the concealed surfaces behind bulkheads, ceilings, panellings and linings in accommodation spaces, service spaces and control stations shall have low flame spread characteristics, as determined in accordance with the IMO Fire Test Procedures Code.

Paragraph (3)

Paints, varnishes and other finishes used on exposed interior surfaces shall not be capable of producing excessive quantities of smoke or toxic gases or vapours, this being determined in accordance with the IMO Fire Test Procedures Code.

Regulation 32: Storage of gas cylinders and dangerous materials**Paragraph (4)**

Except as necessary for service within the space, electrical wiring and fittings shall not be permitted within compartments used for the storage of highly flammable liquids or liquefied gases. Where such electrical fittings are installed, they shall be of a certified safe type and comply with the relevant provisions of the International Standard IEC Publication 79 "Electrical apparatus for explosive gas atmospheres". Sources of heat shall be kept clear of such spaces and "No smoking" and "No naked light" notices shall be displayed in a prominent position.

Regulation 38: Fire extinguishers**Paragraph (2)**

1. Except in the cases mentioned under 2 (below) for each type of fire extinguishers carried, capable of being recharged on board, 100 % spare charges for the first 10 extinguishers shall be provided and 50 % for the remaining extinguishers, but not more than 60.
2. For vessels with a length of less than 45 m and for fire extinguishers which cannot be recharged on board, at least 50 % additional fire extinguishers of same type and capacity shall be provided in lieu of spare charges.
3. Instructions for recharging shall be carried on board. Only refills approved for the fire extinguishers in question may be used for recharging.

Paragraph (4)

Fire extinguishers shall be examined annually by a competent person, authorised by the Administration. Each extinguisher shall be provided with a sign indicating that it has been examined. All containers of permanently pressurised fire extinguishers and propellant bottles of non-pressurised extinguishers shall be hydraulic pressure tested every 10 years.

Regulation 39: Portable fire extinguishers in control stations and accommodations and service spaces**Paragraph (2)**

1. Except in the cases mentioned under 2 (below) for each type of fire extinguisher carried, capable of being recharged on board, at least 100 % spare charges for the first 10 extinguishers shall be provided and 50 % for the remaining extinguishers but not more than 60.
2. For vessels with a length of less than 45 m and for fire extinguishers, which cannot be recharged on board, at least 50 % additional fire extinguishers of same type and capacity shall be provided in lieu of spare charges.
3. Instructions for recharging should be carried on board. Only refills approved for the extinguishers in question may be used for recharging.

Regulation 41: Firefighters outfits

For vessels with a length of 45 m and over at least two fire-fighter' outfits shall be carried and stored in readily accessible and widely separated positions, which are not likely to be cut off in the event of fire. The firefighter's outfits shall be in accordance with the IMO Fire Safety Systems Code, Chapter III, regulations 2.1, 2.1.1 and 2.1.2.

At least two spare charges shall be provided for each required breathing apparatus.

Regulation 42: Fire control plan

There shall be a permanently exhibited fire control plan.

The contents of such a plan shall be in accordance with IMO Resolution A.654(16) "Graphical symbols for fire control plans" and IMO Resolution A.756(18) "Guidelines on the information to be provided with fire control plans".

In vessels with a length of less than 45 m, the Administration may dispense with this requirement.

CHAPTER VI: PROTECTION OF THE CREW**Regulation 3: Bulwarks, rails and guards****Paragraph (2)**

The minimum vertical distance from the deepest operating waterline to the lowest point of the top of the bulwark, or to the edge of the working deck if guard rails are fitted shall ensure adequate protection of the crew from water shipped on deck, taking into account the sea states and the weather conditions in which the vessel may operate, the areas of operation, type of vessel and its method of fishing. The freeboard measured amidships from the edge of the working deck from which fishing is undertaken, shall not be less than 300 mm or not less than the freeboard corresponding with the maximum permissible draught, whichever is the greater. For vessels with sheltered working decks, which are so arranged that water will not enter the sheltered working spaces no minimum freeboard other than the one corresponding with the maximum permissible draught is required.

Regulation 4: Stairways and ladders

For the safety of the crew, stairways and ladders of adequate size and strength with handrails and non-slip treads shall be provided and constructed in accordance with the relevant ISO standards.

CHAPTER VII: LIFE-SAVING APPLIANCES AND ARRANGEMENTS**Regulation 3: Evaluation, testing and approval of life-saving appliances and arrangements****Paragraph (2)**

Before giving approval to life-saving appliances and arrangements, the Administration shall ensure that such life-saving appliances and arrangements are tested, to confirm that they comply with the requirements of this chapter, in accordance with the requirements of Council Directive 96/98/EC⁽¹⁾ on marine equipment which includes the IMO Recommendations on Testing of Life-Saving Appliances.

Paragraph (6)

Life-saving appliances required by this chapter for which detailed specifications are not included in part C shall be to the satisfaction of the Administration, taking into consideration the detailed specifications as given for those appliances in Chapter III of Solas 1974, as amended, and in the IMO International Life-Saving Appliance Code.

Regulation 6: Availability and stowage of survival craft and rescue boats**Subparagraph (4)(a)**

Each survival craft shall be stowed:

- so that neither the survival craft nor its stowage arrangements will interfere with the operation of any other survival craft or rescue boat at any other launching location,
- as near to the water surface as is safe and practicable and, in the case of a survival craft other than a liferaft intended for throw over board launching, in such a position that the survival craft in the embarkation position is not less than 2 m above the waterline with the vessel in fully loaded condition under unfavourable conditions of trim of up to 10 ° and listed up to 20 ° either way, or to the angle at which the ship's weatherdeck edge becomes submerged, whichever is less,
- in a state of continuous readiness so that the crew members can carry out preparations for embarkation and launching in less than 5 min.,
- fully equipped as required by this chapter.

⁽¹⁾ OJ L 46, 17.2.1997, p. 25.

Regulation 23: Rescue boats

Subparagraph (1)(b)

Rescue boats may be either of rigid or inflated construction or combination of both and shall:

- (i) be not less than 3,8 m and not more than 8,5 m in length, except for vessels with a length of less than 45 m where, owing to the size of the vessel, or for other reasons where the carriage of such boats is considered unreasonable or impracticable, the Administration may accept a rescue boat of a lesser length but not less than 3,3 m;
- (ii) be capable of carrying at least five seated persons and one person lying down or for vessels with a length of less than 45 m, in the case of a rescue boat less than 3,8 m, be capable of carrying at least four persons seated and one person laying down.

Subparagraph (1)(c)

The number of persons which a boat shall be permitted to accommodate shall be determined by the Administration by means of a seating test. The minimum carrying capacity shall be as given in regulation 23(1)(b)(ii). Seating, except for the helmsman, may be provided on the floor. No part of a seating position shall be on the gunwale, transom, or on inflated buoyancy at the sides of the boat.'

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 15 April 2002

concerning the acceptance, on behalf of the European Community, of the Agreement establishing the Terms of Reference of the International Jute Study Group, 2001

(2002/312/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof, in conjunction with the first sentence of Article 300(2) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) On 13 March 2001 the negotiating conference set up by the United Nations Conference on Trade and Development (Unctad) adopted the Agreement establishing the Terms of Reference of the International Jute Study Group, 2001 (hereinafter referred to as the Agreement).
- (2) This new Agreement has been negotiated to replace the International Jute Agreement, 1989, which went into liquidation on 11 October 2001.
- (3) The Community is a member of the International Jute Agreement, 1989, as extended, and it is therefore in its interest to approve the Agreement, which replaces it,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement establishing the Terms of Reference of the International Jute Study Group, 2001 is hereby approved on behalf of the European Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to deposit the instrument of acceptance on behalf of the Community ⁽¹⁾.

Done at Luxembourg, 15 April 2002.

For the Council

The President

J. PIQUÉ I CAMPS

⁽¹⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

AGREEMENT ESTABLISHING THE TERMS OF REFERENCE OF THE INTERNATIONAL JUTE STUDY GROUP, 2001

PREAMBLE

The Parties to this Agreement,

Recognising the importance of jute and jute products to the economies of a number of countries,

Considering that close international cooperation in finding solutions to the problems facing this commodity will further the economic development of the exporting countries and strengthen cooperation between exporting and importing countries,

Considering further the contribution made by the International Agreements on Jute and Jute Products, 1982 and 1989 towards such cooperation between exporting and importing countries and the desirability of enhancing the effectiveness of such cooperation in the future,

Conscious of the need to promote and undertake projects and activities designed to increase the jute-derived earnings in developing jute-producing countries, thereby contributing to the alleviation of poverty in these countries,

Have agreed as follows:

Establishment

1. The International Jute Study Group, hereinafter referred to as 'the Group', is hereby established to administer the provisions and supervise the operation of these Terms of Reference. For legal, administrative, financial and operational purposes, the Group, when these Terms of Reference enter into force, shall be considered as the successor entity to the International Jute Organisation, initially established under the International Agreement on Jute and Jute Products, 1982 and maintained in existence under the International Agreement on Jute and Jute Products, 1989.

Definitions

2. For the purpose of these Terms of Reference:
 - (a) 'Jute' means raw jute, kenaf and other allied fibres, including *Urena lobata*, *Abutilon avicennae* and *cephalonema polyandrum*;
 - (b) 'Jute product' means a product made wholly or almost wholly of jute, or products whose substantial component by weight is jute;
 - (c) 'Member' means any State, the European Community, or any intergovernmental organisation as provided for in paragraph 5 below which have notified their acceptance or provisional application of this Agreement pursuant to paragraph 23 below;
 - (d) 'Associate Member' means any organisation or any entity referred to in paragraph 6 below;
 - (e) 'Special vote' means a vote requiring at least two thirds of the votes cast by members present and voting provided that those votes are cast by a numerical majority of members present and voting;
 - (f) 'Simple majority vote' means a vote requiring more than half of the total votes of members present and voting provided that these votes are cast by a numerical majority of members present and voting;
 - (g) 'Financial year' means the period from 1 July to 30 June inclusive;
 - (h) 'Jute year' means the international crop year for jute that runs from 1 July to 30 June inclusive;
 - (i) 'Terms of Reference' means this Agreement establishing the Terms of Reference of the International Jute Study Group, 2001.

Objectives

3. The objectives of the Group shall be to:

- (a) provide an effective framework for international cooperation, consultation and policy development among members with regard to all relevant aspects of the world jute economy;
- (b) promote the expansion of international trade in jute and jute products by maintaining existing markets and by developing new markets, including the introduction of new jute products and the development of new end-uses;
- (c) provide a forum for the active participation of the private sector in the development of the jute sector;
- (d) address the issues of poverty alleviation, employment and development of human resources, particularly women, in the jute sector;
- (e) facilitate the improvement of structural conditions in the jute sector through improvement of productivity and quality, and promotion of the application of new processes and technologies;
- (f) create and increase awareness of the beneficial effects of the use of jute as an environmentally friendly, renewable and biodegradable natural fibre;
- (g) improve market intelligence with a view to ensuring greater transparency in the international jute market in collaboration with other organisations, including the Food and Agriculture Organisation of the United Nations (FAO).

Functions

4. In pursuance of its objectives, the Group shall have the following functions:

- (a) to develop an appropriate strategy for the improvement of the world jute economy with particular emphasis on generic promotion of jute and jute products;
- (b) to conduct consultations and exchanges of information on the international jute economy;
- (c) to initiate, sponsor, supervise, monitor, and act as a catalyst with respect to projects and related activities aimed at improving the structural conditions of the world jute economy and the general economic well-being of those employed therein. In exceptional cases, the involvement of the Group in the implementation of projects shall be approved by the Council, provided that this involvement shall not bring about any additional costs for the administrative budget of the Group;
- (d) to provide and improve statistics and market intelligence on jute and jute-based products in consultation with the Food and Agriculture Organisation of the United Nations and other appropriate bodies;
- (e) to undertake studies on various aspects of the world jute economy and related issues; and
- (f) to consider problems or difficulties which may arise in the international jute economy.

In implementing its functions above, the Group shall take into account the activities of other relevant international organisations, including the Food and Agriculture Organisation of the United Nations (FAO).

Membership

- 5. Membership of the Group shall be open to all States and the European Community which are interested in the production or consumption of, or international trade, in jute and jute products, and, with the agreement of the Council, to any intergovernmental organisation having responsibilities in respect of the negotiation, conclusion and application of international agreements, in particular commodity agreements.
- 6. Associate membership of the Group shall be open, with the agreement of the Council, to those organisations and entities not entitled to full membership under the provisions of paragraph 5 above. The Council shall make rules concerning the eligibility, rights and obligations of such associate members.

Composition and powers of the Council

7. (a) The highest authority of the Group established under these Terms of Reference shall be vested in the Council comprising all members. The Council shall meet at least once every year.
- (b) The Council shall exercise such powers and take such action or arrange for such action to be taken as may be necessary to carry out and ensure the application of the provisions of these Terms of Reference.
- (c) The Council shall adopt, by special vote, such rules as are considered necessary to carry out the functions of the Group which shall be subject to, and not inconsistent with these Terms of Reference. These rules shall include: (i) the Rules of Procedure, (ii) Financial Rules and Rules relating to Projects, (iii) the Staff Regulations and Rules and (iv) the Staff Provident Fund Rules.
- (d) The Council shall not have the power and shall not be deemed to have been authorised by its members to incur, any obligation outside the scope of these Terms of Reference or any of the rules referred to in subparagraph (c) above.
- (e) In order to achieve the objectives listed in paragraph 3 above, the Council shall approve a work programme which shall be revised periodically.

Headquarters

8. The headquarters of the Group shall be in Dhaka, Bangladesh, unless the Council, by special vote, decides otherwise. The Council shall conclude a Headquarters Agreement with the host Government as soon as possible after these Terms of Reference have entered into force.

Decision-making and distribution of votes

9. (a) Except where otherwise specified, and subject to the provisions of subparagraph (d) below, the Council, the Committee on Projects referred to in paragraph 10, and such committees and subsidiary bodies as may be established, shall wherever possible take decisions by consensus. Where no such consensus can be reached, any member may request that such a decision be taken by a simple majority vote, unless a special vote is specified.
- (b) Each member shall be entitled to the number of votes allocated to it in accordance with the provisions of subparagraph (c). In the case of voting, the European Community and member intergovernmental organisations shall vote with a number of votes equal to the total number of votes attributable to their Member States.
- (c) All members shall together hold 2 000 votes. Fifty per cent of the total votes of members shall be distributed equally among all members, subject to the provisions of subparagraph (b). The remaining 50 % of the total votes shall be allocated to each member in proportion to its 'coefficient of jute-related importance' (COJI) as defined in subparagraph (d). The total of the basic votes and the COJI-related votes of each member shall be appropriately rounded so that there are no fractional votes and the total number of votes of members does not exceed 2 000, subject, however, to the provision of subparagraph (e).
- (d) For the purposes of these Terms of Reference the 'coefficient of jute-related importance' (COJI) of each member shall be its share in the total value attributed to all member countries in accordance with the following formulae:
 - (i) in the case of jute-producing countries, the weighted average volume of production of 40 % and the average volume of net trade of 60 % of jute and jute products over the most recent three-year period for which relevant statistics are available;
 - (ii) in the case of non-jute-producing and net jute importing-countries, the average volume of their net imports of jute and jute products over the most recent three-year period for which relevant statistics are available.
- (e) No member representing a single country shall have more than 450 votes. Any votes over this figure arising from the methodology prescribed in subparagraphs (c) and (d), and provided for in subparagraph (i), shall be redistributed among all other members on the same basis of computation as provided for under those subparagraphs.

- (f) If, for any reason, difficulties should arise in the determination of votes through the use of the methodology prescribed in subparagraphs (c), (d) and (e), the Group may, by special vote, decide on a different methodology for the distribution of votes.
- (g) The presence of members holding together 1 000 votes shall be required for the commencement of any Council meeting. The presence of members holding together 1 200 votes shall be required for any decision to be taken by the Council.
- (h) The Council shall distribute the votes for each financial year at the beginning of the last session of the preceding year in accordance with the provisions of this paragraph. Such distribution of votes shall remain in effect for the full jute year, except as provided for in subparagraph (i).
- (i) Whenever the membership of the Group changes or when any member has its voting rights suspended or restricted under any provisions of the rules of procedure, the Council shall redistribute the votes of all other members in accordance with the provisions of this paragraph. The Council shall decide the date on which the redistribution of votes shall become effective.
- (j) A member authorised by another member to cast the votes held by the authorising member under this paragraph shall cast such votes in accordance with the instructions of the authorising member.

Committee on Projects (COP)

- 10. (a) The Council shall establish a Committee on Projects (COP), which shall be open to all members. The Committee may invite associate members and other interested parties to participate in its work.
- (b) The Committee on Projects shall advise the Council on all aspects of projects and related activities in accordance with the rules to be established by the Council.
- (c) The Council may, in certain circumstances, delegate to the Committee on Projects its powers relating to the approval of projects and related activities. The Council shall establish rules governing such delegation of powers to the Committee on Projects.

Private Sector Consultative Board

- 11. (a) To facilitate interaction with the private sector, the Council shall establish a Private Sector Consultative Board (hereinafter referred to as the Consultative Board). The Consultative Board shall be a consultative body, which may make recommendations to the Council in matters related to these Terms of Reference.
- (b) The Consultative Board shall consist of associate members. Other private sector entities which express a relevant interest may participate by invitation.
- (c) The Consultative Board shall submit regular reports to the Council.
- (d) The Consultative Board shall establish its own rules of procedure, consistent with the provisions of these Terms of Reference.

Committees and subsidiary bodies

- 12. The Council may establish other committees or subsidiary bodies, in addition to the Committee on Projects and the Private Sector Consultative Board on such terms and conditions as it may determine.

Secretariat

- 13. (a) The Group shall have a Secretariat consisting of a Secretary-General and such staff as may be required.
- (b) The Secretary-General shall be appointed by the Council by special vote. The terms and conditions of appointment of the Secretary-General shall be governed by the rules of procedure of appointment except for the appointment of the first Secretary-General.
- (c) The Secretary-General shall be the chief administrative officer of the Group and shall be responsible to it for the administration and operation of these Terms of Reference in accordance with the decisions of the Council.
- (d) The Secretary-General shall appoint the staff in accordance with the regulations established by the Council. The staff shall be responsible to the Secretary-General.

Consultation and cooperation with others

14. (a) The Group may make arrangements for consultations and cooperation with the United Nations, its organs or specialised agencies, and with other intergovernmental organisations and institutions, as appropriate.
- (b) The Group may also make such arrangements as it considers appropriate for maintaining contact with interested Governments of non-member countries, with national and international non-governmental institutions, with private sector organisations and with research institutions which are not associate members.
- (c) Observers may be invited to attend meetings of the Council or its subsidiary bodies on such terms and conditions as the Council or those bodies may decide.

Relationship with the Common Fund

15. The Group may apply to be designated as an International Commodity Body (ICB) under Article 7(9) of the Agreement establishing the Common Fund for Commodities (CFC), for the purpose of sponsoring, in accordance with the provisions of these Terms of Reference, projects on jute and jute products to be financed by the Fund. Decisions on the sponsoring of such projects shall normally be taken by consensus. If consensus cannot be reached, decisions shall be taken by a special vote. No member shall be responsible by reason of its membership in the Council for any liability arising from borrowing or lending by any other member or entity in connection with projects. The Secretary-General is authorised to conclude Agreements with the Fund for approved projects.

Legal status

16. (a) The Group shall have international legal personality. In the territory of each member, and subject to its national legislation, the Group shall, in particular, but subject to paragraph 7(b), have the capacity to enter into contracts, to acquire and to dispose of movable and immovable property, and to institute legal proceedings.
- (b) The status of the Group in the territory of the host country shall be governed by the Headquarters Agreement between the host Government and the Council, referred to in paragraph 8.
- (c) As the legal successor to the International Jute Organisation, the Group shall assume responsibility for all the assets and liabilities of the former organisation.

Financial accounts and budget contributions

17. (a) For the purposes of these Terms of Reference, the Group shall establish the following accounts:
- (i) the Administrative Account; and
 - (ii) the Special Account.
- (b) Each member shall contribute to the Administrative Account in accordance with the provisions of the rules of procedure, within the framework of an annual administrative budget which shall be approved by the Council. The contribution of members shall be directly proportional to the votes allocated to them under the provisions of paragraph 9. The payment of the contribution by each member shall be made in accordance with its constitutional procedures.
- (c) In addition to the contributions to the Administrative Account within the framework of the annual administrative budget, the Group may accept contributions to the Special Account. The Special Account shall be established for the purpose of financing projects, and pre-project and related activities. The possible sources of finance for the Special Account may include:
- (i) voluntary contributions from members, associate members and other sources; and
 - (ii) regional and international financial institutions, including the Common Fund for Commodities, the United Nations Development Programme, the World Bank, the Asian Development Bank, the International Fund for Agricultural Development, the Inter-American Development Bank and the African Development Bank.

Statistics, studies and market information

18. (a) The Group shall analyse and process jute trade information and statistics collected from the Food and Agriculture Organisation of the United Nations (FAO), other international and national institutions and the private sector. The Group shall provide and make available to members, associate members and other interested parties the market outlooks and intelligence, including information on stocks and consumption by specific markets and end-use industries. The Group shall also encourage national institutions in producing member countries to improve data collection in the jute sector and to disseminate the results to all interested parties. In so doing, every effort shall be made, as far as practicable, to minimise duplication.
- (b) The Group shall undertake such studies related to the international jute economy as may be agreed to by the Council.
- (c) The Group shall endeavour to ensure that information made available by it does not prejudice the confidentiality of the operations of Governments or persons or enterprises producing, processing, marketing or consuming jute.

Annual assessment and reports

19. (a) The Group shall undertake an annual assessment of the world jute situation and related matters in the light of information supplied by members and supplemented by information from all other relevant sources, including periodic evaluation reports by donors. The annual assessment shall include a review of expected jute production capacity for future years and an outlook for jute production, consumption and trade for the following calendar year, for the purpose of assisting members in their individual assessments of the evolution of the international jute economy.
- (b) The Group shall prepare a report incorporating the results of the annual assessment and distribute it to members. If the Group deems it appropriate, this report, as well as other reports and studies distributed to members, may be made available to other interested parties in accordance with the rules of procedure.
- (c) The Group shall undertake periodic evaluations of its activities at least every two years, and compare their conformity to the objectives and functions of the Group as set out in paragraphs 3 and 4.

Market development

20. The Group shall, in consultation with members, associate members and interested parties, identify constraints and opportunities in the world market for jute and jute products with a view to undertaking appropriate activities, with particular reference to increasing the demand and developing the market for jute and jute products, as well as dissemination and commercial exploitation of emerging technologies.

Obligations of members

21. Members shall use their best endeavours to cooperate and to promote the attainment of the objectives of the Group, in particular by providing the data referred to in paragraph 19(a).

Reservations

22. No reservations may be made to any of the provisions of these Terms of Reference.

Entry into force

23. (a) These Terms of Reference shall enter into force when States, the European Community or any intergovernmental organisation referred to in paragraph 5 together accounting for 60 % of trade (imports and exports combined) in jute and jute products, as set out in Annex A to these Terms of Reference, have notified the Secretary-General of the United Nations (hereinafter referred to as the depositary) pursuant to subparagraph (b) of their provisional application or definitive acceptance of these Terms of Reference.

- (b) Any State, the European Community or any intergovernmental organisation referred to in paragraph 5 above which desires to become a member of the Group shall notify the depositary that it accepts definitively these Terms of Reference or that it accepts to apply them provisionally, pending the conclusion of its internal procedures. Any State, the European Community or intergovernmental organisation which has notified its provisional application of these Terms of Reference shall endeavour to complete its internal procedures as soon as possible, and shall notify the depositary of its definitive acceptance of these Terms of Reference.
- (c) If the requirements for entry into force of these Terms of Reference have not been met on 31 December 2001, the Secretary-General of the United Nations Conference on Trade and Development shall invite those States, the European Community and intergovernmental organisations that have notified their acceptance or provisional application of these Terms of Reference to decide whether or not to put these Terms of Reference into force among themselves.
- (d) When these Terms of Reference enter into force, the Secretary-General of the United Nations Conference on Trade and Development shall convene an inaugural meeting of the Council as soon as possible thereafter. Members shall be notified at least one month, where possible, prior to that meeting.

Amendment

24. These Terms of Reference may be amended only by consensus of the Council. The Secretary-General shall notify the depositary of any amendments adopted under this paragraph. An amendment shall enter into force 90 days after the depositary has received the notification of acceptance from members holding together at least 60 % of the votes.

Duration, extension and renegotiation

25. (a) The Group shall remain in force for a period of eight years, unless the Council, by special vote, decides to extend or renegotiate these Terms of Reference as provided for in subparagraphs (b) and (c) below or to terminate them as provided for in paragraph 27.
- (b) The Council may, by special vote, decide to extend the duration of these Terms of Reference for not more than two periods of two years each.
- (c) The Council may, by special vote, decide to renegotiate these Terms of Reference.

Withdrawal

26. (a) A member may withdraw from the Group at any time by giving written notice of withdrawal to the depositary and to the Secretary-General of the Group.
- (b) Withdrawal shall be without prejudice to any financial obligations already incurred by the withdrawing member and shall not entitle it to any rebate of its contribution for the year in which the withdrawal occurs.
- (c) Withdrawal shall become effective 12 months after the notice is received by the depositary.
- (d) The Secretary-General of the Group shall promptly notify each member of any notification received under this paragraph.

Termination

27. The Council may at any time, by special vote, decide to terminate these Terms of Reference. Such termination shall take effect on such date as the Council shall decide. The Secretary-General shall notify the decision taken under this paragraph to the depositary.

Liquidation

28. Notwithstanding the expiry or the termination of these Terms of Reference, the Council shall continue in being for as long as is necessary, but not exceeding a period of 12 months, to carry out liquidation of the Group including settlement of the accounts.

Done at Geneva, this thirteenth day of March, two thousand and one, the texts of this Agreement in Arabic, Chinese, English, French, Russian and Spanish languages being equally authentic.

ANNEX A

Statistical information on net world trade (imports and exports) in jute and jute products for the purposes of entry into force of these Terms of Reference

Table 1: Net exports of jute and allied fibres

(1 000 tonnes in fibre equivalent)					
Country	1996/1997	1997/1998	1998/1999	Average for 1996/1997-1998/1999	Share (%)
World	1 011,2	1 090,6	997,9	1 033,2	100,0
A. Current Members of IJO (*)					
Bangladesh	794,1	801,3	779,3	791,6	76,6
India	193,3	262,6	192,6	216,2	20,9
Nepal	11,7	10,7	10,7	11,0	1,1
Subtotal A:	999,1	1 074,6	982,6	1 018,8	98,6
B. Past Members of IJO					
Thailand	10,1	11,1	12,1	11,1	1,1
Subtotal B:	10,1	11,1	12,1	11,1	1,1
C. Others	2,0	4,9	3,2	3,4	0,3
Total (A + B + C)	1 011,2	1 090,6	997,9	1 033,2	100,0

(*) IJO means the International Jute Organisation established under the International Agreement on Jute and Jute Products 1989.

Table 2: Net imports of jute and allied fibres

(1 000 tonnes in fibre equivalent)

	Average for 1996-1998	Share (%)
World	992,3	100,0
A. Current Members of IJO		
A.1 EC Members		
Austria	0,8	0,08
Belgium-Luxembourg	86,3	8,70
Denmark	1,2	0,12
Finland	0,2	0,02
France	19,3	1,94
Germany	17,5	1,76
Greece	2,9	0,29
Italy	10,3	1,04
Ireland	1,4	0,14
Netherlands	22,0	2,22
Portugal	1,5	0,15
Spain	10,0	1,01
Sweden	0,2	0,02
United Kingdom of Great Britain and Northern Ireland	43,5	4,38
Subtotal A.1	217,1	21,87
A.2 Non-EC Members		
China	85,6	8,77
Japan	37,1	3,74
Egypt	24,2	2,44
Indonesia	12,7	1,28
Switzerland	0,3	0,03
Norway	0,2	0,02
Subtotal A.2	160,1	16,28
Total A (A.1 + A.2)	377,2	38,15
B. Past Members of IJO		
Pakistan	92,2	9,29
Turkey	65,1	6,56
United States of America	62,8	6,33
Australia	43,2	4,35
Canada	7,9	0,80
Poland	4,9	0,49
Yugoslavia, Federal Republic of	2,2	0,22
Subtotal B	278,3	28,04

(1 000 tonnes in fibre equivalent)		
	Average for 1996-1998	Share (%)
C. Other countries		
Iran, Islamic Republic of	53,8	5,42
Syrian Arab Republic	53,3	5,37
Sudan	37,6	3,79
Former USSR (*) (Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Russian Federation, Tajikistan, Turkmenistan, Ukraine, Uzbekistan)	27,2	2,74
Côte d'Ivoire	18,6	1,87
Morocco	13,0	1,31
Brazil	11,2	1,13
Ghana	10,9	1,10
Saudi Arabia	10,8	1,09
Philippines	0,5	0,05
Czech Republic	1,6	0,16
Malaysia	2,4	0,24
Republic of Korea	7,0	0,71
Senegal	1,2	0,12
Algeria	9,9	1,00
Subtotal C	259,0	26,10
D. Others	77,8	7,71
Total (A + B + C + D)	992,3	100,00

(*) There are no jute statistics available for the individual countries of the former USSR. Their share of net imports will not be taken into account for the entry into force of the Terms of Reference in accordance with paragraph 23.

COMMISSION

COMMISSION DECISION

of 26 April 2002

amending Decisions 2001/925/EC, 2002/33/EC and 2002/209/EC to prolong certain protection measures and detailed conditions in relation to classical swine fever in Spain

(notified under document number C(2002) 1501)

(Text with EEA relevance)

(2002/313/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular Article 10(4) thereof,

Having regard to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽³⁾, and, in particular Article 10(1)(b), Article 11(1)(f), Article 25(3) and Article 29(4) thereof,

Whereas:

- (1) Outbreaks of classical swine fever have occurred in Cataluña in Spain.
- (2) Spain has taken measures within the framework of Directive 2001/89/EC.
- (3) In relation to these outbreaks of disease, the Commission adopted: (i) Decision 2001/925/EC ⁽⁴⁾, as last amended by Decision 2002/243/EC ⁽⁵⁾, concerning certain protection measures relating to classical swine fever in Spain; (ii) Decision 2002/33/EC ⁽⁶⁾, as last amended by Decision 2002/243/EC, on the use of two slaughterhouses, in accordance with Article 10(1)(b) of Council Directive 2001/89/EC, by Spain; and (iii) Decision 2002/209/EC ⁽⁷⁾ updating the conditions for

the granting of authorisation for the removal of pigs from holdings located within the protection and surveillance zones established in Spain in relation to classical swine fever and establishing conditions for the marking and use of pigmeat in application of Article 11 of Council Directive 2001/89/EC.

- (4) In the light of the evolution of the epidemiological situation in the concerned area of Spain, it is appropriate to prolong the adopted measures until 31 May 2002.
- (5) Decisions 2001/925/EC, 2002/33/EC and 2002/209/EC should therefore be amended accordingly.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

In Article 8 of Decision 2001/925/EC:

- (a) the words '20 April' are replaced by the words '20 May 2002';
- (b) the words '30 April 2002' are replaced by the words '31 May 2002'.

Article 2

In Article 2 of Decision 2002/33/EC the words '30 April 2002' are replaced by the words '31 May 2002'.

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 316, 1.12.2001, p. 5.

⁽⁴⁾ OJ L 339, 21.12.2001, p. 56.

⁽⁵⁾ OJ L 82, 26.3.2002, p. 19.

⁽⁶⁾ OJ L 13, 16.1.2002, p. 13.

⁽⁷⁾ OJ L 68, 12.3.2002, p. 40.

Article 3

In Article 1 of Decision 2002/209/EC the words '5 March 2002' are replaced by the words '10 April 2002'.

In Article 9 of Decision 2002/209/EC the words '30 April 2002' are replaced by the words '31 May 2002'.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 26 April 2002.

For the Commission

David BYRNE

Member of the Commission
