

Official Journal

of the European Communities

ISSN 0378-6978

L 127

Volume 45

14 May 2002

English edition

Legislation

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Commission

2002/359/EC:

- ★ **Commission Decision of 13 May 2002 on the procedure for attesting the conformity of construction products in contact with water intended for human consumption, pursuant to Article 20(2) of Council Directive 89/106/EEC ⁽¹⁾ (notified under document number C(2002) 1417) 16**

2002/360/EC:

- ★ **Commission Decision of 13 May 2002 establishing the amendments to be made to the measures taken by Austria to protect itself against the introduction of *Anoplophora glabripennis* (Motschulsky) (notified under document number C(2002) 1821) 19**

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 785/2002
of 13 May 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 14 May 2002.

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

Done at Brussels, 13 May 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 13 May 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	80,2
	204	36,7
	212	101,5
	999	72,8
0707 00 05	052	109,8
	220	151,4
	999	130,6
0709 90 70	052	90,8
	999	90,8
0805 10 10, 0805 10 30, 0805 10 50	052	78,9
	204	44,9
	212	62,0
	220	83,2
	388	91,2
	600	63,3
	624	74,2
	999	71,1
0805 50 10	052	35,5
	388	67,1
	528	81,3
	999	61,3
0808 10 20, 0808 10 50, 0808 10 90	060	29,0
	388	88,8
	400	113,7
	404	109,6
	508	69,4
	512	92,3
	524	74,5
	528	79,9
	720	142,4
	804	102,0
	999	90,2

⁽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 786/2002**of 13 May 2002****amending Council Regulation (EC) No 747/2001 as regards Community tariff quotas and reference quantities for certain agricultural products originating in Jordan**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 747/2001 of 9 April 2001 providing for the management of Community tariff quotas and of reference quantities for products eligible for preferences by virtue of agreements with certain Mediterranean countries and repealing Regulations (EC) No 1981/94 and (EC) No 934/95 ⁽¹⁾, and in particular Article 5 thereof,

Whereas:

- (1) In the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part ⁽²⁾, hereinafter referred to as 'the Agreement', tariff concessions within the framework of Community tariff quotas have been granted at import into the Community for certain agricultural products originating in Jordan.
- (2) For certain cucumbers and melons for which the tariff concessions under the Additional Protocol to the Cooperation Agreement between the European Economic Community and the Hashemite Kingdom of Jordan approved by Council Decision 87/512/EEC ⁽³⁾ apply within a reference quantity, the Agreement provides for an exemption of customs duties for unlimited volumes at import into the Community.

- (3) For the implementation of the tariff concessions provided for in the Agreement it is necessary to replace the list of agricultural products for which tariff quotas are applicable and to delete the reference quantities for certain cucumbers and melons.
- (4) According to the Agreement the volumes of the tariff quotas for some products should be increased from the entry into force of that Agreement by four equal annual instalments, each corresponding to 3 % of the base volumes specified in the Agreement.
- (5) Regulation (EC) No 747/2001 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Annex V to Regulation (EC) No 747/2001 is replaced by the text set out in the Annex to this Regulation.

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 with effect from 1 May 2002.

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

Done at Brussels, 13 May 2002.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 109, 19.4.2001, p. 2.

⁽²⁾ Not yet published in the Official Journal.

⁽³⁾ OJ L 297, 21.10.1987, p. 18.

ANNEX

'ANNEX V

JORDAN

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes as they exist at the time of adoption of the current regulation. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

Tariff quotas

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (tonnes)	Quota duty
09.1151	0602 40		Roses, grafted or not	From 1.1 to 31.12	100	Exemption
09.1152	0603 10		Fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	From 1.1 to 31.12	100	Exemption
09.1153	ex 0701 90 50		New potatoes, fresh or chilled	From 1.1 to 31.3	1 000	Exemption
09.1154	0705 11 00		Cabbage lettuce (head lettuce), fresh or chilled	From 1.11 to 31.3	200	Exemption
09.1155	0709 20 00		Asparagus, fresh or chilled	From 1.10 to 31.3	100	Exemption
09.1156	ex 0805 20 50	07	Mandarins, fresh	From 1.1 to 31.12	1 000	Exemption ⁽¹⁾
09.1157	ex 0805 50 10	10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	From 1.1 to 31.12	1 000	Exemption ⁽¹⁾
09.1158	0810 10 00		Strawberries, fresh	From 1.1 to 31.3	100	Exemption
09.1159	ex 2001 ex 2004 ex 2005		Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid, other than products referred to in subheadings 2001 90 30, 2001 90 40, 2001 90 50 and 2001 90 60 Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006 and other than products referred to in subheadings 2004 10 91 and 2004 90 10 Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006 and other than products referred to in subheadings 2005 20 10, 2005 60 00 and 2005 80 00	From 1.1 to 31.12	1 000 ⁽²⁾	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (tonnes)	Quota duty
09.1161	2007 ex 2008 ex 2009		Jams, fruit jellies, marmalades, fruit or nut purée and fruit or nut pastes, obtained by cooking, whether or not containing added sugar or other sweetening matter Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included, other than products referred to in subheadings 2008 11 10, 2008 40, 2008 70, 2008 91 00, 2008 99 85 and 2008 99 91 Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter, other than products referred to in subheadings 2009 11, 2009 12 00, 2009 19, 2009 21 00, 2009 29, 2009 31 and 2009 39	From 1.1 to 31.12	1 000 ⁽²⁾	Exemption ⁽¹⁾
09.1162	2002 90 31 2002 90 39 2002 90 91 2002 90 99		Tomatoes prepared or preserved otherwise than by vinegar or acetic acid, other than whole or in pieces, with a dry matter content of not less than 12 % by weight	From 1.1 to 31.12	4 000, of a dry matter content of 28 to 30 % by weight ⁽²⁾ ⁽³⁾	Exemption

⁽¹⁾ The exemption applies only to the *ad valorem* duty.

⁽²⁾ This quota volume shall be increased From the date of entry into force of this Regulation to 1 January 2005 by four equal annual instalments each corresponding to 3 % of this volume.

⁽³⁾ For the administration of these Community tariff quota, the following coefficients shall be applied to the quantities of products imported with a dry matter content other than 28-30 % by weight:

Dry matter content by weight		Coefficients
Not less than:	but less than:	
12	14	0,44828
14	16	0,51724
16	18	0,58621
18	20	0,65517
20	22	0,72414
22	24	0,7931
24	26	0,86207
26	28	0,93103
28	30	1
30	32	1,06897
32	34	1,13793
34	36	1,20689
36	38	1,27586
38	40	1,34483
40	42	1,41379
42	93	1,44828
93	100	3,32759'

COMMISSION REGULATION (EC) No 787/2002**of 13 May 2002****amending Regulation (EC) No 174/1999, laying down detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products, as regards exports to Switzerland**

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 26(3) and Article 31(14) thereof,

Whereas:

- (1) Article 19 of Commission Regulation (EC) No 174/1999 ⁽³⁾, as last amended by Regulation (EC) No 156/2002 ⁽⁴⁾, lays down that for the cheeses referred to in Annex III to that Regulation, exported to Switzerland, an export licence must be presented attesting that the products concerned originate in the Community and specifying whether or not an export refund has been paid. Following the abolition of export refunds for all Community cheeses exported to Switzerland provided for in the Bilateral Agreement between the European Community and the Swiss Confederation on trade in agricultural products (hereafter referred to as 'the Agreement'), signed in Luxembourg on 21 June 1999, and approved by Council Decision of 28 February 2002 ⁽⁵⁾, and in the interests of the simplification of customs formalities, the export of cheeses to Switzerland will be allowed on the basis of a simple export declaration accompanied by proof of origin, in accordance with Protocol No 3, concerning the definition of the concept 'of originating products' and methods of administrative cooperation, to the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972, as last amended by Decision No 1/2001 of the EC-Switzerland Joint Committee of 24 January

2001 ⁽⁶⁾, approved by Council Regulation (EEC) No 2840/72 of 19 December 1972 ⁽⁷⁾. That provision should therefore be amended and Annex III should be deleted.

- (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

Regulation (EC) No 174/1999 is amended as follows:

1. Article 19 is replaced by the following:

'Article 19

In order to qualify for a reduction in or an exemption from customs duties on import into Switzerland of the cheeses listed in Appendix 2 to Annex III to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products, an export declaration accompanied by proof of origin issued pursuant to Protocol No 3 to the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 shall be required.'

2. Annex III is deleted.

Article 2

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

It shall apply from 1 June 2002.

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

Done at Brussels, 13 May 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 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 25, 29.1.2002, p. 24.

⁽⁵⁾ Not yet published in the Official Journal.

⁽⁶⁾ OJ L 51, 21.2.2001, p. 40.

⁽⁷⁾ OJ L 300, 31.12.1972, p. 188.

COMMISSION REGULATION (EC) No 788/2002
of 13 May 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 759/2002 ⁽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 14 May 2002.

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

Done at Brussels, 13 May 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽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 116, 3.5.2002, p. 9.

ANNEX

to the Commission Regulation of 13 May 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⁾	16,52	8,08
1701 11 90 ⁽¹⁾	16,52	14,38
1701 12 10 ⁽¹⁾	16,52	7,85
1701 12 90 ⁽¹⁾	16,52	13,86
1701 91 00 ⁽²⁾	25,81	12,34
1701 99 10 ⁽²⁾	25,81	7,81
1701 99 90 ⁽²⁾	25,81	7,81
1702 90 99 ⁽³⁾	0,26	0,39

⁽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 789/2002
of 13 May 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 14 May 2002.

It shall apply from 15 to 28 May 2002.

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

Done at Brussels, 13 May 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽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 13 May 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 15 to 28 May 2002

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	21,73	10,97	47,96	28,99
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	11,60	—	23,95	23,63
Morocco	18,17	14,36	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	15,55	—	—	—

COMMISSION REGULATION (EC) No 790/2002**of 13 May 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 789/2002 ⁽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 14 May 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 9 of this Official Journal.

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

Done at Brussels, 13 May 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

COMMISSION REGULATION (EC) No 791/2002
of 13 May 2002
amending the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 597/2002 ⁽⁴⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 745/2002 ⁽⁵⁾.

- (2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 745/2002,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 745/2002 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 14 May 2002.

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

Done at Brussels, 13 May 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 91, 6.4.2002, p. 9.

⁽⁵⁾ OJ L 115, 1.5.2002, p. 8.

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality ⁽¹⁾	0,00
1001 90 91	Common wheat seed	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	0,00
	medium quality	15,73
	low quality	21,49
1002 00 00	Rye	31,67
1003 00 10	Barley, seed	31,67
1003 00 90	Barley, other ⁽⁴⁾	31,67
1005 10 90	Maize seed other than hybrid	50,62
1005 90 00	Maize other than seed ⁽⁵⁾	50,62
1007 00 90	Grain sorghum other than hybrids for sowing	31,67

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements for durum wheat of medium quality, referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic coasts of the Iberian peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 14 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

⁽⁴⁾ The importer may benefit from a flat-rate reduction of EUR 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

⁽⁵⁾ The importer may benefit from a flat-rate reduction of EUR 24 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 30 April 2002 to 10 May 2002)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	120,16	112,59	109,46	87,25	197,65 (**)	187,65 (**)	109,28 (**)
Gulf premium (EUR/t)	—	21,88	19,05	12,14	—	—	—
Great Lakes premium (EUR/t)	25,30	—	—	—	—	—	—

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

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico–Rotterdam: 16,93 EUR/t; Great Lakes–Rotterdam: 26,17 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 May 2002

on the procedure for attesting the conformity of construction products in contact with water intended for human consumption, pursuant to Article 20(2) of Council Directive 89/106/EEC

(notified under document number C(2002) 1417)

(Text with EEA relevance)

(2002/359/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988 on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Article 13(4) thereof,

Whereas:

(1) The Commission is required to select, as between the two procedures under Article 13(3) of Directive 89/106/EEC for attesting the conformity of a product, the 'least onerous possible procedure consistent with safety'. This means that it is necessary to decide whether, for a given product or family of products, the existence of a factory production control system under the responsibility of the manufacturer is a necessary and sufficient condition for an attestation of conformity, or whether, for reasons related to compliance with the criteria mentioned in Article 13(4), the intervention of an approved certification body is required.

(2) Article 13(4) of Directive 89/106/EEC requires that the procedure thus determined must be indicated in the mandates and in the technical specifications. Therefore, it is desirable to define the concept of products or family of products as used in the mandates and in the technical specifications.

(3) The two procedures provided for in Article 13(3) are described in detail in Annex III to Directive 89/106/EEC. It is necessary therefore to specify clearly the methods by which the two procedures must be implemented, by reference to Annex III to that Directive, for each product or family of products, since Annex III gives preference to certain systems.

(4) The procedure referred to in point (a) of Article 13(3) of Directive 89/106/EEC corresponds to the systems set out in the first possibility, without continuous surveillance, and the second and third possibilities of point (ii) of section 2 of Annex III. The procedure referred to in point (b) of Article 13(3) corresponds to the systems set out in point (i) of section 2 of Annex III, and in the first possibility, with continuous surveillance, of point (ii) of section 2 of Annex III.

(5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Construction,

HAS ADOPTED THIS DECISION:

Article 1

The products set out in Annex I shall have their conformity attested by a procedure whereby, in addition to a factory production control system operated by the manufacturer, an approved certification body is involved in assessment and surveillance of the production control or of the product itself.

⁽¹⁾ OJ L 40, 11.2.1989, p. 12.

⁽²⁾ OJ L 220, 30.8.1993, p. 1.

Article 2

The procedure for attesting conformity as set out in Annex II shall be indicated in the mandates and in the technical specifications referred to in Article 4 of Directive 89/106/EEC.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 13 May 2002.

For the Commission

Erkki LIIKANEN

Member of the Commission

ANNEX I

Piping kits and storage systems, pipes, tanks, valves, taps, pumps, water meters, protection and safety devices, fittings, adhesives, joints, joint sealings, gaskets, membranes, resins, coatings including linings, lubricants and greases in contact with water intended for human consumption.

ANNEX II

ATTESTATION OF CONFORMITY

For the product(s) and intended use(s) listed below, CEN/CENELEC/EOTA are requested to specify the following system(s) of attestation of conformity in the relevant technical specifications referred to in Article 4 of Directive 89/106/EEC.

Product(s)	Intended use(s)	Level(s) or class(es)	Attestation of conformity of system(s)
— Kits (piping and storage systems) — Pipes — Tanks — Valves, taps, pumps, water meters, protection and safety devices — Fittings, adhesives, joints, joint sealings and gaskets — Membranes, resins — Coatings — Lubricants, greases	in installations for the transport/distribution/storage of water intended for human consumption, up to, and including, the consumer taps	—	1+ ⁽¹⁾

System 1+: see CPD Annex III(2)(i), with audit-testing of samples

⁽¹⁾ The performance of the products, other than that related to the sanitary properties of the product (fitness for contact with water intended for human consumption), shall be assessed following the provisions of Decision 1999/472/EC, published in OJ L 184, 17.7.1999, p. 42).

The specification for the system should be such that it can be implemented even where performance does not need to be determined for a certain characteristic, because at least one Member State has no legal requirement at all for such a characteristic (see Article 2(1) of Directive 89/106/EEC and, where applicable, clause 1.2.3 of the Interpretative Documents). In those cases the verification of such a characteristic must not be imposed on the manufacturer if he does not wish to declare the performance of the product in that respect.

COMMISSION DECISION

of 13 May 2002

establishing the amendments to be made to the measures taken by Austria to protect itself against the introduction of *Anoplophora glabripennis* (Motschulsky)

(notified under document number C(2002) 1821)

(Only the German text is authentic)

(2002/360/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

insect bore holes, or that it be kiln dried to below 20 % moisture content.

Having regard to the Treaty establishing the European Community,

(4) The Austrian measures did not however apply to wood of *Fagus silvatica* and *Quercus L.*

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 16(3) thereof,

(5) Austria has justified these measures by the need to protect itself and the territory of the Community because Austria '... thinks that a strengthening of the current Community measures carried out according to Decisions 1999/355/EC and 1999/516/EC on emergency measures against the dissemination of *Anoplophora glabripennis* (Motschulsky) as regards China (except Hong Kong) would be reasonable ...'.

Having regard to the communication made by Austria on 2 August 2001,

(6) It has not yet been possible to identify the source of contamination, although elements indicate that the import of packaging material infected by *Anoplophora glabripennis* (Motschulsky) is the most likely pathway, nor is there in this case sufficient evidence yet to suggest that the said Community measures are insufficient.

Whereas:

(1) Following the detection of the harmful organism *Anoplophora glabripennis* (Motschulsky) for the first time in the European Union in 1999, Commission Decision 1999/355/EC ⁽³⁾ as amended by Decision 1999/516/EC ⁽⁴⁾ established emergency measures against the dissemination of *Anoplophora glabripennis* (Motschulsky) as regards China (except Hong Kong).

(7) Austria should therefore adjust the measures which it has adopted with a view to protecting itself and the territory of the Community against the introduction of the said harmful organism.

(2) Following detection of this harmful organism for the first time in the European Union on trees of *Acer platanoides* in Braunau in the Bundesland Oberösterreich, Austria implemented a programme of action in accordance with Article 16(2) of Directive 2000/29/EC to control its introduction into and the spread within Austria and the territory of the Community.

(8) The measures provided for in Decision 1999/355/EC and in Directive 2000/29/EC will be reviewed in the light of the FAO International Standard on 'Guidelines for regulating wood packaging material in international trade'.

(3) The measures adopted by Austria were more stringent than those provided for in Decision 1999/355/EC in that they applied to imports of susceptible hardwood originating in Korea, Taiwan and the United States of America, as well as to wood from China. Further, they provided that the wood to be imported must be both stripped of its bark and free of insect bore holes greater than 3 mm across and kiln dried to below 20 % moisture content. By contrast Decision 1999/355/EC requires either that the wood be stripped of bark and free of

(9) 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

Austria shall adjust the measures which it has adopted with a view to protecting itself and the territory of the Community against the introduction and spread of *Anoplophora glabripennis* (Motschulsky) in such a manner that the measures comply with Decision 1999/355/EC.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 77, 20.3.2002, p. 23.

⁽³⁾ OJ L 137, 1.6.1999, p. 45.

⁽⁴⁾ OJ L 197, 29.7.1999, p. 44.

Article 2

This Decision is addressed to the Republic of Austria.

Done at Brussels, 13 May 2002.

For the Commission

David BYRNE

Member of the Commission
