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Legislation

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I

(Acts whose publication is obligatory)

REGULATION (EC) No 733/2002 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 22 April 2002
on the implementation of the .eu Top Level Domain
(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 156 thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Following consultation of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾,

Whereas:

- (1) The creation of the .eu Top Level Domain (TLD) is included as one of the targets to accelerate electronic commerce in the e-Europe initiative as endorsed by the European Council at its meeting in Lisbon on 23 and 24 March 2000.
- (2) The communication from the Commission to the Council and the European Parliament on the organisation and management of the Internet refers to the creation of the .eu TLD and the Council resolution of 3 October 2000 on the organisation and management of the Internet ⁽⁴⁾ charges the Commission to encourage the coordination of policies in relation to the management of the Internet.
- (3) TLDs are an integral part of the Internet infrastructure. They are an essential element of the global interoperability of the World Wide Web ('WWW' or 'the Web'). The connection and presence permitted by the allocation of domain names and the related addresses allow users to locate computers and websites on the Web. TLDs are also an integral part of every Internet e-mail address.
- (4) The .eu TLD should promote the use of, and access to, the Internet networks and the virtual market place based on the Internet, in accordance with Article 154(2) of the

Treaty, by providing a complementary registration domain to existing country code Top Level Domains (ccTLDs) or global registration in the generic Top Level Domains, and should in consequence increase choice and competition.

- (5) The .eu TLD should improve the interoperability of trans-European networks, in accordance with Articles 154 and 155 of the Treaty, by ensuring the availability of .eu name servers in the Community. This will affect the topology and technical infrastructure of the Internet in Europe which will benefit from an additional set of name servers in the Community.
- (6) Through the .eu TLD, the Internal market should acquire higher visibility in the virtual market place based on the Internet. The .eu TLD should provide a clearly identified link with the Community, the associated legal framework, and the European market place. It should enable undertakings, organisations and natural persons within the Community to register in a specific domain which will make this link obvious. As such, the .eu TLD will not only be a key building block for electronic commerce in Europe but will also support the objectives of Article 14 of the Treaty.
- (7) The .eu TLD can accelerate the benefits of the information society in Europe as a whole, play a role in the integration of future Member States into the European Union, and help combat the risk of digital divide with neighbouring countries. It is therefore to be expected that this Regulation will be extended to the European Economic Area and that amendments may be sought to the existing arrangements between the European Union and European third countries, with a view to accommodating the requirements of the .eu TLD so that entities in those countries may participate in it.
- (8) This Regulation is without prejudice to Community law in the field of personal data protection. This Regulation should be implemented in compliance with the principles relating to privacy and the protection of personal data.

⁽¹⁾ OJ C 96 E, 27.3.2001, p. 333.

⁽²⁾ OJ C 155, 29.5.2001, p. 10.

⁽³⁾ Opinion of the European Parliament of 4 July 2001 (OJ C 65 E, 14.3.2002, p. 147), Council Common Position of 6 November 2001 (OJ C 45 E, 19.2.2002, p. 53) and Decision of the European Parliament of 28 February 2002 (not yet published in the Official Journal). Council Decision of 25 March 2002.

⁽⁴⁾ OJ C 293, 14.10.2000, p. 3.

- (9) Internet management has generally been based on the principles of non-interference, self-management and self-regulation. To the extent possible and without prejudice to Community law, these principles should also apply to the .eu ccTLD. The implementation of the .eu TLD may take into consideration best practices in this regard and could be supported by voluntary guidelines or codes of conduct where appropriate.
- (10) The establishment of the .eu TLD should contribute to the promotion of the European Union image on the global information networks and bring an added value to the Internet naming system in addition to the national ccTLDs.
- (11) The objective of this Regulation is to establish the conditions of implementation of the .eu TLD, to provide for the designation of a Registry and establish the general policy framework within which the Registry will function. National ccTLDs are not covered by this Regulation.
- (12) The Registry is the entity charged with the organisation, administration and management of the .eu TLD, including maintenance of the corresponding databases and the associated public query services, the accreditation of Registrars, the registration of domain names applied for by accredited Registrars, the operation of the TLD name servers and the dissemination of TLD zone files. Public query services associated with the TLD are referred to as 'Who is' queries. 'Who is'-type databases should be in conformity with Community law on data protection and privacy. Access to these databases provides information on a domain name holder and is an essential tool in boosting user confidence.
- (13) After publishing a call for expressions of interest in the *Official Journal of the European Communities*, the Commission should, on the basis of an open, transparent and non-discriminatory selection procedure, designate a Registry. The Commission should enter into a contract with the selected Registry which should specify the conditions applying to the Registry for the organisation, administration and management of the .eu TLD and which should be limited in time and renewable.
- (14) The Commission, acting on behalf of the Community, has requested the delegation of the EU code for the purpose of creating an Internet ccTLD. On 25 September 2000, the Internet Corporation for Assigned Names and Numbers (ICANN) issued a resolution providing that 'alpha-2 codes are delegable as ccTLDs only in cases where the ISO 3166 Maintenance Agency, on its exceptional reservation list, has issued a reservation of the code that covers any application of ISO 3166-1 that needs a coded representation in the name of the country, territory or area involved'. Such conditions are met by the EU code which is therefore 'delegable' to the Community.
- (15) ICANN is at present responsible for coordinating the delegation of codes representing ccTLD to Registries. The Council resolution of 3 October 2000 encourages the implementation of the principles applied to ccTLD Registries adopted by the Governmental Advisory Committee (GAC). The Registry should enter into a contract with ICANN respecting the GAC principles.
- (16) The adoption of a public policy addressing speculative and abusive registration of domain names should provide that holders of prior rights recognised or established by national and/or Community law and public bodies will benefit from a specific period of time (a 'sunrise period') during which the registration of their domain names is exclusively reserved to such holders of prior rights recognised or established by national and/or Community law and public bodies.
- (17) Domain names should not be revoked arbitrarily. A revocation may, however, be obtained in particular should a domain name be manifestly contrary to public order. The revocation policy should nevertheless provide for a timely and efficient mechanism.
- (18) Rules should be adopted on the question of *bona vacantia* to address the status of domain names the registration of which is not renewed or which, for example because of succession law, are left without holder.
- (19) The new .eu TLD registry should not be empowered to create second-level domains using alpha-2 codes representing countries.
- (20) Within the framework established by this Regulation, the public policy rules concerning the implementation and functions of the .eu TLD and the public policy principles on registration, various options including the 'first come, first served' method should be considered when registration policy is formulated.
- (21) When reference is made to interested parties, provision should be made for consultation encompassing, in particular, public authorities, undertakings, organisations and natural persons. The Registry could establish an advisory body to organise such consultation.

- (22) The measures necessary for the implementation of this Regulation, including criteria for the selection procedure of the Registry, the designation of the Registry, as well as the adoption of public policy rules, should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽¹⁾.
- (23) Since the objective of the proposed action, namely to implement the .eu TLD, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective,

HAVE ADOPTED THIS REGULATION:

Article 1

Objective and scope

1. The objective of this Regulation is to implement the .eu country code Top Level Domain (ccTLD) within the Community. The Regulation sets out the conditions for such implementation, including the designation of a Registry, and establishes the general policy framework within which the Registry will function.
2. This Regulation shall apply without prejudice to arrangements in Member States regarding national ccTLDs.

Article 2

Definitions

For the purposes of this Regulation:

- (a) 'Registry' means the entity entrusted with the organisation, administration and management of the .eu TLD including maintenance of the corresponding databases and the associated public query services, registration of domain names, operation of the Registry of domain names, operation of the Registry TLD name servers and dissemination of TLD zone files;
- (b) 'Registrar' means a person or entity that, via contract with the Registry, provides domain name registration services to registrants.

Article 3

Characteristics of the Registry

1. The Commission shall:
- (a) establish, in accordance with the procedure referred to in Article 6(3), the criteria and the procedure for the designation of the Registry;

- (b) designate, in accordance with the procedure referred to in Article 6(2), the Registry after publishing a call for expressions of interest in the *Official Journal of the European Communities* and after the procedure for such call has been completed;
- (c) enter into, in accordance with the procedure referred to in Article 6(2), a contract which shall specify the conditions according to which the Commission supervises the organisation, administration and management of the .eu TLD by the Registry. The contract between the Commission and the Registry shall be limited in time and renewable.

The Registry may not accept registrations until the registration policy is in place.

2. The Registry shall be a non-profit organisation, formed in accordance with the law of a Member State and having its registered office, central administration and principal place of business within the Community.

3. Having obtained the prior consent of the Commission, the Registry shall enter into the appropriate contract providing for the delegation of the .eu ccTLD code. To this effect the relevant principles adopted by the Governmental Advisory Committee shall be taken into account.

4. The .eu TLD Registry shall not act itself as Registrar.

Article 4

Obligations of the Registry

1. The Registry shall observe the rules, policies and procedures laid down in this Regulation and the contracts referred to in Article 3. The Registry shall observe transparent and non-discriminatory procedures.
2. The Registry shall:
- (a) organise, administer and manage the .eu TLD in the general interest and on the basis of principles of quality, efficiency, reliability and accessibility;
- (b) register domain names in the .eu TLD through any accredited .eu Registrar requested by any:
- (i) undertaking having its registered office, central administration or principal place of business within the Community, or
- (ii) organisation established within the Community without prejudice to the application of national law, or
- (iii) natural person resident within the Community;
- (c) impose fees directly related to costs incurred;
- (d) implement the extra-judicial settlement of conflicts policy based on recovery of costs and a procedure to resolve promptly disputes between domain name holders regarding rights relating to names including intellectual property rights as well as disputes in relation to individual decisions by the Registry. This policy shall be adopted in accordance with Article 5(1) and take into consideration the recommendations of the World Intellectual Property Organisation. The policy shall provide adequate procedural guarantees for the parties concerned, and shall apply without prejudice to any court proceeding;

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

- (e) adopt procedures for, and carry out, accreditation of .eu Registrars and ensure effective and fair conditions of competition among .eu Registrars;
- (f) ensure the integrity of the databases of domain names.

Article 5

Policy framework

1. After consulting the Registry and following the procedure referred to in Article 6(3), the Commission shall adopt public policy rules concerning the implementation and functions of the .eu TLD and the public policy principles on registration. Public policy shall include:

- (a) an extra-judicial settlement of conflicts policy;
- (b) public policy on speculative and abusive registration of domain names including the possibility of registrations of domain names in a phased manner to ensure appropriate temporary opportunities for the holders of prior rights recognised or established by national and/or Community law and for public bodies to register their names;
- (c) policy on possible revocation of domain names, including the question of *bona vacantia*,
- (d) issues of language and geographical concepts;
- (e) treatment of intellectual property and other rights.

2. Within three months of the entry into force of this Regulation, Member States may notify to the Commission and to the other Member States a limited list of broadly-recognised names with regard to geographical and/or geopolitical concepts which affect their political or territorial organisation that may either:

- (a) not be registered, or
- (b) be registered only under a second level domain according to the public policy rules.

The Commission shall notify to the Registry without delay the list of notified names to which such criteria apply. The Commission shall publish the list at the same time as it notifies the Registry.

Where a Member State or the Commission within 30 days of publication raises an objection to an item included in a notified list, the Commission shall take measures, in accordance with the procedure referred to in Article 6(3), to remedy the situation.

3. Before starting registration operations, the Registry shall adopt the initial registration policy for the .eu TLD in consultation with the Commission and other interested parties. The

Registry shall implement in the registration policy the public policy rules adopted pursuant to paragraph 1 taking into account the exception lists referred to in paragraph 2.

4. The Commission shall periodically inform the Committee referred to in Article 6 on the activities referred to in paragraph 3 of this Article.

Article 6

Committee

1. The Commission shall be assisted by the Communications Committee established by Article 22(1) of Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) ⁽¹⁾. Until the Communications Committee is established pursuant to Decision 1999/468/EC, the Commission shall be assisted by the Committee established by Article 9 of Council Directive 90/387/EEC of 28 June 1990 on the establishment of the internal market for telecommunication services through the implementation of open network provision ⁽²⁾.

2. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

3. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

4. The Committee shall adopt its rules of procedure.

Article 7

Reservation of rights

The Community shall retain all rights relating to the .eu TLD including, in particular, intellectual property rights and other rights to the Registry databases required to ensure the implementation of this Regulation and the right to re-designate the Registry.

Article 8

Implementation report

The Commission shall submit a report to the European Parliament and the Council on the implementation, effectiveness and functioning of the .eu TLD one year after the adoption of this Regulation and thereafter every two years.

⁽¹⁾ OJ L 108, 24.4.2002, p. 33.

⁽²⁾ OJ L 192, 24.7.1990, p. 1. Directive as last amended by Directive 97/51/EC of the European Parliament and of the Council (OJ L 295, 29.10.1997, p. 23).

*Article 9***Entry into force**

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

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

Done at Luxembourg, 22 April 2002.

For the European Parliament

The President

P. COX

For the Council

The President

M. ARIAS CAÑETE

COMMISSION REGULATION (EC) No 734/2002
of 29 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 30 April 2002.

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

Done at Brussels, 29 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 29 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	114,8
	204	120,9
	212	119,7
	999	118,5
0707 00 05	052	115,1
	628	153,0
	999	134,1
0709 90 70	052	106,3
	204	78,8
	999	92,5
0805 10 10, 0805 10 30, 0805 10 50	052	66,2
	204	46,3
	212	59,5
	220	58,8
	600	56,0
	624	77,9
	999	60,8
0805 50 10	052	36,7
	388	68,8
	528	85,5
	999	63,7
0808 10 20, 0808 10 50, 0808 10 90	060	19,6
	388	87,1
	400	117,7
	404	103,2
	508	83,2
	512	79,7
	524	67,7
	528	90,6
	720	137,4
	804	114,8
	999	90,1
0808 20 50	388	82,7
	512	71,2
	528	90,2
	999	81,4

⁽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 735/2002
of 29 April 2002
extending the deadlines for delivering raw tobacco in Greece for the 2001 harvest

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organisation of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EC) No 546/2002 ⁽²⁾, and in particular Article 7 thereof,

Whereas:

- (1) Article 16 of Commission Regulation (EC) No 2848/98 of 22 December 1998 laying down detailed rules for the application of Council Regulation (EEC) No 2075/92 as regards the premium scheme, production quotas and the specific aid to be granted to producer groups in the raw tobacco sector ⁽³⁾, as last amended by Regulation (EC) No 486/2002 ⁽⁴⁾, sets the deadlines for producers to deliver raw tobacco to processors.
- (2) As a result of especially difficult weather conditions in Greece, in particular much higher rainfall and lower

temperatures than the seasonal averages, tobacco preparation and delivery operations have been greatly delayed.

- (3) The deadlines for the delivery of raw tobacco to first processors in Greece should therefore be extended.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Tobacco,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2001 harvest in Greece, the deadlines set in Article 16 of Regulation (EC) No 2848/98 are extended by 30 days.

Article 2

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

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

Done at Brussels, 29 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 215, 30.7.1992, p. 70.

⁽²⁾ OJ L 84, 28.3.2002, p. 4.

⁽³⁾ OJ L 358, 31.12.1998, p. 17.

⁽⁴⁾ OJ L 76, 19.3.2002, p. 9.

COMMISSION REGULATION (EC) No 736/2002
of 29 April 2002
amending Regulation (EC) No 1555/96 on rules of application for additional import duties on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 545/2002 ⁽²⁾, and in particular Article 33(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1555/96 ⁽³⁾, as last amended by Regulation (EC) No 498/2002 ⁽⁴⁾, provides for surveillance of imports of the products listed in the Annex thereto. That surveillance is to be carried out in accordance with the rules on the surveillance of preferential imports laid down in Article 308d of Commission Regulation (EEC) No 2454/93 ⁽⁵⁾, as last amended by Regulation (EC) No 444/2002 ⁽⁶⁾.
- (2) For the purposes of Article 5(4) of the Agreement on Agriculture ⁽⁷⁾ concluded during the Uruguay Round of multilateral trade negotiations and in the light of the

latest data available for 1998, 1999 and 2000, the trigger levels for additional duties on cucumbers, cherries, apricots, peaches including nectarines, and plums should be adjusted.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1555/96 is hereby replaced by the Annex hereto.

Article 2

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

It shall apply from 1 May 2002.

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

Done at Brussels, 29 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 84, 28.3.2002, p. 1.

⁽³⁾ OJ L 193, 3.8.1996, p. 1.

⁽⁴⁾ OJ L 78, 21.3.2002, p. 9.

⁽⁵⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁶⁾ OJ L 68, 12.3.2002, p. 11.

⁽⁷⁾ OJ L 336, 23.12.1994, p. 22.

ANNEX

‘ANNEX

Without prejudice to the rules for the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation. Where “ex” appears before the CN code, the scope of the additional duties is determined both by the scope of the CN code and the corresponding trigger period.

Serial No	CN code	Description	Trigger period	Trigger level (tonnes)
78.0015	ex 0702 00 00	Tomatoes	— 1 October to 31 March	189 144
78.0020			— 1 April to 30 September	14 449
78.0065	ex 0707 00 05	Cucumbers	— 1 May to 31 October	6 820
78.0075			— 1 November to 30 April	3 609
78.0085	ex 0709 10 00	Artichokes	— 1 November to 30 June	69 158
78.0100	0709 90 70	Courgettes	— 1 January to 31 December	82 028
78.0110	ex 0805 10 10 ex 0805 10 30 ex 0805 10 50	Oranges	— 1 December to 31 May	758 268
78.0120	ex 0805 20 10	Clementines	— 1 November to end of February	85 146
78.0130	ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	— 1 November to end of February	93 931
78.0155	ex 0805 50 10	Lemons	— 1 June to 31 December	162 700
78.0160			— 1 January to 31 May	46 783
78.0170	ex 0806 10 10	Table grapes	— 21 July to 20 November	205 769
78.0175	ex 0808 10 20 ex 0808 10 50 ex 0808 10 90	Apples	— 1 January to 31 August	881 540
78.0180			— 1 September to 31 December	35 471
78.0220	ex 0808 20 50	Pears	— 1 January to 30 April	219 058
78.0235			— 1 July to 31 December	126 370
78.0250	ex 0809 10 00	Apricots	— 1 June to 31 July	4 156
78.0265	ex 0809 20 95	Cherries, other than sour cherries	— 21 May to 10 August	86 224
78.0270	ex 0809 30	Peaches, including nectarines	— 11 June to 30 September	3 378
78.0280	ex 0809 40 05	Plums	— 11 June to 30 September	81 605'

COMMISSION REGULATION (EC) No 737/2002
of 29 April 2002
amending Regulation (EC) No 416/2002 adopting exceptional support measures for the pigmeat
market in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EC) No 1365/2000 ⁽²⁾, and in particular Article 20 thereof,

Whereas:

- (1) In response to the outbreak of classical swine fever in certain production regions in Spain, Commission Regulation (EC) No 416/2002 ⁽³⁾, as amended by Regulation (EC) No 574/2002 ⁽⁴⁾, adopted exceptional support measures for the pigmeat market in Spain.
- (2) Following the appearance of new cases of classical swine fever in Spain, the Spanish authorities established new protection and surveillance zones on 12 April 2002. The list of eligible zones given in Annex II to the Regulation concerned should therefore be updated in the

light of the current veterinary situation from 16 April 2002.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EC) No 416/2002 is replaced by the Annex hereto.

Article 2

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

It shall apply from 16 April 2002.

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

Done at Brussels, 29 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 1.

⁽²⁾ OJ L 156, 29.6.2000, p. 5.

⁽³⁾ OJ L 63, 6.3.2002, p. 19.

⁽⁴⁾ OJ L 87, 4.4.2002, p. 26.

ANNEX

'ANNEX II

In the province of Barcelona, the protection and surveillance zones defined in Annexes I and II of the "Ordre" of the Generalitat de Catalunya of 9 April 2002, published in DOGC (*Diari Oficial de la Generalitat de Catalunya*) No 3614 of 12 April 2002, p. 6317.'

COMMISSION REGULATION (EC) No 738/2002

of 29 April 2002

concerning aid for the processing of sugar cane into sucrose syrup or agricultural rum in the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1452/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the French overseas departments, amending Directive 72/462/EEC and repealing Regulations (EEC) No 525/77 and (EEC) No 3763/91 (Poseidom) ⁽¹⁾, and in particular Article 18 thereof,

Whereas:

- (1) Article 17 of Regulation (EC) No 1452/2001 provides for the granting of Community aid for the direct processing of sugar cane into sugar syrup, hereinafter called 'sucrose syrup', or into agricultural rum as defined in Article 1(4)(a)(2) of Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks ⁽²⁾, as last amended by Regulation (EEC) No 3378/94 of the European Parliament and of the Council ⁽³⁾.
- (2) This aid is paid on condition that the sugar cane producer is paid a minimum price up to the limit of a maximum annual quantity of 75 600 hectolitres of pure alcohol or, in the case of sucrose syrup, of a maximum annual quantity of 250 tonnes.
- (3) A minimum price for sugar cane should be set which takes into account the reference price for sugar cane intended for the production of sugar applicable in the department in question and provision should also be made for a system to reduce, where appropriate, the quantities of rum or sucrose syrup eligible for aid so as to ensure that the overall quantity limit laid down by Article 17(2) of Regulation (EC) No 1452/2001 is observed.
- (4) Sucrose syrup, which is not sugar production within the meaning of Articles 13 to 18 of Council Regulation (EC) No 1260/2001 ⁽⁴⁾, should be defined.
- (5) To facilitate the application of the annual processing limits this Regulation should apply from the beginning of the 2002 calendar year.

- (6) The measures provided for in this Regulation are in accordance with the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

1. Aid for the direct processing of sugar cane into sucrose syrup or agricultural rum as provided for in Article 17 of Regulation (EC) No 1452/2001 may be paid in accordance with the terms of this Regulation to any sucrose syrup manufacturer or distiller:
 - (a) whose plant is located in one of the French overseas departments, and
 - (b) who produces directly from cane harvested in the same French overseas department:
 - sucrose syrup of less than 75 % purity used in the manufacture of aperitifs, or
 - agricultural rum as defined in Article 1(4)(a)(2) of Regulation (EEC) No 1576/89.
2. Aid shall be paid out each year for the quantities of sugar cane processed directly into sucrose syrup or agricultural rum for which the sucrose syrup manufacturer or distiller shows proof that he has paid the sugar cane producers in question the minimum price referred to in Article 2. This last condition shall not apply in the case of the manufacturer or distiller's own sugar cane production.
3. The aid shall be:
 - (a) for sucrose syrup EUR 9 per 100 kilograms of sugar expressed as white sugar;
 - (b) for agricultural rum EUR 64,22 per hectolitre of pure alcohol produced.

Article 2

1. The minimum prices referred to in the second subparagraph of Article 17(1) of Regulation (EC) No 1452/2001 shall be as follows for each department:

Réunion:	EUR 51,01/tonne of cane
Martinique:	EUR 45,16/tonne of cane
Guadeloupe and French Guiana:	EUR 55,95/tonne of cane

The minimum price shall apply to cane of sound, fair and merchantable quality and of standard sugar content. The delivery stage shall be the sugar cane's arrival at the factory.

⁽¹⁾ OJ L 198, 21.7.2001, p. 11.

⁽²⁾ OJ L 160, 12.6.1989, p. 1.

⁽³⁾ OJ L 366, 31.12.1994, p. 1.

⁽⁴⁾ OJ L 178, 30.6.2001, p. 1.

2. The standard sugar content and the scale of increases and reductions to be applied to the minimum price when the sugar content of the cane differs from the standard sugar content shall be adopted by the competent authority designated by France on the proposal of a joint committee of distillers or syrup manufacturers and sugar cane producers.

Article 3

1. Proof that the minimum price has been paid to the sugar cane producer shall be established by a certificate drawn up on unstamped paper by the syrup manufacturer or distiller. It shall show:

- (a) the name of the syrup manufacturer or distiller;
- (b) the name of the sugar cane producer;
- (c) the total quantities of sugar cane for which the minimum price determined for the calendar year in question has been paid and which have been delivered to the syrup factory or distillery by the producer in question during that calendar year;
- (d) the quantity of product for which the minimum price is paid.

2. The certificate shall be signed by the sugar cane producer and the syrup manufacturer or distiller.

3. The syrup manufacturer or distiller shall keep the original. A copy shall be sent to the sugar cane producer.

4. A syrup manufacturer or distiller using his own sugar cane production shall keep separate stock records for that cane.

Article 4

1. The overall quantities referred to in Article 17(2) of Regulation (EC) No 1452/2001 shall be 75 600 hectolitres of agricultural rum, expressed as pure alcohol, and 250 tonnes of sugar syrup.

2. When the sum of the quantities for which aid is requested is greater in a given calendar year than the quantity of rum or sucrose syrup, as appropriate, a standard percentage reduction shall be applied to each application in respect of the product in question.

3. Nevertheless, France may allocate the quantity of rum referred to in paragraph 1 by department on the basis of the average quantity of agricultural rum sold by each department

in the years 1997 to 2001. If the overall quantities for which aid is requested are exceeded, the percentage reductions may be differentiated by department.

4. Aid applications shall be submitted to the competent authorities designated by France.

Article 5

1. The national authorities shall take all the steps necessary to ensure that the conditions for granting the aid provided for in this Regulation are observed.

2. Verification shall be by administrative and on-the-spot controls. The administrative control shall be thorough and include, if appropriate, cross-checks with the data in the integrated administration and control system in accordance with Council Regulation (EC) No 3508/92 ⁽¹⁾. It shall also cover the quantities of sugar cane delivered and shall verify compliance with the minimum price referred to in Article 2.

Based on a risk analysis, the national authorities shall perform on-the-spot controls on the premises of each syrup manufacturer and distiller by sampling at least 10 % of the quantities delivered by the sugar cane producers.

Article 6

France shall notify to the Commission:

- (a) within three months of the entry into force of this Regulation, the additional measures adopted under Article 5;
- (b) within 45 working days of the end of each calendar year:
 - the total quantities of sucrose syrup and agricultural rum for which aid has been requested, expressed as white sugar or hectolitres of pure alcohol,
 - the factories and distilleries in receipt of aid,
 - the aid received and the quantity of sucrose syrup or agricultural rum produced by each factory or distillery.

Article 7

Commission Regulation (EC) No 59/97 ⁽²⁾ is hereby repealed.

Article 8

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

It shall apply from 1 January 2002.

⁽¹⁾ OJ L 355, 5.12.1992, p. 1.

⁽²⁾ OJ L 14, 17.1.1997, p. 25.

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

Done at Brussels, 29 April 2002.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 739/2002**of 29 April 2002****amending Regulation (EC) No 710/2002 fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽³⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

Commission Regulation (EC) No 710/2002 ⁽⁵⁾ sets export refunds on products processed from cereals and rice; a check has shown that its Annex is not consistent with the measures presented for an opinion to the management committee; therefore, the Regulation should be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EC) No 710/2002, the amount of refund for product code 1702 90 79 9000 is replaced by the following:

Product code	Destination	Unit of measurement	Amount of refund
1702 90 79 9000	A00	EUR/t	31,36

Article 2

This Regulation shall enter into force on 30 April 2002.

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

Done at Brussels, 29 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 111, 26.4.2002, p. 27.

COMMISSION REGULATION (EC) No 740/2002
of 29 April 2002
amending representative prices and additional duties for the import of certain products in the
sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽³⁾, as last amended by Regulation (EC) No 624/98 ⁽⁴⁾, and in particular the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

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

(EC) No 1309/2001 ⁽⁵⁾, as last amended by Regulation (EC) No 590/2002 ⁽⁶⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 30 April 2002.

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

Done at Brussels, 29 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 141, 24.6.1995, p. 16.

⁽⁴⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁵⁾ OJ L 177, 30.6.2001, p. 21.

⁽⁶⁾ OJ L 89, 5.4.2002, p. 20.

ANNEX

to the Commission Regulation of 29 April 2002 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	19,79	6,41
1701 11 90 ⁽¹⁾	19,79	12,09
1701 12 10 ⁽¹⁾	19,79	6,22
1701 12 90 ⁽¹⁾	19,79	11,58
1701 91 00 ⁽²⁾	24,48	13,27
1701 99 10 ⁽²⁾	24,48	8,47
1701 99 90 ⁽²⁾	24,48	8,47
1702 90 99 ⁽³⁾	0,24	0,40

⁽¹⁾ For the standard quality as defined in Annex I, point II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

⁽²⁾ For the standard quality as defined in Annex I, point I to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

⁽³⁾ By 1 % sucrose content.

**COMMISSION REGULATION (EC) No 741/2002
of 29 April 2002**

**fixing Community producer and import prices for carnations and roses with a view to the
application of the arrangements governing imports of certain floricultural products originating in
Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and in particular Article 5(2)(a) thereof,

Whereas:

Pursuant to Article 2(2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the

Gaza Strip ⁽³⁾, as last amended by Regulation (EC) No 2062/97 ⁽⁴⁾, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. To that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 30 April 2002.

It shall apply from 1 to 14 May 2002.

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

Done at Brussels, 29 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁴⁾ OJ L 289, 22.10.1997, p. 1.

ANNEX

to the Commission Regulation of 29 April 2002 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip

(EUR/100 pieces)

Period: from 1 to 14 May 2002

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	18,63	10,93	30,87	18,42
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	8,36	—	12,15	12,99
Morocco	14,52	12,54	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	7,95	—	—	—

COMMISSION REGULATION (EC) No 742/2002

of 29 April 2002

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of uniflorous (bloom) carnations originating in Morocco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

and roses for the application of the import arrangements.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco, the West Bank and Gaza Strip ⁽¹⁾, as last amended by Regulation (EC) No 1300/97 ⁽²⁾, and in particular Article 5(2)(b) thereof,

Whereas:

(1) Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers.

(2) Council Regulation (EC) No 747/2001 ⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Egypt, Israel, Malta, Morocco, the West Bank and the Gaza Strip.

(3) Commission Regulation (EEC) No 700/88 ⁽⁴⁾, as last amended by Regulation (EC) No 2062/97 ⁽⁵⁾, lays down the detailed rules for the application of the arrangements.

(4) Commission Regulation (EC) No 741/2002 ⁽⁶⁾ fixes the Community producer and import prices for carnations

(5) On the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2(3) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for uniflorous (bloom) carnations originating in Morocco. The Common Customs Tariff duty should be re-established.

(6) The quota for the products in question covers the period 15 October 2001 to 31 May 2002. As a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest.

(7) In between meetings of the Management Committee for Live Plants and Floriculture Products, the Commission must adopt such measures,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of uniflorous (bloom) carnations (CN code ex 0603 10 20) originating in Morocco, the preferential customs duty fixed by Regulation (EC) No 747/2001 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 30 April 2002.

⁽¹⁾ OJ L 382, 31.12.1987, p. 22.

⁽²⁾ OJ L 177, 5.7.1997, p. 1.

⁽³⁾ OJ L 109, 19.4.2001, p. 2.

⁽⁴⁾ OJ L 72, 18.3.1988, p. 16.

⁽⁵⁾ OJ L 289, 22.10.1997, p. 1.

⁽⁶⁾ See page 19 of this Official Journal.

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

Done at Brussels, 29 April 2002.

For the Commission
Franz FISCHLER
Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 April 2002

on the implementation of Decision 507/2001/EC of the European Parliament and of the Council concerning a set of actions relating to the trans-European network for the collection, production and dissemination of statistics on the trading of goods within the Community and between the Community and non-member countries (Edicom)

(notified under document number C(2002) 1282)

(2002/314/EC)

THE EUROPEAN COMMISSION,

Having regard to the Treaty establishing the European Community,

Having regard to Decision 507/2001/EC of the European Parliament and of the Council of 12 March 2001 concerning a set of actions relating to the trans-European network for the collection, production and dissemination of statistics on the trading of goods within the Community and between the Community and non-member countries (Edicom) ⁽¹⁾ and in particular Article 3 thereof,

Whereas:

- (1) Decision 507/2001/EC of the European Parliament and of the Council lays down the reference framework for an information network for the collection, production and dissemination of statistics on the trading of goods within the Community and between the Community and non-member countries, and gives the Commission the task of implementing it.
- (2) The measures set out in this Decision meet the aims and conditions established by Decision 507/2001/EC and therefore qualify for Community funding.
- (3) The Commission should therefore approve the annual work programme including the distribution of annual expenditure.

- (4) The measures set out in this Decision are in accordance with the opinion of the Committee on statistics relating to the trading of goods between Member States and the Committee on statistics relating to the trading of goods with non-member countries, established by Council Regulation (EEC) No 3330/91 ⁽²⁾ and Council Regulation (EEC) No 1172/95 ⁽³⁾,

HAS ADOPTED THIS DECISION,

Article 1

For the 2002 work programme, the measures qualifying for Community funding are set out in Annex I up to the amounts stated in Annex II to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 25 April 2002.

For the Commission

Pedro SOLBES MIRA

Member of the Commission

⁽¹⁾ OJ L 76, 16.3.2001, p. 1.

⁽²⁾ OJ L 316, 16.11.1991, p. 1.

⁽³⁾ OJ L 118, 25.5.1995, p. 10.

ANNEX I

EDICOM MEASURES — GENERAL WORK PROGRAMME

Measures relating to the implementation of a higher-quality information network which is less costly and available more quickly, in line with the requirements of Community policy

THE 2002 WORK PROGRAMME WILL PURSUE THE FOLLOWING OBJECTIVES

1. Production of advanced estimators

The objective of the proposed measures is to produce preliminary results at European level (EU and euro zones) which comply with minimum quality requirements at their level of aggregation. By comparing monthly statistics, as published initially and after revision, it will be possible to anticipate the final values of regularly revised data using appropriate econometric modelling or other suitable methodologies.

2. Improvement in the quality of basic statistics in external trade

The objective of the proposed measures is to improve the quality of the statistics and to analyse and improve the methods developed in Member States to control the data supplied by companies and the methods developed in Member States and the Commission (Eurostat) to control data at a more aggregated level. The outcome will be a thorough evaluation of the current methods in use and an assessment of the feasibility of the common platform at EU-level.

3. Improvement in quality measurement and control of the external trade statistics

Traditionally, external flows have been measured by the customs administration, which has its own culture. In particular, as a tax administration, it makes extensive use of accounting practices, i.e. an apparently clear-cut distinction between true values and errors. Therefore, there is no tradition of quality control, error measurement and communication on reliability of external trade statistics in many Member States.

The aim of the proposed measures is to respond to this unsatisfactory situation by enhancing quality measurement, control and assurance.

4. Improvement in the updating process for statistical results

The aim of the proposed measures is to determine a harmonised updating procedure for reducing the impact of factors affecting the quality of statistics. A high level of variability in the updating process applied to monthly data reduces the degree of harmonisation of external trade statistics. To identify the best methods, the updating process applied by each Member State must therefore be studied both from the methodological point of view and from the publication policy (how often, over what period, etc.) perspective. Then, a more harmonised procedure/approach at Union-level (either the 'best' practice used by one or more of the Member States, or a completely new approach) will be proposed.

5. Improvement in the methods of adjusting statistical results

In Intrastat as in Extrastat, thresholds for data collection are used by the Member States in order to limit the burden on traders. There is currently no harmonisation of the methods or the tools for the adjustments that are required. The objective of the proposed measures is to find the best adjustment methods and develop a user-friendly and portable application to test alternative methods in the Member States.

6. Dealing with asymmetries in Intrastat

The collection system of the statistics on intra-EU trade, Intrastat, generates sets of statistics which are not coherent at the level of intra-EU trade. The main reasons for this are known. The asymmetries are very important because they affect the reliability of the euro zone trade balance as well as the balance of payments and national accounts. Asymmetries are not limited to intra-EU trade and may occur with extra-EU partners.

In order to address these problems and improve the situation of users at European level (EU, euro zone), the aim of the proposed measures is to compare and implement specific models to reconcile the divergent data, on the basis of several methods. At the same time, some Member States will carry out detailed 'mirror' comparison exercises aimed at correcting any anomalies.

7. *Reconciliation of external trade statistics*

External trade statistics is a statistical area which is unique in that two trading partners compile corresponding sets of data. The differences are identified by comparing import and export flows. The next step is to find explanations and make adjustments to the identified discrepancies as far as possible.

Reconciliation exercises between partner countries are therefore an efficient way of checking and improving the quality of trade statistics. The proposed actions aim to produce a statistical methodology and computer tool that can be applied when reconciling trade data between two or more partners. The tool will be tested in an exercise between the EU and two of its major trading partners.

Measures relating to the implementation of a network of information that is relevant and appropriate to users' changing needs, within the framework of Economic and Monetary Union and the international economic environment

THE 2002 WORK PROGRAMME WILL PURSUE THE FOLLOWING OBJECTIVES:

1. *Improvement in the management of disclosure avoidance for foreign trade statistics*

The collection and dissemination of foreign trade statistics is a very detailed process. In many cases, this level of detail is not compatible with the rules on confidentiality which protect individual data provided by enterprises. Where necessary, the Member States apply their own rules for disguising data at national level and forward the initial data and the relevant authorised levels of publication to the Commission (Eurostat). The current techniques for disguising data are defined at Member State level and applied directly to the aggregates of the European Union and the Monetary Union.

In addition to the measures proposed by Eurostat with the aim of standardising the methodology implemented by the Member States and by the Commission (Eurostat), other measures are envisaged with the objective of improving national practice.

2. *Analysis of seasonal adjustment quality*

Eurostat produces and disseminates monthly foreign trade indicators which are seasonally adjusted and corrected for working days.

However, there are different methods of seasonal adjustment and correcting for working days and several ways of specifying the models. There is a need for a measurement of the quality of the indicators produced based on the main quality parameters. The objectives of the proposed measures are therefore:

- to define and assess quality indicators for seasonally adjusted data, drawing a distinction between general indicators and those which might be specific to foreign trade data,
- on the basis of genuine data, to test and assess the impact of the main assumptions made in the seasonal adjustment calculation on the quality indicators defined in the previous stage,
- to provide a detailed assessment and recommendations.

3. *Improvement in the information on foreign trade indices*

Eurostat and most Member States publish unit value indices. In particular, Eurostat has developed an application for new external trade indices (NICE) enabling unit value indices to be calculated every month. The application is designed to be adaptable to changes in the composition of the euro zone and the European Union and to new user requirements.

The objectives of the proposed measures are:

- to ensure that IT development of the NICE application continues,
- to increase the content of the accessible information by adding backward-extrapolated and seasonally-adjusted data,
- to conduct a comparative analysis in some Member States of unit value indices and price indices.

4. *Improvement in the information on the value of trade*

Statistics on the trading of goods are valued on a fob (free on board) basis for dispatches/exports and on a cif basis (insurance and freight charges included) for arrivals/imports. Publishing statistics on a fob basis for arrivals and imports, at least for aggregated results, would provide users with very useful information. This method is used in the area of the balance of payments, and the production of information on a double cif/fob basis is recommended by the United Nations. Pilot projects will be implemented in some Member States in 2002 with the aim of making this information available.

Measures relating to the implementation of an information network better integrated into the general statistical system and adapted to developments in the administrative environment

THE 2002 WORK PROGRAMME WILL PURSUE THE FOLLOWING OBJECTIVES:

1. *Development of trade registers and attention to globalisation*

For the open economies of the EU, external trade statistics are a major source of information that is widely used by economists, policy-makers and business associations. However, to make full use of these data, most users need them to be linked with enterprise statistics for which a full set of variables is already available at EU level. On the other hand, it is important to provide the users with additional data measuring the impact of international groups on trade statistics. To achieve these goals, an action plan has been proposed that is divided into the two following topics: trade registers and globalisation.

— Trade registers

The objective of the proposed measures is to establish connections between the trade and business registers so that a broad range of new analysis of external trade statistics can be carried out. For instance, it would be possible to measure the part of trade carried out by each economic sector. The links between trade and structural business statistics could also be analysed, for instance, the effect of trade on employment.

— Globalisation

The fundamental implication of globalisation makes it necessary to analyse and measure the activities of enterprises in a global as well as a national context. Traditionally, statistical data have focused on the international trade area with much less attention to other important cross border economic relationships such as the activities of multinational firms and intra-firm flows. The result is that statistics may fail to fully capture the scope of cross-border economic activities.

The objective of the proposed measures is to examine the extent to which existing external trade statistics can contribute to the collection of this information and determine possible technical modifications to existing systems which can facilitate this collection.

2. *Improvement in user access to customs statistics*

Eurostat has developed an application (Taristat) providing access to some of the data in the TARIC customs database. This tool is sufficiently operational as far as the display of specific and isolated information is concerned. However, it would be possible to combine external trade statistics with customs data and to use the latter data as reference data when processing external trade data. This information would be very useful for those who use statistics for analysis purposes, particularly in the context of trade negotiations.

The objective of the measure is therefore to provide Comext database users with easy access to basic information on tariff measures and customs duties.

3. *Analyses as part of the adaptation of the Intrastat system*

In addition to the simplification measures adopted over recent years, Eurostat has proposed a plan for adapting the Intrastat system (statistics on trade in goods between Member States) with the objective of making the rules more transparent and comprehensible, taking greater account of changes in national practices in certain fields (adjustments, timetables, quality etc.) and setting system parameters to provide results that meet Community needs in terms of quality requirements relating to coverage, reliability and availability.

Two measures are proposed with the aim of:

- completing the survey of information providers started in the first year of the programme in order to assess the current burden of providing Intrastat data,
- reassessing information needs relating to the trade between Member States.

4. *Improvement in the information on the transport of goods*

Many data are currently collected for the production of statistics on the transport of goods within the framework of the trade in goods with non-member countries and between the Member States. To improve the service offered to users of these statistics, it is proposed to improve and complete the existing information by cross-checking it with other available sources (transport statistics etc.). This measure should also provide an assessment of the quality of the data currently collected and could lead to new statistical products and/or proposals for optimising the collection of detailed data.

Measures relating to the implementation of a network improving the statistical service provided to administrations and users and providers of data

THE 2002 WORK PROGRAMME WILL PURSUE THE FOLLOWING OBJECTIVES:

1. *Consolidation of dissemination products*

The users of external trade statistics require rapid access to pertinent data. Rapid dissemination of data which are as up-to-date as possible and adapted to the needs of different users will establish the European Statistical System as the preferred supplier of data on the external and intra-Community trade of the EU and euro zone. A number of projects designed to meet this goal will be started or continued, in particular:

- a survey of the information needs of private and public users of statistics published by Eurostat,
- the development and concentration of dissemination tools at Eurostat.

2. *Development of a tool for classifying goods*

Since statistical returns are completed on the basis of coded data and product classification is easily the most complex information to provide, there are plans to provide foreign trade operators with a tool for classifying goods.

The main purpose of the proposed measures is to continue the development of a common software product allowing the automatic classification of goods.

The product should be modular and interoperable at Community level, so that it can be adapted to existing information collection tools. On-line use via an Internet server should also be envisaged in the longer term.

3. *Dissemination of metadata*

In order to improve the statistical service provided to administrations and users and providers of data, it is planned to improve access to the basic information on foreign trade statistics, including metadata such as nomenclatures, classifications and derived products (explanatory notes, key words, alphabetical indexes, transposition or correlation tables, etc.).

The objective of the proposed measures is to continue the measures aimed at improving access to information on trade nomenclatures.

Measures relating to the implementation of a network based on tools for the collection of information in the light of the latest technological advances in order to improve functions available to information providers

THE 2002 WORK PROGRAMME AIMS TO DEVELOP THE TOOLS FOR COLLECTING STATISTICAL INFORMATION

The collection of data from companies and their treatment is a fundamental component of the external trade statistic system. One of the successes of the programme Edicom I was the development and implementation of collection tools for the Intrastat system used by a large number of companies (electronic forms IDEP/CN8 and IRIS, and Webforms). Owing to modifications of the technological environment, and in the light of the experience gained, the objectives of the measures proposed will be to:

- ensure the continuity and development of these tools by making the necessary technological and functional modifications,
- take into account new methodological requirements,
- take into account developments in message standardisation,
- ensure the promotion of modern collection tools, especially web forms.

Measures relating to the implementation of an integrated and interoperable network

THE 2002 WORK PROGRAMME WILL PURSUE THE FOLLOWING OBJECTIVES:

The Edicom programme has methodological, organisational, legislative and computer components which require a coherent, integrated and synergic approach. The following measures are therefore proposed:

1. *Network modernisation*

Measures will be taken to modernise the various elements of the trans-European network for the collection, production and dissemination of statistics on the trading of goods within the Community and between the Community and non-member countries. They will focus on the tools and methods used in:

- processing and validating data,
- communication between national administrations and Eurostat,
- user access to statistical data and metadata, including greater use of the Internet and improvements to the software for disseminating statistics on the trading of goods (Comext).

2. *Development of an information system on methodology*

All of the methodological measures proposed must be coordinated to ensure their consistency and must aim at better integration of statistics on the trade of goods into the European statistical system. The measures must also be linked to existing methodology (including the *acquis communautaire*) and accompanied by teaching guides.

Within this general context, it is proposed to continue the development of a comprehensive, coherent and consistent documentary base to support the overall project and enable the methodological information to be disseminated interactively in a user-friendly way using the latest technology.

ANNEX II

EDICOM MEASURES — INDICATIVE COST BREAKDOWN

	(in EUR)
	Year 2002
Measures relating to the implementation of a higher-quality information network which is less costly and available more quickly, in line with the requirements of Community policy	
— Centralised measures:	752 000
— Measures to be taken in the Member States:	
Denmark	117 000
Germany	130 000
Spain	200 000
Italy	49 096
Luxembourg	50 400
Portugal	184 535
Finland	101 000
Sweden	124 000
United Kingdom	58 500
Measures relating to the implementation of an information network that is relevant and appropriate to users' changing needs, within the framework of Economic and Monetary Union and the international economic environment	
— Centralised measures:	450 000
— Measures to be taken in the Member States:	
Denmark	111 000
Germany	85 000
Italy	142 613
Netherlands	130 000
Austria	40 000
Portugal	32 425
Finland	125 000
Sweden	38 000
Measures relating to the implementation of an information network better integrated into the general statistical system and adapted to developments in the administrative environment	
— Centralised measures:	410 000
— Measures to be taken in the Member States:	
Denmark	48 000
Germany	7 000
France	3 000
Netherlands	120 000
Austria	60 000
Finland	45 000
Sweden	48 000
United Kingdom	46 000

(in EUR)	
	Year 2002
Measures relating to the implementation of a network improving the statistical service provided to administrations and users and providers of data	
— Centralised measures:	1 090 000
— Measures to be taken in the Member States:	
Denmark	56 000
Spain	63 106
France	100 000
Measures relating to the implementation of a network based on tools for the collection of information in the light of the latest technological advances in order to improve functions available to information providers	
— Centralised measures:	629 000
— Measures to be taken in the Member States:	
France	22 500
Ireland	82 532
Italy	350 000
Luxembourg	40 700
Netherlands	240 000
Austria	105 000
Portugal	27 757
Sweden	118 000
United Kingdom	458 612
Measures relating to the implementation of an integrated and interoperable network	
— Centralised measures:	1 365 000
Measures relating to technical and administrative assistance; support measures	630 000
Total	9 085 776

COMMISSION DECISION
of 29 April 2002
on the recognition of 'RINAVE — Registro Internacional Naval, SA' in accordance with Article 4(3)
of Council Directive 94/57/EC

(notified under document number C(2002) 1552)

(Only the Spanish text is authentic)

(Text with EEA relevance)

(2002/315/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 94/57/EC of 22 November 1994 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations ⁽¹⁾, as last amended by Commission Directive 97/58/EC ⁽²⁾ and in particular Article 4(3) thereof,

Having regard to the letter dated 19 November 2001 from the Spanish Authorities, requesting the recognition of RINAVE — 'Registro Internacional Naval, SA' (hereafter 'RINAVE') as per Article 4(3) (limited recognition) for a period ending on the 14 July 2003,

Whereas:

- (1) The limited recognition under Article 4(3) of Directive 94/57/EC is a recognition granted to organisations (classification societies) which fulfil all criteria other than those set out under paragraphs 2 and 3 of the section 'General' of the Annex, but which is limited in time and scope in order for the organisation concerned to further gain experience.
- (2) The Commission Decision 2000/481/EC ⁽³⁾ recognised RINAVE on the basis of Article 4(3) for Portugal. The Commission has verified that RINAVE meets all criteria of the Annex of the abovementioned Directive other

than those set out under paragraphs 2 and 3 of section 'General' of the Annex.

- (3) The measures provided for in this Decision are in accordance with the opinion of the Committee set out in Article 7 of Directive 94/57/EC,

HAS ADOPTED THIS DECISION:

Article 1

'RINAVE — Registro Internacional Naval, SA' is recognised pursuant to Article 4(3) of Directive 94/57/EC until 14 July 2003 as from the date of adoption of this Decision.

Article 2

The effects of this recognition are limited to Spain.

Article 3

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 29 April 2002.

For the Commission

Loyola DE PALACIO

Vice-President

⁽¹⁾ OJ L 319, 12.12.1994, p. 20.

⁽²⁾ OJ L 274, 7.10.1997, p. 8.

⁽³⁾ OJ L 193, 29.7.2000, p. 91.

COMMISSION DECISION

of 29 April 2002

authorising derogations from certain provisions of Council Directive 2000/29/EC in respect of plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in the Republic of Chile

(notified under document number C(2002) 1553)

(2002/316/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community ⁽¹⁾, as last amended by Commission Directive 2002/28/EC ⁽²⁾, and in particular Article 15(1) thereof,

Having regard to the request made by France,

Whereas:

- (1) Under Directive 2000/29/EC, plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in non-European countries, other than Mediterranean countries, Australia, New Zealand, Canada and the continental states of the USA, must not in principle be introduced into the Community.
- (2) There is interest in the multiplication, in the Republic of Chile, of plants of *Fragaria* L., intended for planting, other than seeds, from plants supplied by a Member State, in order to prolong the producing season of the plants. The plants produced are afterwards exported to the Community to be planted for fruit production.
- (3) For the 2001 season, by Commission Decision 2000/700/EC ⁽³⁾, derogations from certain provisions of Directive 2000/29/EC in respect of plants of *Fragaria* L., intended for planting, other than seeds, originating in the Republic of Chile have been authorised subject to specific conditions.
- (4) The circumstances justifying those derogations are still valid. There is no new information giving cause for revision of the specific conditions.
- (5) A derogation should therefore be authorised for a limited period, subject to specific conditions.

(6) The authorisation pursuant to this Decision shall be terminated if it is established that the specific conditions laid down in the Annex thereof are not sufficient to prevent the introduction of harmful organisms or have not been complied with.

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

HAS ADOPTED THIS DECISION:

Article 1

The Member States are hereby authorised to provide for derogations from Article 4(1) of Directive 2000/29/EC, with regard to the prohibitions referred to in Annex III, part A, point 18 to that Directive for plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in the Republic of Chile.

In order to qualify for this derogation, plants of *Fragaria* L., intended for planting, other than seeds, shall satisfy, in addition to the requirements laid down in Annexes I, II and IV to Directive 2000/29/EC, the conditions set out in the Annex to this Decision.

Article 2

Member States shall provide the Commission and the other Member States, before 30 November 2002, with the information on quantities imported pursuant to this Decision and with a detailed technical report of the official examination referred to in point 5 of the Annex.

Any Member State in which the plants are planted, after the import, shall also provide the Commission and the other Member States, before 31 January 2003, with a detailed technical report of the official examination referred to in point 8 of the Annex.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 77, 20.3.2002, p. 23.

⁽³⁾ OJ L 287, 14.11.2000, p. 65.

Article 3

Member States shall notify the Commission and the other Member States of all cases of consignments introduced into their territory pursuant to this Decision which were subsequently found not to comply with the conditions laid down herein.

Article 4

Article 1 shall apply from 1 June 2002 to 30 September 2002.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX

Specific conditions applying to plants of strawberry (*Fragaria* L.), intended for planting, other than seeds, originating in the Republic of Chile benefiting from the derogation provided for in Article 1 of this Decision

1. The plants shall be intended for fruit production within the Community and shall have been:
 - (a) produced exclusively from mother plants, certified under an approved certification scheme of a Member State, which were imported from Member State;
 - (b) grown on land which is:
 - situated in an area isolated from commercial strawberry production,
 - situated at least 1 km from the nearest crop of strawberry plants grown for fruit or runner production which do not satisfy the conditions of this Decision,
 - situated at least 200 m from any other plants of the genus *Fragaria* which do not satisfy the conditions of this Decision, and
 - prior to planting but after the previous crop was removed from the land, either officially tested by appropriate methods and shown to be free from harmful soil infesting organisms including *Globodera pallida* (Stone) Behrens and *Globodera rostochiensis* (Wollenweber) Behrens, or treated to ensure it was free from those organisms;
 - (c) officially inspected by the Plant Protection Service of Chile, at least three times during the growing season and again prior to export for the presence of the harmful organisms listed in part A of Annexes I and II to Directive 2000/29/EC, in particular:
 - Arabis mosaic virus,
 - *Colletotrichum acutatum* Simmonds,
 - *Globodera pallida* (Stone) Behrens,
 - *Globodera rostochiensis* (Wollenweber) Behrens,
 - *Phytophthora fragariae* Hickmann var. *fragariae*,
 - *Xanthomonas fragariae* Kennedy and King,
 - Strawberry crinkle virus,
 - Strawberry mild yellow edge virus,
 - Strawberry vein banding virus,
 - *Xiphinema americanum* Cobb *sensu lato* (non European populations),
 and of the other following harmful organisms,
 - *Aegorhinus phaleratus* Erichson,
 - *Aegorhinus superciliosus germari* (Gay Solier),
 - *Chaetosiphon thomasi* Hille Risambers,
 - *Naupactus leucoloma* (Boheman),
 - *Pseudoleucania bilitura* Guenée,
 - *Fusarium oxysporum* fsp. *fragariae*,
 - *Fragaria Chiloensis* ilar virus,
 and on each occasion found to be free from all such organisms;
 - (d) prior to export:
 - shaken free from soil or other growing medium,
 - cleaned (i.e. free from plant debris) and free from flowers and fruits.
2. The plants shall be accompanied by a phytosanitary certificate issued in the Republic of Chile in accordance with Articles 7 and 13 of Directive 2000/29/EC, on the basis of the examination laid down therein.
 The certificate shall state:
 - under the rubric 'Disinfestation and/or disinfection treatment', the specification of the last treatment(s) applied prior to export,
 - under 'Additional Declaration', the indication 'This consignment meets the conditions laid down in Commission Decision 2002/316/EC', as well as the name of the variety and the Member State certification scheme under which the mother plants had been certified.
3. The plants shall be introduced through points of entry designated for the purpose of this derogation by the Member State in which they are situated. These points of entry and the name and address of the responsible official body referred to in Directive 2000/29/EC in charge of each point shall be notified sufficiently in advance by the Member States to the Commission and shall be made available on request to other Member States. In those cases where the introduction into the Community takes place in a Member State other than the Member State making use of this derogation, the responsible official bodies of the Member State of introduction shall inform and cooperate with the responsible official bodies of the Member States making use of this derogation to ensure that the provisions of this Decision are complied with.

4. Prior to introduction into the Community, the importer shall be officially informed of the conditions laid down in points 1 to 6; the said importer shall notify details of each introduction sufficiently in advance to the responsible official bodies of the Member State of introduction indicating:
 - the type of material,
 - the quantity,
 - the intended date of introduction and point of entry into the Community,
 - the name, addresses and the locations where the plants will be stored under official control pending the results of the inspections and tests referred to in point 5; at least two weeks before movement of the plants from the premises where they are stored the importer shall notify the responsible official body of the premises referred to in point 6 where the plants will be planted.

The importer shall inform the official bodies concerned of any changes to the above details as soon as they are known.

The Member State concerned shall inform the Commission of the above details, and details of any changes to them without delay.

5. The inspections including testing, as appropriate, required pursuant to Article 13 of Directive 2000/29/EC and in accordance with provisions laid down in the present Decision shall be made by the responsible official bodies, referred to in the said Directive. These inspections shall be carried out by the Member State making use of this derogation and where appropriate, in cooperation with the said bodies of the Member State in which the plants will be planted. Furthermore, during the inspection Member State(s) shall also inspect, and where appropriate, test for all other harmful organisms. Without prejudice to the monitoring referred to in Article 21(3) second indent, first possibility of the said Directive, the Commission shall determine to which extent the inspections referred to in Article 21(3) second indent, second possibility of the said Directive shall be integrated into the inspection programme in accordance with Article 21(5)(3rd subparagraph) of that Directive.
 6. The plants shall be planted only at premises officially registered and approved for the purposes of this derogation and of which the name of the owner and address of the site have been notified in advance by the person who intends to plant the plants to the responsible official bodies of the Member State in which the premises are situated; in those cases where the place of planting is situated in a Member State other than the Member State making use of this derogation, the said responsible official bodies of the Member State making use of this derogation, at the moment of receipt of the aforementioned advance notification from the importer, shall inform the said responsible official bodies of the Member State in which the plants will be planted giving the name and addresses of the premises where the plants will be planted.
 7. The responsible official bodies shall ensure that any plant not planted in accordance with point 6 is destroyed under their control. Records shall be kept and made available to the Commission on request of the numbers of plants destroyed.
 8. In the growing period following importation, a suitable proportion of the plants shall be visually inspected by the said responsible official bodies of the Member State in which the plants are planted, at appropriate times, at the premises referred to in point 6, for the presence, signs or symptoms of any harmful organism; as a result of such visual inspection any harmful organism having caused signs or symptoms shall be identified by an appropriate testing procedure. Any plant which has not been found free during the said inspections or testing, from the harmful organisms mentioned in point (1)(c) shall be immediately destroyed under the control of the responsible bodies.
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