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Legislation

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Commission

2002/500/EC:

- ★ **Commission Decision of 18 March 2002 on the conclusion of the Agreement in the form of an Exchange of Letters between the European Community and the former Yugoslav Republic of Macedonia concerning the certificate referred to in paragraph 6 of the Agreement on reciprocal preferential trade concessions for certain wines** (*notified under document number C(2002) 665*) 52

2002/501/EC:

- ★ **Commission Decision of 18 March 2002 on the conclusion of the Agreement in the form of an Exchange of Letters between the European Community and the Republic of Croatia concerning the certificate referred to in paragraph 6 of the Agreement on reciprocal preferential trade concessions for certain wines** (*notified under document number C(2002) 666*) 63

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1121/2002
of 27 June 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 28 June 2002.

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

Done at Brussels, 27 June 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 27 June 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	59,7
	070	98,8
	999	79,3
0707 00 05	052	86,4
	220	143,3
	999	114,9
0709 90 70	052	71,7
	999	71,7
0805 50 10	388	65,5
	528	61,1
	999	63,3
0808 10 20, 0808 10 50, 0808 10 90	388	84,0
	400	111,0
	404	94,4
	508	83,9
	512	89,5
	524	59,0
	528	73,8
	720	147,6
	804	93,6
	999	93,0
	052	227,7
	999	227,7
0809 10 00	052	227,7
	999	227,7
0809 20 95	052	365,4
	060	201,8
	064	270,8
	066	210,0
	068	210,0
	400	199,3
	999	242,9

⁽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 1122/2002

of 27 June 2002

fixing the representative prices and the additional import duties for molasses in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 June 2002.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 27 June 2002.

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

ANNEX

to the Commission Regulation of 27 June 2002 fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,35	—	0
1703 90 00 ⁽¹⁾	11,90	—	0

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

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

COMMISSION REGULATION (EC) No 1123/2002**of 27 June 2002****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1069/2002 ⁽³⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 1069/2002 to the information known to the Commission that the export refunds at

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 1069/2002 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 June 2002.

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

Done at Brussels, 27 June 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 163, 21.6.2002, p. 5.

ANNEX

to the Commission Regulation of 27 June 2002 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	40,32 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	42,04 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	40,32 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	42,04 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4383
1701 99 10 9100	A00	EUR/100 kg	43,83
1701 99 10 9910	A00	EUR/100 kg	45,70
1701 99 10 9950	A00	EUR/100 kg	45,70
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4383

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 28(4) of Council Regulation (EC) No 1260/2001.

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

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

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

COMMISSION REGULATION (EC) No 1124/2002

of 27 June 2002

fixing the maximum export refund for white sugar for the 44th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1430/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1430/2001 of 13 July 2001 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, as amended by Regulation (EC) No 693/2002 ⁽⁴⁾, for the 2001/2002 marketing year, requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1430/2001 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community

and world markets in sugar, for the partial invitation to tender in question.

- (3) Following an examination of the tenders submitted in response to the 44th partial invitation to tender, the provisions set out in Article 1 should be adopted.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the 44th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1430/2001 the maximum amount of the export refund is fixed at 48,746 EUR/100 kg.

Article 2

This Regulation shall enter into force on 28 June 2002.

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

Done at Brussels, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 192, 14.7.2001, p. 3.

⁽⁴⁾ OJ L 107, 24.4.2002, p. 5.

COMMISSION REGULATION (EC) No 1125/2002

of 27 June 2002

definitively fixing the aid for unginnged cotton in Spain and Portugal from 1 September 2001 to 31 March 2002 for the 2001/02 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1050/2001 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular Article 2(1) thereof,

The amounts of the aid for unginnged cotton corresponding to the world prices fixed in Commission Regulations (EC) Nos 1738/2001 ⁽³⁾, 1784/2001 ⁽⁴⁾, 1855/2001 ⁽⁵⁾, 1912/2001 ⁽⁶⁾, 1985/2001 ⁽⁷⁾, 2061/2001 ⁽⁸⁾, 2143/2001 ⁽⁹⁾, 2191/2001 ⁽¹⁰⁾, 2207/2001 ⁽¹¹⁾, 2255/2001 ⁽¹²⁾, 2321/2001 ⁽¹³⁾, 2344/2001 ⁽¹⁴⁾, 2409/2001 ⁽¹⁵⁾, 2518/2001 ⁽¹⁶⁾, 2549/2001 ⁽¹⁷⁾, 39/2002 ⁽¹⁸⁾, 106/2002 ⁽¹⁹⁾, 159/2002 ⁽²⁰⁾, 186/2002 ⁽²¹⁾, 248/2002 ⁽²²⁾, 253/2002 ⁽²³⁾, 267/2002 ⁽²⁴⁾, 282/2002 ⁽²⁵⁾, 321/2002 ⁽²⁶⁾, 374/2002 ⁽²⁷⁾, 441/2002 ⁽²⁸⁾ and 499/2002 ⁽²⁹⁾ shall be as set out in the Annex hereto. Those amounts shall be fixed definitively from the entry into force of each of the Regulations concerned.

Whereas:

- (1) Under Article 4 of Regulation (EC) No 1051/2001, the world market price for unginnged cotton is fixed periodically during the marketing year.

Article 2

- (2) Commission Regulation (EC) No 1130/2002 ⁽³⁾ fixes actual production of unginnged cotton in Spain and Portugal and the amount by which the guide price is to be reduced as a result for the 2001/02 marketing year.

- (3) Article 4(1) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 laying down detailed rules for applying the cotton aid scheme ⁽⁴⁾ provides for the aid for unginnged cotton applicable for each period for which a world market price for unginnged cotton has been determined to be fixed no later than 30 June.

- (4) The aid for the 2001/02 marketing year should accordingly be fixed definitively at the levels indicated below,

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

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ See page 23 of this Official Journal.

⁽⁴⁾ OJ L 210, 3.8.2001, p. 10.

⁽⁵⁾ OJ L 234, 1.9.2001, p. 35.

⁽⁶⁾ OJ L 241, 11.9.2001, p. 9.

⁽⁷⁾ OJ L 253, 21.9.2001, p. 23.

⁽⁸⁾ OJ L 261, 29.9.2001, p. 34.

⁽⁹⁾ OJ L 270, 11.10.2001, p. 24.

⁽¹⁰⁾ OJ L 277, 20.10.2001, p. 24.

⁽¹¹⁾ OJ L 288, 1.11.2001, p. 15.

⁽¹²⁾ OJ L 293, 10.11.2001, p. 23.

⁽¹³⁾ OJ L 297, 15.11.2001, p. 6.

⁽¹⁴⁾ OJ L 304, 21.11.2001, p. 13.

⁽¹⁵⁾ OJ L 313, 30.11.2001, p. 17.

⁽¹⁶⁾ OJ L 315, 1.12.2001, p. 28.

⁽¹⁷⁾ OJ L 326, 11.12.2001, p. 13.

⁽¹⁸⁾ OJ L 339, 21.12.2001, p. 30.

⁽¹⁹⁾ OJ L 341, 22.12.2001, p. 104.

⁽²⁰⁾ OJ L 7, 11.1.2002, p. 12.

⁽²¹⁾ OJ L 17, 19.1.2002, p. 53.

⁽²²⁾ OJ L 25, 29.1.2002, p. 40.

⁽²³⁾ OJ L 31, 1.2.2002, p. 39.

⁽²⁴⁾ OJ L 39, 9.2.2002, p. 16.

⁽²⁵⁾ OJ L 40, 12.2.2002, p. 8.

⁽²⁶⁾ OJ L 43, 14.2.2002, p. 17.

⁽²⁷⁾ OJ L 45, 15.2.2002, p. 35.

⁽²⁸⁾ OJ L 50, 21.2.2002, p. 59.

⁽²⁹⁾ OJ L 60, 1.3.2002, p. 13.

⁽³⁰⁾ OJ L 67, 9.3.2002, p. 13.

⁽³¹⁾ OJ L 78, 21.3.2002, p. 11.

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

Done at Brussels, 27 June 2002.

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

ANNEX

AID FOR UNGINNED COTTON

(EUR/100 kg)

Regulation (EC) No	Aid amount	
	Spain	Portugal
1378/2001	66,263	85,078
1784/2001	66,355	85,170
1855/2001	67,618	86,433
1912/2001	67,725	86,540
1985/2001	68,934	87,749
2061/2001	69,044	87,859
2143/2001	69,973	88,788
2191/2001	69,186	88,001
2207/2001	67,864	86,679
2255/2001	67,342	86,157
2321/2001	66,040	84,855
2344/2001	65,664	84,479
2409/2001	65,595	84,410
2518/2001	65,745	84,560
2549/2001	65,721	84,536
39/2002	65,391	84,206
106/2002	64,955	83,770
159/2002	63,352	82,167
186/2002	63,488	82,303
248/2002	63,410	82,225
253/2002	64,933	83,748
267/2002	63,490	82,305
282/2002	65,144	83,959
321/2002	65,436	84,251
374/2002	65,431	84,246
441/2002	65,669	84,484
499/2002	65,855	84,670

COMMISSION REGULATION (EC) No 1126/2002**of 27 June 2002****opening and providing for the administration of an import tariff quota for young male bovine animals for fattening (1 July 2002 to 30 June 2003)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Commission Regulation (EC) No 2345/2001 ⁽²⁾ and in particular Article 32(1) thereof,

Whereas:

- (1) The WTO schedule CXL requires the Community to open an annual import tariff quota for 169 000 head of young male bovine animals for fattening. Implementing rules should be laid down for the period 1 July 2002 to 30 June 2003.
- (2) There should be a guarantee in particular of equal and continuing access to the said quota for all interested traders within the Community. However, pursuant to Article 32(3) of Regulation (EC) No 1254/1999, the method of administration may give due weight to the supply requirements on the Community market.
- (3) The requirements of certain Member States which have a shortfall of bovine animals for fattening may therefore be taken into account. As those requirements are particularly evident in Italy and Greece, priority should be given to satisfying demand in those two Member States.
- (4) For the allocation of the tariff quota methods which have been applied in the past to this quota should be applied again. Consequently, in Italy and Greece the method referred to in the third indent of Article 32(2) should be applied while the method referred to in the second indent of that paragraph shall be used for applications in other Member States.
- (5) Importers who can show that they have been involved in trade with live animals with third countries should be able to apply for import rights. Proof of that involvement calls for evidence to be presented of recent import or export of some significance.
- (6) Checks of criteria for participation in the quota allocation call for applications to be submitted in the Member State where the trader is entered in the value added tax (VAT) register. Italy and Greece are an exception to this rule: traders entered in the VAT register of another Member State may submit their applications in these two countries.
- (7) In order to prevent speculation:
 - importers no longer involved in trade in live bovine animals at 1 January 2002 should be denied access to the quota,
 - a security should be fixed for import rights,
 - licences should not be transferable,
 - import licences should be issued to traders solely for the quantities for which they have been allocated import rights.
- (8) In order to provide for more equal access to the quota while ensuring a commercially viable number of animal per application, each application should respect a maximum and a minimum number of heads.
- (9) To oblige traders to apply for import licences for all import rights allocated, it should be established that this obligation is a primary requirement within the meaning of Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the system of securities for agricultural products ⁽³⁾, as last amended by Regulation (EC) No 1932/1999 ⁽⁴⁾.
- (10) With a view to using up quota quantities completely, a closing date should be set for the submission of import licence applications and provision should be made for a further allocation of quantities not covered by licence applications submitted by that date. In the light of experience it should also be laid down that this final allocation is open only to importers who have applied for import licences for the total quantity to which they are entitled.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 315, 1.12.2001, p. 29.

⁽³⁾ OJ L 205, 3.8.1985, p. 5.

⁽⁴⁾ OJ L 240, 10.9.1999, p. 11.

- (11) A proper management of the quota requires the use of import licences. To that end, rules should be laid down in particular on the way applications are to be submitted and the information to be shown in applications and licences, where applicable by waiving or supplementing certain provisions of Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for certain agricultural products ⁽¹⁾ and of Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef and veal sector and repealing Regulation (EEC) No 2377/80 ⁽²⁾, as last amended by Regulation (EC) No 2442/2001 ⁽³⁾.
- (12) A proper management of the quota also requires that the titular holder of the licence is a genuine importer. Therefore, such importer should actively participate in the purchase, transport and import of the animals concerned. Presentation of proof of those activities should thus also be a primary requirement with regard to the licence security.
- (13) With a view of ensuring a strict statistical control of the animals imported under the quota, the tolerance referred to in Article 8(4) of Regulation (EC) No 1291/2000 shall not apply.
- (14) The application of this tariff quota requires effective checks on the specific destination of the imported animals. The animals should therefore be fattened in the Member State which has issued the import licence.
- (15) A security must be lodged to ensure that the animals are fattened for at least 120 days in designated production units. The amount of the security should cover the difference between the common customs tariff (CCT) duty and the reduced duty applicable on the date of release for home use of the animals in question.
- (16) The Management Committee for Beef and Veal has not given an opinion within the time limit set by its President,

HAS ADOPTED THIS REGULATION:

Article 1

1. A tariff quota for 169 000 young male bovine animals covered by CN codes 0102 90 05, 0102 90 29 or 0102 90 49

⁽¹⁾ OJ L 152, 24.6.2000, p. 1.

⁽²⁾ OJ L 143, 27.6.1995, p. 35.

⁽³⁾ OJ L 337, 20.12.2001, p. 18.

and intended for fattening in the Community is hereby opened for the period 1 July 2002 to 30 June 2003.

The serial number of the quota shall be 09.4005.

2. The customs import duty applicable under the tariff quota referred to in paragraph 1 shall be 16 % *ad valorem* plus EUR 582 per tonne net.

That rate of duty shall apply on condition that the imported animals are fattened for at least 120 days in the Member State which has issued the import licence.

Article 2

1. Import rights for the quantity referred to in Article 1(1) shall be allocated to the Member States as follows:

- (a) Italy: 118 300 head,
- (b) Greece: 18 100 head,
- (c) other Member States: 32 600 head.

2. Within each of the quantities referred to in paragraph 1(a) and (b), import rights relating to:

- 50 % of the quantity shall be allocated upon application directly by the Member State concerned to importers who furnish proof of having imported animals under the Regulations referred to in Annex I. All quantities presented as reference quantity shall constitute the import rights applied for,
- 50 % of the quantity shall be allocated upon application directly by the Member State concerned to operators who furnish proof that, in the period 1 January 2001 to 31 December 2001, they have exported to or imported from third countries at least 75 live animals covered by CN code 0102 90, excluding imports under Regulations referred to in Annex I.

3. Applicants must be entered in a national value added tax (VAT) register.

Applications for import rights shall be presented:

- in Italy for the quantities referred to in paragraph 1(a),
- in Greece for the quantities referred to in paragraph 1(b),
- in the Member States of registration for the quantities referred to in paragraph 1(c).

4. The quantities referred to in paragraph 1(c) shall be allocated upon application to operators who furnish proof that in the period from 1 January 2001 to 31 December 2001 they have exported to or imported from third countries at least 75 live animals covered by CN code 0102 90.

5. The quantities referred to in the first and second indent of paragraph 2 and in paragraph 4 shall be allocated to eligible operators in proportion to the quantities respectively applied for. Each application under the second indent of paragraph 2 and under paragraph 4 shall relate to a minimum of 50 head and a maximum of 10 % of the available number of head.

6. Proof of import and/or export shall be provided solely by means of customs documents of release for home use.

Member States may accept copies of those documents duly certified by the competent authorities.

Article 3

1. Operators who are no longer engaged in trade in live bovine animals on 1 January 2002 shall not qualify under the arrangements provided for in this Regulation.

2. A company formed by the merger of companies each having rights to apply pursuant to the first indent of Article 2(2) shall enjoy the same rights as the companies from which they were formed.

Article 4

1. Where, under any one category referred to respectively in the first indent of Article 2(2), the second indent of Article 2(2) and Article 2(4) an applicant submits more than one application, all such applications shall be rejected.

2. For the purposes of Article 2(2) and (4), applications accompanied by the necessary proofs must reach the competent authorities not later than 8 July 2002.

3. As regards applications under Article 2(2), after verification of the documents presented, Italy and Greece shall forward to the Commission by 19 July 2002 at the latest a list of applicants and quantities applied for using the forms set out in Annex II for applications under the first indent of Article 2(2) and in Annex III for applications under the second indent of Article 2(2).

4. As regards applications under Article 2(4), after verification of the documents presented, Member States shall forward to the Commission by 19 July 2002 at the latest a list of applicants and quantities applied for using the form set out in Annex III.

The Commission shall decide as soon as possible to what extent applications under Article 2(4) may be accepted. Where the

quantities applied for exceed the quantities available, the Commission shall fix a reduction coefficient to be applied to the quantities applied for.

5. Where in application of the coefficient referred to in paragraph 4 the allocation under Article 2(4) would result in less than 50 head being allocated per application, the allocation shall be made by the Member States concerned by drawing lots for batches of 50 head for those applications. Where the remainder is fewer than 50 head, that number shall constitute a single batch.

Article 5

1. A security for import rights is fixed at EUR 3 per head. It must be lodged with the competent authority together with the application for import rights.

2. Import licence applications must be submitted for the import rights allocated. This obligation is a primary requirement within the meaning of Article 20(2) of Regulation (EEC) No 2220/85.

3. Where the allocations for Italy and Greece referred to in Article 2(2) and that made by the Commission under Article 4(4) result in import right applications exceeding the rights allocated, the security lodged shall be released immediately for that overrun.

Article 6

1. Any import of animals for which import rights have been allocated shall be subject to presentation of an import licence.

2. Regulations (EC) No 1291/2000 and (EC) No 1445/95 shall apply, save as otherwise provided in this Regulation.

3. Licence applications may be lodged solely:

— in the Member State in which the application for import rights has been lodged, and

— by operators to whom import rights have been allocated in accordance with Articles 2 and 4. Each issuing of an import licence shall result in a corresponding reduction of the import rights.

4. Licences shall be issued up to 29 November 2002 for a maximum of 50 % of the allocated import rights. Import licences for the remaining quantities shall be issued from 1 December 2002.

5. An import license shall be issued on application by and in the name of the operators who have obtained the import rights.

6. Licence applications and licences shall show:

- (a) the country of origin in box 8;
- (b) one of the eligible CN codes in box 16;
- (c) the figure '0' (zero) in box 19;
- (d) the following endorsement in box 20:

'Live male bovine animals of a live weight not exceeding 300 kg per head (Regulation (EC) No 1126/2002).'

Article 7

1. Notwithstanding Article 9(1) of Regulation (EC) No 1291/2000, import licences issued pursuant to this Regulation shall not be transferable and shall confer rights under the tariff quotas only if made out in the same name and address as the one entered as consignee in the customs declaration of release for home use accompanying them.

2. Import licences shall be valid for 90 days from their date of issue within the meaning of Article 23(1) of Regulation (EC) No 1291/2000. However, no licences shall be valid after 30 June 2003.

3. The security relating to the import licence shall be EUR 20 per head and shall be lodged by the applicant together with the licence application.

4. Licences shall be valid throughout the Community.

5. Article 8(4) of Regulation (EC) No 1291/2000 shall not apply.

6. Notwithstanding the provisions of Section 4 of Title III of Regulation (EC) No 1291/2000, the security shall not be released until proof has been produced that the titular holder of the licence has been commercially and logistically responsible for the purchase, transport and clearance for home use of the animals concerned. Such proof shall at least consist of:

- the original commercial invoice made out in the name of the titular holder by the seller or his representative, both established in the third country of export, and proof of payment by the titular holder or the opening by the titular holder of an irrevocable documentary credit in favour of the seller,
- the bill of lading or, where applicable, the road or air transport document, drawn up in the name of the titular holder, for the animals concerned,
- the copy No 8 of form IM 4 with the name and address of the titular holder being the only indication in box 8,
- the proof of the payment of the customs duties by, or on behalf of, the titular holder.

Article 8

1. At the time of import, the importer shall provide proof that he has:

- given a written undertaking to inform within one month the competent authority of the Member State that issued the licence, of the farm or farms where the young bovine animals are to be fattened,
- lodged a security of an amount as laid down for each eligible CN code in Annex IV with the competent authority of the Member State that issued the licence. The fattening of the imported animals in that Member State for at least 120 days from the date of acceptance of the customs declaration of release for home use is a primary requirement within the meaning of Article 20(2) of Regulation (EEC) No 2220/85.

2. Except in cases of *force majeure*, the security referred to in the second indent of paragraph 1 shall be released only if proof is furnished to the competent authority of the Member State that issued the licence that the young bovine animals:

- (a) have been fattened on the farm or farms indicated pursuant to paragraph 1;
- (b) have not been slaughtered before a period of 120 days from the date of import has elapsed; or
- (c) have been slaughtered for health reasons or have died as a result of sickness or accident before that period has elapsed.

The security shall be released immediately after such proof has been furnished.

However, where the time limit referred to in the first indent of paragraph 1 has not been observed, the security to be released shall be reduced by:

- 15 %, and by
- 2 % of the remaining amount for each day by which it has been exceeded.

The amounts not released shall be forfeited and retained as customs duties.

3. If the proof referred to in paragraph 2 is not furnished within 180 days from the date of import, the security shall be forfeited and retained as customs duty.

However, if such proof is not furnished within 180 days but is produced within six months following the said period of 180 days, the amount forfeited, less 15 % of the security, shall be repaid.

Article 9

1. Animals not covered by import licence applications at 21 February 2003 shall be the subject of a further allocation of import rights, irrespective of the allocation of import rights between Member States referred to in Article 2(1) and of the two different schemes provided for in the first and second indents of Article 2(2).

2. To that end, by 28 February 2003 at the latest the Member States shall notify the Commission of the number of animals referred to in paragraph 1.

3. The Commission shall establish and publish as quickly as possible the total remaining number of animals to be reallocated.

4. The allocation of those animals shall be open to interested operators who have applied for import licences for all their import rights initially granted.

New applications for import rights shall be presented in the Member State where the applicant is entered in the national value added tax register.

5. Each application shall relate to a minimum of 50 head. However, where the remaining number of animals referred to in paragraph 3 is lower than 50 head, an application shall relate to that lower number of head.

6. For the purposes of this Article, Articles 4 to 8 shall apply. However, the date of application mentioned in Article 4(2) shall be 21 March 2003 and the date of communication mentioned in Article 4(4) shall be 28 March 2003.

Article 10

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, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

REGULATIONS REFERRED TO IN ARTICLE 2(2)

Commission Regulations:

- (EC) No 1043/98 (OJ L 149, 20.5.1998, p. 7),
 - (EC) No 1431/1999 (OJ L 166, 1.7.1999, p. 49),
 - (EC) No 885/2000 (OJ L 104, 29.4.2000, p. 39).
-

ANNEX II

Fax: (32-2) 296 60 27 / (32-2) 295 36 13

Application of Article 4(3) and (4) of Regulation (EC) No 1126/2002

Serial No 09.4005

COMMISSION OF THE EUROPEAN COMMUNITIES

DG AGRI/D/2 — BEEF/VEAL

APPLICATION FOR IMPORT RIGHTS

Date: Period:

[illegible]

Member State: Fax:

Telephone number:

(¹) Continuous numbering.

ANNEX III

Fax: (32-2) 296 60 27 / (32-2) 295 36 13

Application of Article 4(3) and (4) of Regulation (EC) No 1126/2002

Serial No 09.4005

COMMISSION OF THE EUROPEAN COMMUNITIES

DG AGRI/D/2 — BEEF/VEAL

APPLICATION FOR IMPORT RIGHTS

Date: Period:

Number of applicant (!)	Applicant (name and address)	Quantity (head)
Total		

Member State: Fax:

Telephone number:

(¹) Continuous numbering.

ANNEX IV

SECURITY AMOUNTS

Male bovine animals for fattening (CN code)	Amount (EUR) per head
0102 90 05	28
0102 90 29	56
0102 90 49	105

COMMISSION REGULATION (EC) No 1127/2002**of 27 June 2002****on the opening of a standing invitation to tender for the resale on the internal market of some 5 814 tonnes of rice held by the Greek intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular the last indent of Article 8(b) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 75/91 of 11 January 1991 laying down the procedures and conditions for the disposal of paddy rice held by intervention agencies ⁽³⁾ lays down requirements relating to those procedures and conditions.
- (2) For a very long time now the Greek intervention agency has been storing a very large quantity of long-grain paddy rice A. A standing invitation to tender should be opened for the resale on the internal market of some 5 814 tonnes of paddy rice held by the Greek intervention agency.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The Greek intervention agency shall open, on the terms laid down in Regulation (EEC) No 75/91, a standing invitation to

tender for the resale on the internal market of some 5 814 tonnes of long-grain paddy rice A held by that agency.

Article 2

1. The closing date for the submission of tenders in response to the first partial invitation to tender shall be 10 July 2002.
2. The closing date for the submission of tenders in response to the last partial invitation to tender shall be 31 July 2002.
3. Tenders must be lodged with the Greek intervention agency at the following address:

OPEKEPE
Acharnon Street 241
GR-10446 Athens
Tel.: (30-10) 212 47 87 or 212 47 89
Fax: (30-10) 862 93 73.

Article 3

By no later than Tuesday of the week following the closing date for the submission of tenders, the Greek intervention agency shall notify the Commission of the quantities and the average prices of the various lots sold.

Article 4

This Regulation shall enter into force on the 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, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 9, 12.1.1991, p. 15.

COMMISSION REGULATION (EC) No 1128/2002**of 27 June 2002****opening an invitation to tender for the allocation of export licences for 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 35(3) thereof,

Whereas:

(1) Commission Regulation (EC) No 1961/2001 ⁽³⁾, as amended by Regulation (EC) No 636/2002 ⁽⁴⁾, lays down detailed rules on export refunds on fruit and vegetables.

(2) Article 35(1) of Regulation (EC) No 2200/96, provides that, to the extent necessary for economically significant quantities of the products listed in that Article to be exported, the difference between the international market prices for those products and their prices in the Community may be covered by export refunds.

(3) Article 35(4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation or the outlook for fruit and vegetable prices on the Community market and supplies available on the one hand, and prices on the international market on the other hand. Account must also be taken of the costs referred to in Article 35(4)(b) of that Regulation and of the economic aspect of the exports planned.

(4) Pursuant to Article 35(1) of Regulation (EC) No 2200/96, refunds are to be set with due regard to the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(5) In accordance with Article 35(5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint. International trade prices are to be established in the light of the prices referred to in the second subparagraph of that paragraph.

(6) The international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination.

(7) Tomatoes, lemons, oranges, table grapes, apples and peaches of classes Extra, I and II of the common quality standards can currently be exported in economically significant quantities.

(8) Application of the abovementioned rules to the present and forecast market situation, and in particular to fruit and vegetable prices in the Community and international trade, gives the refund rates set out in the Annex hereto.

(9) Pursuant to Article 35(2) of Regulation (EC) No 2200/96, the resources available should be used as efficiently as possible while avoiding discrimination between traders. Therefore, care should be taken not to disturb the trade flows previously induced by the refund arrangements. For those reasons and because of the seasonal nature of exports of fruit and vegetables, quotas should be fixed for each product.

(10) Commission Regulation (EEC) No 3846/87 ⁽⁵⁾, as last amended by Regulation (EC) No 1007/2002 ⁽⁶⁾, establishes an agricultural product nomenclature for export refunds.

(11) Commission Regulation (EC) No 1291/2000 ⁽⁷⁾, as last amended by Regulation (EC) No 2299/2001 ⁽⁸⁾, lays down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products.

(12) Owing to the market situation, in order to make the most efficient use of the resources available and given the structure of Community exports, the most appropriate method should be selected for export refunds on certain products and certain destinations and consequently refunds under the A1, A2 and A3 licence arrangements referred to in Article 1 of Regulation (EC) No 1961/2001 laying down detailed rules for implementing Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables should not be fixed simultaneously for the export period in question.

(13) The quantities laid down for the various products should be distributed in accordance with the different systems for the grant of the refund, taking account in particular of their perishability.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 84, 28.3.2002, p. 1.

⁽³⁾ OJ L 268, 9.10.2001, p. 8.

⁽⁴⁾ OJ L 96, 13.4.2002, p. 7.

⁽⁵⁾ OJ L 366, 24.12.1987, p. 1.

⁽⁶⁾ OJ L 153, 13.6.2002, p. 8.

⁽⁷⁾ OJ L 152, 24.6.2000, p. 1.

⁽⁸⁾ OJ L 308, 27.11.2001, p. 19.

- (14) It should be specified that Regulation (EC) No 1961/2001, and in particular Articles 4 and 5 thereof, are to apply to this invitation to tender.
- (15) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,
2. Quantities covered by licences issued for food aid as referred to in Article 16 of Regulation (EC) No 1291/2000 shall not count against the eligible quantities covered by the Annex.
3. Without prejudice to the application of Article 5(6) of Regulation (EC) No 1961/2001, the term of validity of A3 licences shall be three months.

HAS ADOPTED THIS REGULATION:

Article 1

1. The tender submission period, the indicative refund amounts and the scheduled quantities for A3 export licences for fruit and vegetables shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 June 2002.

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

Done at Brussels, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to Regulation (EC) No 1128/2002 opening an invitation to tender for the allocation of export licences for fruit and vegetables

Product code	Destination	System A3 Tender submission period: 4 to 5 July 2002	
		Indicative refund amount (EUR/t net weight)	Scheduled quantity (t)
0702 00 00 9100	F08	14	1 874
0805 10 10 9100 0805 10 30 9100 0805 10 50 9100	F00	26	615
0806 10 10 9100	F00	23	6 627
0808 10 20 9100 0808 10 50 9100 0808 10 90 9100	F04, F09	15	2 541
0809 30 10 9100 0809 30 90 9100	F03	27	9 708

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

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

The other destinations are defined as follows:

F00 all destinations except Estonia;

F03 all destinations except Switzerland and Estonia;

F04 Hong Kong SAR, Singapore, Malaysia, Sri Lanka, Indonesia, Thailand, Taiwan, Papua New Guinea, Laos, Cambodia, Vietnam, Japan, Uruguay, Paraguay, Argentina, Mexico and Costa Rica;

F08 all destinations except Slovakia, Latvia, Lithuania, Bulgaria and Estonia;

F09 Norway, Iceland, Greenland, Faeroe Islands, Poland, Hungary, Romania, Albania, Bosnia and Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Federal Republic of Yugoslavia (Serbia and Montenegro), Malta, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, destinations referred to in Article 36 of Regulation (EC) No 800/1999, African countries and territories except South Africa, countries of the Arabian Peninsula (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah, Fujairah), Kuwait, Yemen), Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador and Colombia.

COMMISSION REGULATION (EC) No 1129/2002**of 27 June 2002****fixing the derived intervention prices for white sugar for the 2002/03 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular Article 2(4) thereof,

Whereas:

- (1) Regulation (EC) No 1260/2001 fixes the intervention price for white sugar for non-deficit areas at EUR 63,19/100 kg for the 2001/02 to 2005/06 marketing years.
- (2) Article 2(1)(b) of Regulation (EC) No 1260/2001 provides that derived intervention prices for white sugar are to be fixed for each deficit area each year. When those prices are fixed, account is to be taken of the regional variations in the price of sugar, which, given a normal harvest and free movement of sugar, may be expected to occur under natural conditions of price formation on the market and in view of experience gained and the costs of transporting sugar from surplus areas to deficit areas.
- (3) To establish whether an area is a deficit area, projections should be made based on the data returned by the Member States relating both to the current marketing year as regards consumption trends, and to the prospects for the coming marketing year as regards developments in available production. As a result, areas should be recognised

as deficit areas only where the projections clearly indicate that a deficit is likely to occur.

- (4) On this basis, the areas of production in Ireland, the United Kingdom, Spain, Portugal and Finland are likely to be deficit areas.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The derived intervention prices for white sugar in the deficit areas of the Community shall be:

- (a) EUR 64,65/100 kg for all areas in Ireland and the United Kingdom;
- (b) EUR 64,65/100 kg for all areas in Portugal;
- (c) EUR 64,65/100 kg for all areas in Finland;
- (d) EUR 64,88/100 kg for all areas in Spain.

Article 2

This Regulation shall enter into force on 1 July 2002.

It shall apply for the 2002/03 marketing year.

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

Done at Brussels, 27 June 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.

COMMISSION REGULATION (EC) No 1130/2002

of 27 June 2002

fixing, for the 2001/02 marketing year, the actual production of unginned cotton in Spain and Portugal and the amount by which the guide price is to be reduced as a result

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1050/2001 ⁽¹⁾,Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular Article 19(2) thereof,

Whereas:

- (1) Article 16(3) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 laying down detailed rules for applying the cotton aid scheme ⁽³⁾ provides that actual production in each marketing year is to be established before 15 June of that year.
- (2) The third indent of Article 19(2) of Regulation (EC) No 1051/2001 provides that actual production is fixed taking account in particular of the quantities on which aid has been applied for.
- (3) Consequently, for the 2001/02 marketing year actual production in Spain is fixed at 336 984 tonnes and in Portugal at 612 tonnes. As a result of problems in applying the cotton production aid scheme in Greece in the first marketing year following the entry into force of Regulation (EC) No 1051/2001, the information required to assess actual production in Greece is not yet fully available. Until that information becomes available and has been analysed, actual production of unginned cotton in Greece and the resultant reduction in the guide price should therefore not be fixed.
- (4) Article 7(2) of Regulation (EEC) No 1051/2001 stipulates that, if actual production in Spain and Greece exceeds 1 031 000 tonnes, the guide price referred to in Article

3(1) of that Regulation is to be reduced in each Member State where production exceeds its guaranteed national quantity (GNQ). Such reduction is calculated differently depending on whether the GNQ is exceeded both in Greece and Spain or only in one of those Member States.

- (5) In the 2001/02 marketing year there is an overshoot of the guaranteed national quantity in Spain, as there certainly will be in Greece based on the information already available. Moreover, actual production in Spain is at a level below that of its guaranteed national quantity increased by 113 000 tonnes. As a result, in accordance with the first subparagraph of Article 7(4) of Regulation (EC) No 1051/2001, the reduction in the guide price in Spain is 50 % of the rate of overshoot referred to in paragraph 3 of that Article. This reduction is therefore fixed at the level indicated below.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Natural Fibres,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 2001/02 marketing year, actual production of unginned cotton is fixed at 336 984 tonnes for Spain and 612 tonnes for Portugal.
2. The amount by which the guide price is to be reduced for the 2001/02 marketing year is fixed at EUR 18,815/100 kg for Spain.

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, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

COMMISSION REGULATION (EC) No 1131/2002
of 27 June 2002
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 31(3) thereof,

Whereas:

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

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

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

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

which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

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

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

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

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EC) No 804/68 as regards export licences and export refunds on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 787/2002 ⁽⁴⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽⁵⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽⁶⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 127, 14.5.2002, p. 6.

⁽⁵⁾ OJ L 178, 30.6.2001, p. 1.

⁽⁶⁾ OJ L 104, 20.4.2002, p. 26.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 30 June 2002.

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

Done at Brussels, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71.

⁽²⁾ OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 27 June 2002 fixing the export refunds on milk and milk products

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0401 10 10 9000	970	EUR/100 kg	2,458	0402 91 39 9300	A02	EUR/100 kg	8,058
0401 10 90 9000	970	EUR/100 kg	2,458	0402 91 99 9000	A02	EUR/100 kg	43,93
0401 20 11 9100	970	EUR/100 kg	2,458	0402 99 11 9350	A02	EUR/kg	0,1734
0401 20 11 9500	970	EUR/100 kg	3,798	0402 99 19 9350	A02	EUR/kg	0,1734
0401 20 19 9100	970	EUR/100 kg	2,458	0402 99 31 9150	A02	EUR/kg	0,1816
0401 20 19 9500	970	EUR/100 kg	3,798	0402 99 31 9300	A02	EUR/kg	0,2629
0401 20 91 9000	970	EUR/100 kg	4,806	0402 99 31 9500	A02	EUR/kg	0,4530
0401 20 99 9000	970	EUR/100 kg	4,806	0402 99 39 9150	A02	EUR/kg	0,1816
0401 30 11 9400	970	EUR/100 kg	11,09	0403 90 11 9000	A02	EUR/100 kg	70,50
0401 30 11 9700	970	EUR/100 kg	16,66	0403 90 13 9200	A02	EUR/100 kg	70,50
0401 30 19 9700	970	EUR/100 kg	16,66	0403 90 13 9300	A02	EUR/100 kg	94,30
0401 30 31 9100	A02	EUR/100 kg	40,46	0403 90 13 9500	A02	EUR/100 kg	99,18
0401 30 31 9400	A02	EUR/100 kg	63,20	0403 90 13 9900	A02	EUR/100 kg	106,84
0401 30 31 9700	A02	EUR/100 kg	69,70	0403 90 19 9000	A02	EUR/100 kg	107,40
0401 30 39 9100	A02	EUR/100 kg	40,46	0403 90 33 9400	A02	EUR/kg	0,9430
0401 30 39 9400	A02	EUR/100 kg	63,20	0403 90 33 9900	A02	EUR/kg	1,0684
0401 30 39 9700	A02	EUR/100 kg	69,70	0403 90 51 9100	970	EUR/100 kg	2,458
0401 30 91 9100	A02	EUR/100 kg	79,43	0403 90 59 9170	970	EUR/100 kg	16,66
0401 30 91 9500	A02	EUR/100 kg	116,74	0403 90 59 9310	A02	EUR/100 kg	40,46
0401 30 99 9100	A02	EUR/100 kg	79,43	0403 90 59 9340	A02	EUR/100 kg	59,20
0401 30 99 9500	A02	EUR/100 kg	116,74	0403 90 59 9370	A02	EUR/100 kg	59,20
0402 10 11 9000	A02	EUR/100 kg	71,50	0403 90 59 9510	A02	EUR/100 kg	59,20
0402 10 19 9000	A02	EUR/100 kg	71,50	0404 90 21 9120	A02	EUR/100 kg	61,00
0402 10 91 9000	A02	EUR/kg	0,7150	0404 90 21 9160	A02	EUR/100 kg	71,50
0402 10 99 9000	A02	EUR/kg	0,7150	0404 90 23 9120	A02	EUR/100 kg	71,50
0402 21 11 9200	A02	EUR/100 kg	71,50	0404 90 23 9130	A02	EUR/100 kg	94,86
0402 21 11 9300	A02	EUR/100 kg	94,86	0404 90 23 9140	A02	EUR/100 kg	100,14
0402 21 11 9500	A02	EUR/100 kg	100,14	0404 90 23 9150	A02	EUR/100 kg	107,80
0402 21 11 9900	A02	EUR/100 kg	107,80	0404 90 29 9110	A02	EUR/100 kg	108,57
0402 21 17 9000	A02	EUR/100 kg	71,50	0404 90 29 9115	A02	EUR/100 kg	109,39
0402 21 19 9300	A02	EUR/100 kg	94,86	0404 90 29 9125	A02	EUR/100 kg	110,52
0402 21 19 9500	A02	EUR/100 kg	100,14	0404 90 29 9140	A02	EUR/100 kg	120,92
0402 21 19 9900	A02	EUR/100 kg	107,80	0404 90 81 9100	A02	EUR/kg	0,7150
0402 21 91 9100	A02	EUR/100 kg	108,52	0404 90 83 9110	A02	EUR/kg	0,7150
0402 21 91 9200	A02	EUR/100 kg	109,40	0404 90 83 9130	A02	EUR/kg	0,9486
0402 21 91 9350	A02	EUR/100 kg	110,46	0404 90 83 9150	A02	EUR/kg	1,0014
0402 21 91 9500	A02	EUR/100 kg	120,86	0404 90 83 9170	A02	EUR/kg	1,0780
0402 21 99 9100	A02	EUR/100 kg	108,52	0404 90 83 9936	A02	EUR/kg	0,1734
0402 21 99 9200	A02	EUR/100 kg	109,40	0405 10 11 9500	L05	EUR/100 kg	170,73
0402 21 99 9300	A02	EUR/100 kg	110,46	0405 10 11 9700	L05	EUR/100 kg	175,00
0402 21 99 9400	A02	EUR/100 kg	118,04	0405 10 19 9500	L05	EUR/100 kg	170,73
0402 21 99 9500	A02	EUR/100 kg	120,86	0405 10 19 9700	L05	EUR/100 kg	175,00
0402 21 99 9600	A02	EUR/100 kg	131,12	0405 10 30 9100	L05	EUR/100 kg	170,73
0402 21 99 9700	A02	EUR/100 kg	136,79	0405 10 30 9300	L05	EUR/100 kg	175,00
0402 21 99 9900	A02	EUR/100 kg	143,49	0405 10 30 9700	L05	EUR/100 kg	175,00
0402 29 15 9200	A02	EUR/kg	0,7150	0405 10 50 9300	L05	EUR/100 kg	175,00
0402 29 15 9300	A02	EUR/kg	0,9488	0405 10 50 9500	L05	EUR/100 kg	170,73
0402 29 15 9500	A02	EUR/kg	1,0017	0405 10 50 9700	L05	EUR/100 kg	175,00
0402 29 15 9900	A02	EUR/kg	1,0780	0405 10 90 9000	L05	EUR/100 kg	181,41
0402 29 19 9300	A02	EUR/kg	0,9488	0405 20 90 9500	L05	EUR/100 kg	160,07
0402 29 19 9500	A02	EUR/kg	1,0017	0405 20 90 9700	L05	EUR/100 kg	166,47
0402 29 19 9900	A02	EUR/kg	1,0780	0405 90 10 9000	L05	EUR/100 kg	222,36
0402 29 91 9000	A02	EUR/kg	1,0852	0405 90 90 9000	L05	EUR/100 kg	175,00
0402 29 99 9100	A02	EUR/kg	1,0852	0406 10 20 9100	A00	EUR/100 kg	—
0402 29 99 9500	A02	EUR/kg	1,1804	0406 10 20 9230	L03	EUR/100 kg	—
0402 91 11 9370	A02	EUR/100 kg	6,804		L04	EUR/100 kg	36,83
0402 91 19 9370	A02	EUR/100 kg	6,804		400	EUR/100 kg	—
0402 91 31 9300	A02	EUR/100 kg	8,058		A01	EUR/100 kg	36,83

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 10 20 9290	L03	EUR/100 kg	—	0406 30 31 9910	L03	EUR/100 kg	—
	L04	EUR/100 kg	34,26		L04	EUR/100 kg	7,57
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	34,26		A01	EUR/100 kg	14,18
0406 10 20 9300	L03	EUR/100 kg	—	0406 30 31 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	15,04		L04	EUR/100 kg	11,09
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	15,04		A01	EUR/100 kg	20,80
0406 10 20 9610	L03	EUR/100 kg	—	0406 30 31 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	49,96		L04	EUR/100 kg	16,13
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	49,96		A01	EUR/100 kg	30,26
0406 10 20 9620	L03	EUR/100 kg	—	0406 30 39 9500	L03	EUR/100 kg	—
	L04	EUR/100 kg	50,67		L04	EUR/100 kg	11,09
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	50,67		A01	EUR/100 kg	20,80
0406 10 20 9630	L03	EUR/100 kg	—	0406 30 39 9700	L03	EUR/100 kg	—
	L04	EUR/100 kg	56,56		L04	EUR/100 kg	16,13
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	56,56		A01	EUR/100 kg	30,26
0406 10 20 9640	L03	EUR/100 kg	—	0406 30 39 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	83,12		L04	EUR/100 kg	16,13
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	83,12		A01	EUR/100 kg	30,26
0406 10 20 9650	L03	EUR/100 kg	—	0406 30 39 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	69,26		L04	EUR/100 kg	18,25
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	69,26		A01	EUR/100 kg	34,21
0406 10 20 9660	A00	EUR/100 kg	—	0406 30 90 9000	L03	EUR/100 kg	—
0406 10 20 9830	L03	EUR/100 kg	—		L04	EUR/100 kg	19,14
	L04	EUR/100 kg	25,69		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	35,89
0406 10 20 9850	A01	EUR/100 kg	25,69	0406 40 50 9000	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	87,98
	L04	EUR/100 kg	31,15		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	87,98
0406 10 20 9870	A01	EUR/100 kg	31,15	0406 40 90 9000	L03	EUR/100 kg	—
	A00	EUR/100 kg	—		L04	EUR/100 kg	90,34
	0406 10 20 9900	A00	EUR/100 kg		400	EUR/100 kg	—
	A00	EUR/100 kg	—		A01	EUR/100 kg	90,34
0406 20 90 9100	A00	EUR/100 kg	—	0406 90 13 9000	L03	EUR/100 kg	—
	0406 20 90 9913	L03	EUR/100 kg		L04	EUR/100 kg	99,34
	L04	EUR/100 kg	57,44		400	EUR/100 kg	30,81
	400	EUR/100 kg	16,18		A01	EUR/100 kg	113,75
0406 20 90 9915	A01	EUR/100 kg	57,44	0406 90 15 9100	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	102,65
	L04	EUR/100 kg	75,82		400	EUR/100 kg	31,76
	400	EUR/100 kg	21,56		A01	EUR/100 kg	117,54
0406 20 90 9917	A01	EUR/100 kg	75,82	0406 90 17 9100	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	102,65
	L04	EUR/100 kg	80,56		400	EUR/100 kg	31,76
	400	EUR/100 kg	22,92		A01	EUR/100 kg	117,54
0406 20 90 9919	A01	EUR/100 kg	80,56	0406 90 21 9900	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	100,59
	L04	EUR/100 kg	90,03		400	EUR/100 kg	22,78
	400	EUR/100 kg	25,57		A01	EUR/100 kg	114,90
0406 20 90 9990	A01	EUR/100 kg	90,03	0406 90 23 9900	L03	EUR/100 kg	—
	A00	EUR/100 kg	—		L04	EUR/100 kg	88,33
	0406 30 31 9710	L03	EUR/100 kg		400	EUR/100 kg	—
	L04	EUR/100 kg	7,57		A01	EUR/100 kg	101,58
0406 30 31 9730	400	EUR/100 kg	—	0406 90 25 9900	L03	EUR/100 kg	—
	A01	EUR/100 kg	14,18		L04	EUR/100 kg	87,75
	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	11,09		A01	EUR/100 kg	100,49
	400	EUR/100 kg	—				
	A01	EUR/100 kg	20,80				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 27 9900	L03	EUR/100 kg	—	0406 90 78 9100	L04	EUR/100 kg	88,21
	L04	EUR/100 kg	79,48		400	EUR/100 kg	11,83
	400	EUR/100 kg	—		A01	EUR/100 kg	100,14
	A01	EUR/100 kg	91,01		L03	EUR/100 kg	—
0406 90 31 9119	L03	EUR/100 kg	—	0406 90 78 9300	L04	EUR/100 kg	85,54
	L04	EUR/100 kg	73,04		400	EUR/100 kg	—
	400	EUR/100 kg	13,06		A01	EUR/100 kg	99,96
	A01	EUR/100 kg	83,78		L03	EUR/100 kg	—
0406 90 33 9119	L03	EUR/100 kg	—	0406 90 78 9500	L04	EUR/100 kg	90,69
	L04	EUR/100 kg	73,04		400	EUR/100 kg	—
	400	EUR/100 kg	13,06		A01	EUR/100 kg	103,59
	A01	EUR/100 kg	83,78		L03	EUR/100 kg	—
0406 90 33 9919	L03	EUR/100 kg	—	0406 90 79 9900	L04	EUR/100 kg	89,84
	L04	EUR/100 kg	66,76		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	102,01
	A01	EUR/100 kg	76,83		L03	EUR/100 kg	—
0406 90 33 9951	L03	EUR/100 kg	—	0406 90 81 9900	L04	EUR/100 kg	73,34
	L04	EUR/100 kg	67,42		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	84,33
	A01	EUR/100 kg	76,89		L03	EUR/100 kg	—
0406 90 35 9190	L03	EUR/100 kg	—	0406 90 85 9930	L04	EUR/100 kg	92,71
	L04	EUR/100 kg	103,33		400	EUR/100 kg	24,34
	400	EUR/100 kg	31,42		A01	EUR/100 kg	106,18
	A01	EUR/100 kg	118,83		L03	EUR/100 kg	—
0406 90 35 9990	L03	EUR/100 kg	—	0406 90 85 9970	L04	EUR/100 kg	100,13
	L04	EUR/100 kg	103,33		400	EUR/100 kg	30,33
	400	EUR/100 kg	20,54		A01	EUR/100 kg	115,25
	A01	EUR/100 kg	118,83		L03	EUR/100 kg	—
0406 90 37 9000	L03	EUR/100 kg	—	0406 90 85 9999	L04	EUR/100 kg	91,79
	L04	EUR/100 kg	99,34		400	EUR/100 kg	26,54
	400	EUR/100 kg	30,81		A01	EUR/100 kg	105,64
	A01	EUR/100 kg	113,75		A00	EUR/100 kg	—
0406 90 61 9000	L03	EUR/100 kg	—	0406 90 86 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	109,48	0406 90 86 9200	L03	EUR/100 kg	—
	400	EUR/100 kg	29,24	0406 90 86 9300	L04	EUR/100 kg	84,23
	A01	EUR/100 kg	126,72		400	EUR/100 kg	17,68
0406 90 63 9100	L03	EUR/100 kg	—		A01	EUR/100 kg	99,94
	L04	EUR/100 kg	108,91		L03	EUR/100 kg	—
	400	EUR/100 kg	32,71	0406 90 86 9400	L04	EUR/100 kg	85,45
	A01	EUR/100 kg	125,66		400	EUR/100 kg	19,38
0406 90 63 9900	L03	EUR/100 kg	—		A01	EUR/100 kg	100,99
	L04	EUR/100 kg	104,70	0406 90 86 9900	L03	EUR/100 kg	—
	400	EUR/100 kg	25,02		L04	EUR/100 kg	90,78
	A01	EUR/100 kg	121,38		400	EUR/100 kg	21,93
0406 90 69 9100	A00	EUR/100 kg	—	0406 90 86 9900	A01	EUR/100 kg	106,18
0406 90 69 9910	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	104,70		L04	EUR/100 kg	100,13
	400	EUR/100 kg	25,02		400	EUR/100 kg	25,67
0406 90 73 9900	A01	EUR/100 kg	121,38	0406 90 87 9100	A01	EUR/100 kg	115,25
	L03	EUR/100 kg	—		A00	EUR/100 kg	—
	L04	EUR/100 kg	91,18	0406 90 87 9200	L03	EUR/100 kg	—
	400	EUR/100 kg	26,93		L04	EUR/100 kg	70,20
0406 90 75 9900	A01	EUR/100 kg	104,50		400	EUR/100 kg	15,81
	L03	EUR/100 kg	—		A01	EUR/100 kg	83,27
	L04	EUR/100 kg	91,79	0406 90 87 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	11,36		L04	EUR/100 kg	78,46
0406 90 76 9300	A01	EUR/100 kg	105,64		400	EUR/100 kg	17,85
	L03	EUR/100 kg	—	0406 90 87 9400	A01	EUR/100 kg	92,76
	L04	EUR/100 kg	82,78		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	80,51
0406 90 76 9400	A01	EUR/100 kg	94,79		400	EUR/100 kg	19,55
	L03	EUR/100 kg	—	0406 90 87 9951	A01	EUR/100 kg	94,16
	L04	EUR/100 kg	92,71		L03	EUR/100 kg	—
	400	EUR/100 kg	11,83		L04	EUR/100 kg	91,06
0406 90 76 9500	A01	EUR/100 kg	106,18		400	EUR/100 kg	27,03
	L03	EUR/100 kg	—		A01	EUR/100 kg	104,28

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 87 9971	L03	EUR/100 kg	—	0406 90 87 9975	400	EUR/100 kg	15,39
	L04	EUR/100 kg	91,06		A01	EUR/100 kg	110,64
	400	EUR/100 kg	21,93		L03	EUR/100 kg	—
	A01	EUR/100 kg	104,28		L04	EUR/100 kg	98,97
0406 90 87 9972	L03	EUR/100 kg	—	0406 90 87 9979	400	EUR/100 kg	20,40
	L04	EUR/100 kg	38,79		A01	EUR/100 kg	111,87
	400	EUR/100 kg	—		L03	EUR/100 kg	—
	A01	EUR/100 kg	44,61		L04	EUR/100 kg	88,33
0406 90 87 9973	L03	EUR/100 kg	—	0406 90 88 9100	400	EUR/100 kg	15,39
	L04	EUR/100 kg	89,40		A01	EUR/100 kg	101,58
	400	EUR/100 kg	15,39		A00	EUR/100 kg	—
	A01	EUR/100 kg	102,38		L03	EUR/100 kg	—
0406 90 87 9974	L03	EUR/100 kg	—	0406 90 88 9300	L04	EUR/100 kg	69,31
	L04	EUR/100 kg	97,03		400	EUR/100 kg	19,38
					A01	EUR/100 kg	81,63

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

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

The other destinations are defined as follows:

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

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

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

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

COMMISSION REGULATION (EC) No 1132/2002

of 27 June 2002

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash,

crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 2002.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

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

Done at Brussels, 27 June 2002.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 27 June 2002 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C11	EUR/t	40,56	1104 23 10 9100	C14	EUR/t	43,46
1102 20 10 9400 ⁽¹⁾	C11	EUR/t	34,76	1104 23 10 9300	C14	EUR/t	33,32
1102 20 90 9200 ⁽¹⁾	C11	EUR/t	34,76	1104 29 11 9000	C13	EUR/t	0,00
1102 90 10 9100	C14	EUR/t	0,00	1104 29 51 9000	C13	EUR/t	0,00
1102 90 10 9900	C14	EUR/t	0,00	1104 29 55 9000	C13	EUR/t	0,00
1102 90 30 9100	C15	EUR/t	0,00	1104 30 10 9000	C13	EUR/t	0,00
1103 19 40 9100	C16	EUR/t	0,00	1104 30 90 9000	C14	EUR/t	7,24
1103 13 10 9100 ⁽¹⁾	C14	EUR/t	52,15	1107 10 11 9000	C13	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C14	EUR/t	40,56	1107 10 91 9000	C13	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C14	EUR/t	34,76	1108 11 00 9200	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C14	EUR/t	34,76	1108 11 00 9300	C10	EUR/t	0,00
1103 19 10 9000	C16	EUR/t	22,05	1108 12 00 9200	C10	EUR/t	46,35
1103 19 30 9100	C14	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	46,35
1103 20 60 9000	C16	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	46,35
1103 20 20 9000	C14	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	46,35
1104 19 69 9100	C14	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	30,40
1104 12 90 9100	C13	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	30,40
1104 12 90 9300	C13	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 19 10 9000	C13	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	C10	EUR/t	45,41
1104 19 50 9110	C14	EUR/t	46,35	1702 30 59 9000 ⁽²⁾	C10	EUR/t	34,76
1104 19 50 9130	C14	EUR/t	37,66	1702 30 91 9000	C10	EUR/t	45,41
1104 29 01 9100	C14	EUR/t	0,00	1702 30 99 9000	C10	EUR/t	34,76
1104 29 03 9100	C14	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	34,76
1104 29 05 9100	C14	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	45,41
1104 29 05 9300	C14	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	34,76
1104 22 20 9100	C13	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	47,58
1104 22 30 9100	C13	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	33,03
				2106 90 55 9000	C10	EUR/t	34,76

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

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

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

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

The other destinations are as follows:

C10: All destinations except for Estonia,

C11: All destinations except for Estonia, Hungary, and Poland,

C12: All destinations except for Estonia, Hungary, Latvia and Poland,

C13: All destinations except for Estonia, Hungary and Lithuania,

C14: All destinations except for Estonia and Hungary,

C15: All destinations except for Estonia, Hungary, Latvia, Lithuania and Poland.

COMMISSION REGULATION (EC) No 1133/2002
of 27 June 2002
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 2002.

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

Done at Brussels, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 27 June 2002 fixing the export refunds on cereal-based compound feeding-stuffs

Product codes benefiting from export refund:

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

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	A00	EUR/t	28,97
Cereal products excluding maize and maize products	A00	EUR/t	0,00

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

COMMISSION REGULATION (EC) No 1134/2002**of 27 June 2002****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2002.

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

Done at Brussels, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

ANNEX

**to the Commission Regulation of 27 June 2002 fixing the export refunds on cereals and on wheat or rye flour,
groats and meal**

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 11 9000	—	EUR/t	—
1001 10 00 9400	—	EUR/t	—	1101 00 15 9100	C01	EUR/t	0
1001 90 91 9000	—	EUR/t	—	1101 00 15 9130	C01	EUR/t	0
1001 90 99 9000	C01	EUR/t	0	1101 00 15 9150	C01	EUR/t	0
1002 00 00 9000	C06	EUR/t	0	1101 00 15 9170	C01	EUR/t	0
1003 00 10 9000	—	EUR/t	—	1101 00 15 9180	C01	EUR/t	0
1003 00 90 9000	C07	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1004 00 00 9200	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1004 00 00 9400	C06	EUR/t	0	1102 10 00 9500	C01	EUR/t	0
1005 10 90 9000	—	EUR/t	—	1102 10 00 9700	C01	EUR/t	0
1005 90 00 9000	C07	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1007 00 90 9000	—	EUR/t	—	1103 11 10 9200	C06	EUR/t	0 ⁽¹⁾
1008 20 00 9000	—	EUR/t	—	1103 11 10 9400	C06	EUR/t	0 ⁽¹⁾
				1103 11 10 9900	—	EUR/t	—
				1103 11 90 9200	C06	EUR/t	0 ⁽¹⁾
				1103 11 90 9800	—	EUR/t	—

⁽¹⁾ No refund is granted when this product contains compressed meal.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14) as amended.

The other destinations are as follows:

C01 All destinations except for Poland, Lithuania, Estonia, Latvia and Hungary.

C06 All destinations except for Lithuania, Estonia, Latvia and Hungary.

C07 All destinations except for Estonia, Latvia and Hungary.

COMMISSION REGULATION (EC) No 1135/2002
of 27 June 2002
fixing the corrective amount applicable to the refund on cereals

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(8) thereof,

Whereas:

- (1) Article 13(8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, allows for the fixing of a corrective amount for the products listed in Article 1(1)(c) of Regulation (EEC) No 1766/92. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) The world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination.
- (4) The corrective amount must be fixed at the same time as the refund and according to the same procedure; it may be altered in the period between fixings.
- (5) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1(1)(a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance except for malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2002.

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

Done at Brussels, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

ANNEX

to the Commission Regulation of 27 June 2002 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12	6th period 1
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C05	-30,00	-30,00	-30,00	-30,00	-30,00	—	—
	A05	0	0	0	0	0	—	—
1002 00 00 9000	C03	-20,00	-20,00	-20,00	-20,00	-20,00	—	—
	C05	-45,00	-45,00	-45,00	-45,00	-45,00	—	—
	A05	0	0	0	0	0	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	C08	-30,00	-30,00	-30,00	-30,00	-30,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	C05	-30,00	-30,00	-30,00	-30,00	-30,00	—	—
	A05	0	0	0	0	0	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	0	0	0	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	A00	0	0	0	0	0	—	—
1101 00 15 9130	A00	0	0	0	0	0	—	—
1101 00 15 9150	A00	0	0	0	0	0	—	—
1101 00 15 9170	A00	0	0	0	0	0	—	—
1101 00 15 9180	A00	0	0	0	0	0	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	A00	0	0	0	0	0	—	—
1102 10 00 9700	A00	0	0	0	0	0	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	0	0	0	0	—	—
1103 11 10 9400	A00	0	0	0	0	0	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

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

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

The other destinations are as follows:

C03 Poland, Czech Republic, Slovak Republic, Hungary, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Slovenia, former Republic of Yugoslavia with the exception of Slovenia, Croatia and Bosnia and Herzegovina, Albania, Romania, Bulgaria, Armenia, Georgia, Azerbaijan, Moldova, Ukraine, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, Turkmenistan, Morocco, Algeria, Tunisia, Libya, Egypt, Malta, Cyprus and Turkey,

C05 Hungary,

C08 All destinations except for Algeria, Saudi Arabia, Bahrain, Cyprus, Egypt, United Arab Emirates, Malta, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Mauritania, Oman, Qatar, Syria, Tunisia and Yemen.

COMMISSION REGULATION (EC) No 1136/2002
of 27 June 2002
fixing the export refunds on malt

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 the third subparagraph of Article 13(2) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾.
- (3) The refund applicable in the case of malts must be calculated with amount taken of the quantity of cereals required to manufacture the products in question. The said quantities are laid down in Regulation (EC) No 1501/95.
- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying these rules to the present situation on markets in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1(1)(c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2002.

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

Done at Brussels, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

ANNEX

to the Commission Regulation of 27 June 2002 fixing the export refunds on malt

Product code	Destination	Unit of measurement	Amount of refunds
1107 10 19 9000	C05	EUR/t	0,00
1107 10 99 9000	C05	EUR/t	0,00
1107 20 00 9000	C05	EUR/t	0,00

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

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

The other destinations are as follows:

C05 All destinations except for Hungary, Latvia and Estonia.

COMMISSION REGULATION (EC) No 1137/2002
of 27 June 2002
fixing the corrective amount applicable to the refund on malt

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(8),

Whereas:

- (1) Article 13(8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, allows for the fixing of a corrective amount for the malt referred to

in Article 1(1)(c) of Regulation (EEC) No 1766/92. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 13(4) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2002.

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

Done at Brussels, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

ANNEX

to the Commission Regulation of 27 June 2002 fixing the corrective amount applicable to the refund on malt

(EUR/t)

Product code	Destination	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	0	0	0	0	0
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	0	0	0	0	0
1107 20 00 9000	A00	0	0	0	0	0	0

(EUR/t)

Product code	Destination	6th period 1	7th period 2	8th period 3	9th period 4	10th period 5	11th period 6
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	0	0	0	0	0
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	0	0	0	0	0
1107 20 00 9000	A00	0	0	0	0	0	0

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

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

COMMISSION REGULATION (EC) No 1138/2002**of 27 June 2002****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 901/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) An invitation to tender for the refund for the export of barley to all third countries except for the United States of America, Canada, Estonia and Latvia was opened pursuant to Commission Regulation (EC) No 901/2002 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 to 27 June 2002, pursuant to the invitation to tender issued in Regulation (EC) No 901/2002, the maximum refund on exportation of barley shall be EUR 4,95/t.

Article 2

This Regulation shall enter into force on 28 June 2002.

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

Done at Brussels, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 142, 31.5.2002, p. 17.

COMMISSION REGULATION (EC) No 1139/2002**of 27 June 2002****concerning tenders notified in response to the invitation to tender for the export of rye issued in Regulation (EC) No 900/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) An invitation to tender for the refund for the export of rye to all third countries excluding Estonia, Lithuania and Latvia was opened pursuant to Commission Regulation (EC) No 900/2002 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure

laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 21 to 27 June 2002 in response to the invitation to tender for the refund for the export of rye issued in Regulation (EC) No 900/2002.

Article 2

This Regulation shall enter into force on 28 June 2002.

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

Done at Brussels, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 142, 31.5.2002, p. 14.

COMMISSION REGULATION (EC) No 1140/2002**of 27 June 2002****concerning tenders notified in response to the invitation to tender for the export of oats issued in Regulation (EC) No 1789/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Having regard to Commission Regulation (EC) No 1789/2001 of 12 September 2001 on a special intervention measure for cereals in Finland and Sweden ⁽⁵⁾, and in particular Article 8 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 1789/2001.

- (2) According to Article 8 of Regulation (EC) No 1789/2001 the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to make no award.

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.

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

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 21 to 27 June 2002 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 1789/2001.

Article 2

This Regulation shall enter into force on 28 June 2002.

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

Done at Brussels, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 243, 13.9.2001, p. 15.

COMMISSION REGULATION (EC) No 1141/2002**of 27 June 2002****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 899/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) An invitation to tender for the refund on exportation of common wheat to all third countries with the exclusion of Poland, Estonia, Lithuania and Latvia was opened pursuant to Commission Regulation (EC) No 899/2002 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 to 27 June 2002, pursuant to the invitation to tender issued in Regulation (EC) No 899/2002, the maximum refund on exportation of common wheat shall be EUR 5,00/t.

Article 2

This Regulation shall enter into force on 28 June 2002.

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

Done at Brussels, 27 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 142, 31.5.2002, p. 11.

COMMISSION REGULATION (EC) No 1142/2002**of 27 June 2002****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 767/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported into Spain was opened pursuant to Commission Regulation (EC) No 767/2002 ⁽³⁾.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 1839/95 ⁽⁴⁾, as last amended by Regulation (EC) No 2235/2000 ⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 to 27 June 2002, pursuant to the invitation to tender issued in Regulation (EC) No 767/2002, the maximum reduction in the duty on maize imported shall be 39,47 EUR/t and be valid for a total maximum quantity of 2 038 t.

Article 2

This Regulation shall enter into force on 28 June 2002.

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

Done at Brussels, 27 June 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 119, 7.5.2002, p. 3.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.

COMMISSION REGULATION (EC) No 1143/2002**of 27 June 2002****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 537/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported into Portugal was opened pursuant to Commission Regulation (EC) No 537/2002 ⁽³⁾, as last amended by Regulation (EC) No 981/2002 ⁽⁴⁾.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 1839/95 ⁽⁵⁾, as last amended by Regulation (EC) No 2235/2000 ⁽⁶⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. A contract is

awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 21 to 27 June 2002, pursuant to the invitation to tender issued in Regulation (EC) No 537/2002, the maximum reduction in the duty on maize imported shall be 37,48 EUR/t and be valid for a total maximum quantity of 16 200 t.

Article 2

This Regulation shall enter into force on 28 June 2002.

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

Done at Brussels, 27 June 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 82, 26.3.2002, p. 3.

⁽⁴⁾ OJ L 150, 8.6.2002, p. 44.

⁽⁵⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁶⁾ OJ L 256, 10.10.2000, p. 13.

COMMISSION REGULATION (EC) No 1144/2002**of 27 June 2002****fixing the export refunds on rice and broken rice and suspending the issue of export licences**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular the second subparagraph of Article 13(3) and (15) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (3) Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.
- (4) Export possibilities exist for a quantity of 950 tonnes of rice to certain destinations. The procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 2298/2001 ⁽⁵⁾, should be used. Account should be taken of this when the refunds are fixed.

- (5) Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated.
- (6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (7) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.
- (8) The refund must be fixed at least once a month; whereas it may be altered in the intervening period.
- (9) It follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto.
- (10) For the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

With the exception of the quantity of 950 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 28 June 2002.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 308, 27.11.2001, p. 16.

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

Done at Brussels, 27 June 2002.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 27 June 2002 fixing the export refunds on rice and broken rice and suspending the issue of export licences

Product code	Destination	Unit of measurement	Amount of refunds ⁽¹⁾	Product code	Destination	Unit of measurement	Amount of refunds ⁽¹⁾
1006 20 11 9000	R01	EUR/t	69	1006 30 65 9100	R01	EUR/t	86
1006 20 13 9000	R01	EUR/t	69		R02	EUR/t	80
1006 20 15 9000	R01	EUR/t	69		R03	EUR/t	85
1006 20 17 9000	—	EUR/t	—		064	EUR/t	54
1006 20 92 9000	R01	EUR/t	69		A97	EUR/t	80
1006 20 94 9000	R01	EUR/t	69		021 and 023	EUR/t	80
1006 20 96 9000	R01	EUR/t	69	1006 30 65 9900	R01	EUR/t	86
1006 20 98 9000	—	EUR/t	—		064	EUR/t	54
1006 30 21 9000	R01	EUR/t	69		A97	EUR/t	80
1006 30 23 9000	R01	EUR/t	69	1006 30 67 9100	021 and 023	EUR/t	80
1006 30 25 9000	R01	EUR/t	69		064	EUR/t	54
1006 30 27 9000	—	EUR/t	—	1006 30 67 9900	064	EUR/t	54
1006 30 42 9000	R01	EUR/t	69	1006 30 92 9100	R01	EUR/t	86
1006 30 44 9000	R01	EUR/t	69		R02	EUR/t	80
1006 30 46 9000	R01	EUR/t	69		R03	EUR/t	85
1006 30 48 9000	—	EUR/t	—		064	EUR/t	54
1006 30 61 9100	R01	EUR/t	86		A97	EUR/t	80
	R02	EUR/t	80		021 and 023	EUR/t	80
	R03	EUR/t	85	1006 30 92 9900	R01	EUR/t	86
	064	EUR/t	54		A97	EUR/t	80
	A97	EUR/t	80		064	EUR/t	54
	021 and 023	EUR/t	80	1006 30 94 9100	R01	EUR/t	86
1006 30 61 9900	R01	EUR/t	86		R02	EUR/t	80
	A97	EUR/t	80		R03	EUR/t	85
	064	EUR/t	54		064	EUR/t	54
1006 30 63 9100	R01	EUR/t	86		A97	EUR/t	80
	R02	EUR/t	80		021 and 023	EUR/t	80
	R03	EUR/t	85	1006 30 94 9900	R01	EUR/t	86
	064	EUR/t	54		A97	EUR/t	80
	A97	EUR/t	80		064	EUR/t	54
	021 and 023	EUR/t	80	1006 30 96 9100	R01	EUR/t	86
1006 30 63 9900	R01	EUR/t	86		R02	EUR/t	80
	064	EUR/t	54		R03	EUR/t	85
	A97	EUR/t	80		064	EUR/t	54
	021 and 023	EUR/t	80		A97	EUR/t	80
					021 and 023	EUR/t	80
				1006 30 96 9900	R01	EUR/t	86
					A97	EUR/t	80
					064	EUR/t	54
				1006 30 98 9100	021 and 023	EUR/t	80
				1006 30 98 9900	—	EUR/t	—
				1006 40 00 9000	—	EUR/t	—

⁽¹⁾ The procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 applies to licences applied for under that Regulation for 950 t.

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

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

The other destinations are defined as follows:

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

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

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 March 2002

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Community and the former Yugoslav Republic of Macedonia concerning the certificate referred to in paragraph 6 of the Agreement on reciprocal preferential trade concessions for certain wines

(notified under document number C(2002) 665)

(2002/500/EC)

THE COMMISSION OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decisions 2001/916/EC ⁽¹⁾ and 2001/917/EC ⁽²⁾ of 3 December 2001 concerning the conclusion of an Additional Protocol adjusting the trade aspects of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, and an Additional Protocol adjusting the trade aspects of the Interim Agreement between the European Community and the former Yugoslav Republic of Macedonia to take account of the outcome of the negotiations between the parties on reciprocal preferential concessions for certain wines, the reciprocal recognition, protection and control of wine names and the reciprocal recognition, protection and control of designations for spirits and aromatised drinks, and in particular Article 3 thereof,

Whereas:

- (1) Within these Decisions the Council has concluded with the former Yugoslav Republic of Macedonia Additional Protocols including Agreements on reciprocal preferential concessions for certain wines, the reciprocal recognition, protection and control of wine names and the reciprocal recognition, protection and control of designations for spirits and aromatised drinks, hereinafter referred to as 'Additional Protocols on wine'. The Additional Protocols on wine apply as of 1 January 2002.
- (2) Paragraph 6 of Annex 1 (Agreement on reciprocal preferential trade concessions for certain wines) of the Additional Protocols on wine to the Stabilisation and Association Agreement and the Interim Agreement, concluded

on 18 December 2001, stipulates that the entitlement to benefit from the tariff concessions is subject to presentation of a certificate issued by a mutually recognised official body appearing on a list drawn up jointly, to the effect that the wine in question complies with point 5(b).

- (3) The Commission, on behalf of the Community, and the former Yugoslav Republic of Macedonia have agreed in the Additional Protocols on wine to the Stabilisation and Association Agreement and the Interim Agreement implementing rules for the abovementioned certificate. Therefore, the Commission should approve these rules agreed upon in the form of an Exchange of Letters.
- (4) The measures provided for in this Decision and in the attached Exchange of Letters are in accordance with the opinion of the Customs Code Committee,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the former Yugoslav Republic of Macedonia concerning the certificate referred to in paragraph 6, Annex 1 of the Agreement on reciprocal preferential trade concessions for certain wines is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

The Director-General for Agriculture and Rural Development of the Commission of the European Communities is authorised to sign the Agreement in the form of an Exchange of Letters.

⁽¹⁾ OJ L 342, 27.12.2001, p. 6.

⁽²⁾ OJ L 342, 27.12.2001, p. 24.

Article 2

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 18 March 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

EXCHANGE OF LETTERS

concerning the certificate referred to in paragraph 6 of the Agreement between the European Community and the former Yugoslav Republic of Macedonia on reciprocal preferential trade concessions for certain wines ⁽¹⁾

A. Letter from the Commission

Brussels, 10 June 2002

Sir,

I have the honour to refer to Annex I (Agreement on reciprocal preferential trade concessions for certain wines) of the Additional Protocol adjusting the trade aspects of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, and an Additional Protocol adjusting the trade aspects of the Interim Agreement between the European Community and the former Yugoslav Republic of Macedonia, to take account of the outcome of the negotiations between the parties on reciprocal preferential concessions for certain wines, the reciprocal recognition, protection and control of wine names and the reciprocal recognition, protection and control of designations for spirits and aromatised drinks, which was concluded on 18 December 2001, hereinafter called the 'Agreement'.

The Agreement provides in paragraph 6 that the tariff concessions will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on lists drawn up jointly to the effect that the wine in question complies with point 5(b) of the Agreement.

In accordance with the consultations which have taken place between the representatives of the Commission and the former Yugoslav Republic of Macedonia, the following rules have been agreed upon as regards the abovementioned certificate:

1. Wines originating in the Community imported into the former Yugoslav Republic of Macedonia:

- 1.1. The certificate referred to in paragraph 6 of the Agreement shall be a certificate which conforms to the model set out in the Annex to this Exchange of Letters and which has been completed in accordance with points 1.2 to 1.8.
- 1.2. The certificate shall measure 210 x 297 mm. The paper used shall be white writing paper, sized, not containing mechanical pulp, and weighing not less than 40 g/m². If the document has several copies only the top copy, which is the original, shall be printed with the guilloche pattern background. This copy shall be clearly marked 'original' and the other copies 'copy'.
- 1.3. The certificate shall be printed in one of the official Community languages.
- 1.4. Each certificate shall bear a serial number allocated.
- 1.5. The certificate shall be certified, in boxes 10 and 11 respectively, by the Community competent authorities, agencies and laboratories. It shall comprise the original and at least one simultaneously produced copy, in that order. Both the original and the copy shall accompany the wine. The certificate form must be completed either in typescript or by hand and in the latter case it shall be completed in ink using block letters. It must contain no erasures or overwritten words and may not be used if any errors are committed in completing it.

The information to be entered in box 11 of the certificate may be submitted in a separate analysis report, certified by the competent laboratory. In this case, box 11 shall refer to the separate report.

- 1.6. The list of the authorities, agencies and laboratories authorised to complete the certificate referred to in point 1.5 shall be drawn up jointly and exchanged between the Parties.

The Commission will inform in due time the former Yugoslav Republic of Macedonia of any update of this list.

⁽¹⁾ Annex I of the Agreement in the form of an Additional Protocol adjusting the trade aspects of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, and an Additional Protocol adjusting the trade aspects of the Interim Agreement between the European Community and the former Yugoslav Republic of Macedonia to take account of the outcome of the negotiations between the parties on reciprocal preferential concessions for certain wines, the reciprocal recognition, protection and control of wine names and the reciprocal recognition, protection and control of designations for spirits and aromatised drinks.

- 1.7. The original and the copy of the certificate shall, on completion of the customs formalities for release for free circulation of the consignment to which they relate, be handed over to the competent authority of the former Yugoslav Republic of Macedonia that carries out such formalities. The authority shall endorse the back of the certificate. It shall return the original to the person concerned and keep the copy for at least five years.
- 1.8. The certification in box 10 of the certificate may be replaced by an attestation of designation of origin in accordance with Article 7 of Commission Regulation (EC) No 884/2001.
- 1.9. The certificate referred to in point 1.1 replaces the certificates referred to in the legislation of the former Yugoslav Republic of Macedonia.
- 1.10. Certificates completed in accordance with the legislation of the former Yugoslav Republic of Macedonia in force before the date of the entry into force of this exchange of Letters may be used until 1 July 2002 in place of the certificate provided for in point 1.1.

2. **Wines originating in the former Yugoslav Republic of Macedonia and imported into the Community:**

- 2.1. The certificate referred to in paragraph 6 of the Agreement is the V I 1 or V I 2 document completed in accordance with Commission Regulation (EC) No 883/2001.
- 2.2. The list of the authorities, agencies and laboratories authorised to complete the certificate referred to in point 2.1 shall be drawn up jointly and exchanged between the Parties.

The former Yugoslav Republic of Macedonia will inform in due time the Commission of any update of this list.

This Exchange of Letters shall enter into force after notification of the Government of the former Yugoslav Republic of Macedonia.

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.

Please accept, Sir, the assurance of my highest consideration.

ANNEX

ORIGINAL	1. Exporter (name, full address)	EUROPEAN COMMUNITY— MEMBER STATE OF ISSUE: CERTIFICATE FOR THE IMPORTATION OF WINE INTO THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA Serial No:															
	2. Consignee (name, full address)																
	3. Stamp of the former Yugoslav Republic of Macedonia ⁽¹⁾	⁽¹⁾ Obligatory only for wines benefiting from a reduced customs tariff ⁽²⁾ Delete as appropriate ⁽³⁾ Put an 'x' in the appropriate place															
	4. Means of transport ⁽¹⁾																
	5. Place of unloading ⁽¹⁾																
6. Description of product — CN code — Marks and reference Nos — Number and nature of packages		7. Quantity in l/hl/kg ⁽²⁾															
		8. Number of bottles															
		9. Colour of wine															
10. CERTIFICATION The wine described above ⁽³⁾ ☐ is/ ☐ is not intended for direct human consumption and complies with the conditions governing production and entry into circulation applying in the European Community. <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Full name and address of the competent authority:</td> <td style="width: 50%;">Place and date:</td> </tr> <tr> <td></td> <td>Signature, name and title of official:</td> </tr> <tr> <td></td> <td style="text-align: right;">Stamp:</td> </tr> </table>				Full name and address of the competent authority:	Place and date:		Signature, name and title of official:		Stamp:								
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Full name and address of the laboratory:	Place and date:																
	Signature, name and title of official:																
	Stamp:																

B. Letter from the former Yugoslav Republic of Macedonia

Skopje, 10 June 2002

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

I have the honour to refer to Annex I (Agreement on reciprocal preferential trade concessions for certain wines) of the Additional Protocol adjusting the trade aspects of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, and an Additional Protocol adjusting the trade aspects of the Interim Agreement between the European Community and the former Yugoslav Republic of Macedonia, to take account of the outcome of the negotiations between the parties on reciprocal preferential concessions for certain wines, the reciprocal recognition, protection and control of wine names and the reciprocal recognition, protection and control of designations for spirits and aromatised drinks, which was concluded on 18 December 2001, hereinafter called the "Agreement".

The Agreement provides in paragraph 6 that the tariff concessions will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on lists drawn up jointly to the effect that the wine in question complies with point 5(b) of the Agreement.

In accordance with the consultations which have taken place between the representatives of the Commission and the former Yugoslav Republic of Macedonia, the following rules have been agreed upon as regards the abovementioned certificate:

1. Wines originating in the Community imported into the former Yugoslav Republic of Macedonia:

- 1.1. The certificate referred to in paragraph 6 of the Agreement shall be a certificate which conforms to the model set out in the Annex to this Exchange of Letters and which has been completed in accordance with points 1.2 to 1.8.
- 1.2. The certificate shall measure 210 x 297 mm. The paper used shall be white writing paper, sized, not containing mechanical pulp, and weighing not less than 40 g/m². If the document has several copies only the top copy, which is the original, shall be printed with the guilloche pattern background. This copy shall be clearly marked "original" and the other copies "copy".
- 1.3. The certificate shall be printed in one of the official Community languages.
- 1.4. Each certificate shall bear a serial number allocated.
- 1.5. The certificate shall be certified, in boxes 10 and 11 respectively, by the Community competent authorities, agencies and laboratories. It shall comprise the original and at least one simultaneously produced copy, in that order. Both the original and the copy shall accompany the wine. The certificate form must be completed either in typescript or by hand and in the latter case it shall be completed in ink using block letters. It must contain no erasures or overwritten words and may not be used if any errors are committed in completing it.

The information to be entered in box 11 of the certificate may be submitted in a separate analysis report, certified by the competent laboratory. In this case, box 11 shall refer to the separate report.

- 1.6. The list of the authorities, agencies and laboratories authorised to complete the certificate referred to in point 1.5 shall be drawn up jointly and exchanged between the Parties.

The Commission will inform in due time the former Yugoslav Republic of Macedonia of any update of this list.

- 1.7. The original and the copy of the certificate shall, on completion of the customs formalities for release for free circulation of the consignment to which they relate, be handed over to the competent authority of the former Yugoslav Republic of Macedonia that carries out such formalities. The authority shall endorse the back of the certificate. It shall return the original to the person concerned and keep the copy for at least five years.
- 1.8. The certification in box 10 of the certificate may be replaced by an attestation of designation of origin in accordance with Article 7 of Commission Regulation (EC) No 884/2001.
- 1.9. The certificate referred to in point 1.1 replaces the certificates referred to in the legislation of the former Yugoslav Republic of Macedonia.
- 1.10. Certificates completed in accordance with the legislation of the former Yugoslav Republic of Macedonia in force before the date of the entry into force of this exchange of Letters may be used until 1 July 2002 in place of the certificate provided for in point 1.1.

2. **Wines originating in the former Yugoslav Republic of Macedonia and imported into the Community:**

- 2.1. The certificate referred to in paragraph 6 of the Agreement is the V I 1 or V I 2 document completed in accordance with Commission Regulation (EC) No 883/2001.
- 2.2. The list of the authorities, agencies and laboratories authorised to complete the certificate referred to in point 2.1 shall be drawn up jointly and exchanged between the Parties.

The former Yugoslav Republic of Macedonia will inform in due time the Commission of any update of this list.

This Exchange of Letters shall enter into force after notification of the Government of the former Yugoslav Republic of Macedonia.

ANNEX

ORIGINAL	1. Exporter (name, full address)	EUROPEAN COMMUNITY— MEMBER STATE OF ISSUE: CERTIFICATE FOR THE IMPORTATION OF WINE INTO THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA Serial No:															
	2. Consignee (name, full address)																
	3. Stamp of the customs authorities of the former Yugoslav Republic of Macedonia ⁽¹⁾	⁽¹⁾ Obligatory only for wines benefiting from a reduced customs tariff ⁽²⁾ Delete as appropriate ⁽³⁾ Put an 'x' in the appropriate place															
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		8. Number of bottles															
		9. Colour of wine															
10. CERTIFICATION The wine described above ⁽³⁾ ☐ is/ ☐ is not intended for direct human consumption and complies with the conditions governing production and entry into circulation applying in the European Community. <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Full name and address of the competent authority:</td> <td style="width: 50%;">Place and date:</td> </tr> <tr> <td></td> <td>Signature, name and title of official:</td> </tr> <tr> <td></td> <td style="text-align: right;">Stamp:</td> </tr> </table>				Full name and address of the competent authority:	Place and date:		Signature, name and title of official:		Stamp:								
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	Stamp:																

I have the honour to confirm that my Government is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

COMMISSION DECISION

of 18 March 2002

on the conclusion of the Agreement in the form of an Exchange of Letters between the European Community and the Republic of Croatia concerning the certificate referred to in paragraph 6 of the Agreement on reciprocal preferential trade concessions for certain wines

(notified under document number C(2002) 666)

(2002/501/EC)

THE COMMISSION OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decisions 2001/918/EC ⁽¹⁾ and 2001/919/EC ⁽²⁾ concerning the conclusion of an Additional Protocol adjusting the trade aspects of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part, and an Additional Protocol adjusting the trade aspects of the Interim Agreement between the European Community and the Republic of Croatia to take account of the outcome of the negotiations between the parties on reciprocal preferential concessions for certain wines, the reciprocal recognition, protection and control of wine names and the reciprocal recognition, protection and control of designations for spirits and aromatised drinks, and in particular Article 3 thereof,

Whereas:

- (1) Within these Decisions the Council has concluded with the Republic of Croatia Additional Protocols including Agreements on reciprocal preferential concessions for certain wines, the reciprocal recognition, protection and control of wine names and the reciprocal recognition, protection and control of designations for spirits and aromatised drinks, hereinafter referred to as 'Additional Protocols on wine'. The Additional Protocols on wine apply as of 1 January 2002.
- (2) Paragraph 6 of Annex 1 (Agreement on reciprocal preferential trade concessions for certain wines) of the Additional Protocols on wine to the Stabilisation and Association Agreement and the Interim Agreement, concluded on 7 December 2001, stipulates that the entitlement to benefit from the tariff concessions is subject to presentation of a certificate issued by a mutually recognised official body appearing on a list drawn up jointly, to the effect that the wine in question complies with point 5(b).

- (3) The Commission, on behalf of the Community, and the Republic of Croatia have agreed in the Additional Protocols on wine to the Stabilisation and Association Agreement and the Interim Agreement implementing rules for the abovementioned certificate. Therefore, the Commission should approve these rules agreed upon in the form of an Exchange of Letters.

- (4) The measures provided for in this Decision and in the attached Exchange of Letters are in accordance with the opinion of the Customs Code Committee,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the Republic of Croatia concerning the certificate referred to in paragraph 6, Annex 1 of the Agreement on reciprocal preferential trade concessions for certain wines is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

The Director-General for Agriculture and Rural Development of the Commission of the European Communities is authorised to sign the Agreement in the form of an Exchange of Letters.

Article 2

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 18 March 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 342, 27.12.2001, p. 42.

⁽²⁾ OJ L 342, 27.12.2001, p. 60.

ANNEX

EXCHANGE OF LETTERS

concerning the certificate referred to in paragraph 6 of the Agreement between the European Community and the Republic of Croatia on reciprocal preferential trade concessions for certain wines ⁽¹⁾*A. Letter from the Commission*

Brussels, 10 June 2002

Sir,

I have the honour to refer to Annex I (Agreement on reciprocal preferential trade concessions for certain wines) of the Additional Protocol adjusting the trade aspects of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part, and an Additional Protocol adjusting the trade aspects of the Interim Agreement between the European Community and the Republic of Croatia, to take account of the outcome of the negotiations between the parties on reciprocal preferential concessions for certain wines, the reciprocal recognition, protection and control of wine names and the reciprocal recognition, protection and control of designations for spirits and aromatised drinks, which was concluded on 7 December 2001, hereinafter called the 'Agreement'.

The Agreement provides in paragraph 6 that the tariff concessions will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on lists drawn up jointly to the effect that the wine in question complies with point 5(b) of the Agreement.

In accordance with the consultations which have taken place between the representatives of the Commission and the Republic of Croatia, the following rules have been agreed upon as regards the abovementioned certificate:

1. Wines originating in the Community imported into the Republic of Croatia:

- 1.1. The certificate referred to in paragraph 6 of the Agreement shall be a certificate which conforms to the model set out in the Annex to this Exchange of Letters and which has been completed in accordance with points 1.2 to 1.8.
- 1.2. The certificate shall measure 210 x 297 mm. The paper used shall be white writing paper, sized, not containing mechanical pulp, and weighing not less than 40 g/m². If the document has several copies only the top copy, which is the original, shall be printed with the guilloche pattern background. This copy shall be clearly marked 'original' and the other copies 'copy'.
- 1.3. The certificate shall be printed in one of the official Community languages.
- 1.4. Each certificate shall bear a serial number allocated.
- 1.5. The certificate shall be certified, in boxes 10 and 11 respectively, by the Community competent authorities, agencies and laboratories. It shall comprise the original and at least one simultaneously produced copy, in that order. Both the original and the copy shall accompany the wine. The certificate form must be completed either in typescript or by hand and in the latter case it shall be completed in ink using block letters. It must contain no erasures or overwritten words and may not be used if any errors are committed in completing it.

The information to be entered in box 11 of the certificate may be submitted in a separate analysis report, certified by the competent laboratory. In this case, box 11 shall refer to the separate report.

- 1.6. The list of the authorities, agencies and laboratories authorised to complete the certificate referred to in point 1.5 shall be drawn up jointly and exchanged between the Parties.

The Commission will inform in due time the Republic of Croatia of any update of this list.

- 1.7. The original and the copy of the certificate shall, on completion of the customs formalities for release for free circulation of the consignment to which they relate, be handed over to the competent authority of the Republic of Croatia that carries out such formalities. The authority shall endorse the back of the certificate. It shall return the original to the person concerned and keep the copy for at least five years.

⁽¹⁾ Annex I of the Agreement in the form of an Additional Protocol adjusting the trade aspects of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part, and an Additional Protocol adjusting the trade aspects of the Interim Agreement between the European Community and the Republic of Croatia to take account of the outcome of the negotiations between the parties on reciprocal preferential concessions for certain wines, the reciprocal recognition, protection and control of wine names and the reciprocal recognition, protection and control of designations for spirits and aromatised drinks.

- 1.8. The certification in box 10 of the certificate may be replaced by an attestation of designation of origin in accordance with Article 7 of Commission Regulation (EC) No 884/2001.
- 1.9. The certificate referred to in point 1.1 replaces the certificates referred to in the Croatian legislation.
- 1.10. Certificates completed in accordance with the Croatian legislation in force before the date of the entry into force of this exchange of Letters may be used until 1 July 2002 in place of the certificate provided for in point 1.1.

2. **Wines originating in the Republic of Croatia and imported into the Community:**

- 2.1. The certificate referred to in paragraph 6 of the Agreement is the V I 1 or V I 2 document completed in accordance with Commission Regulation (EC) No 883/2001.
- 2.2. The list of the authorities, agencies and laboratories authorised to complete the certificate referred to in point 2.1 shall be drawn up jointly and exchanged between the Parties.

The Republic of Croatia will inform in due time the Commission of any update of this list.

This Exchange of Letters shall enter into force after notification of the Croatian Government.

I should be obliged if you would confirm that your Government is in agreement with the content of this letter.

Please accept, Sir, the assurance of my highest consideration.

ANNEX

ORIGINAL	1. Exporter (name, full address)	EUROPEAN COMMUNITY— MEMBER STATE OF ISSUE: CERTIFICATE FOR THE IMPORTATION OF WINE INTO THE REPUBLIC OF CROATIA															
	2. Consignee (name, full address)																
	3. Stamp of the Croatian customs authorities ⁽¹⁾	Serial No: ⁽¹⁾ Obligatory only for wines benefiting from a reduced customs tariff ⁽²⁾ Delete as appropriate ⁽³⁾ Put an 'x' in the appropriate place															
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Full name and address of the laboratory:	Place and date:																
	Signature, name and title of official:																
	Stamp:																

B. Letter from the Republic of Croatia

Zagreb, 10 June 2002

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

I have the honour to refer to Annex 1 (Agreement on reciprocal preferential trade concessions for certain wines) of the Additional Protocol adjusting the trade aspects of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part, and an Additional Protocol adjusting the trade aspects of the Interim Agreement between the European Community and the Republic of Croatia, to take account of the outcome of the negotiations between the parties on reciprocal preferential concessions for certain wines, the reciprocal recognition, protection and control of wine names and the reciprocal recognition, protection and control of designations for spirits and aromatised drinks, which was concluded on 7 December 2001, hereinafter called the "Agreement".

The Agreement provides in paragraph 6 that the tariff concessions will be subject to the presentation of a certificate issued by a mutually recognised official body appearing on lists drawn up jointly to the effect that the wine in question complies with point 5(b) of the Agreement.

In accordance with the consultations which have taken place between the representatives of the Commission and the Republic of Croatia, the following rules have been agreed upon as regards the above mentioned certificate:

1. Wines originating in the Community imported into the Republic of Croatia:

- 1.1. The certificate referred to in paragraph 6 of the Agreement shall be a certificate which conforms to the model set out in the Annex to this Exchange of Letters and which has been completed in accordance with points 1.2 to 1.8.
- 1.2. The certificate shall measure 210 x 297 mm. The paper used shall be white writing paper, sized, not containing mechanical pulp, and weighing not less than 40 g/m². If the document has several copies only the top copy, which is the original, shall be printed with the guilloche pattern background. This copy shall be clearly marked "original" and the other copies "copy".
- 1.3. The certificate shall be printed in one of the official Community languages.
- 1.4. Each certificate shall bear a serial number allocated.
- 1.5. The certificate shall be certified, in boxes 10 and 11 respectively, by the Community competent authorities, agencies and laboratories. It shall comprise the original and at least one simultaneously produced copy, in that order. Both the original and the copy shall accompany the wine. The certificate form must be completed either in typescript or by hand and in the latter case it shall be completed in ink using block letters. It must contain no erasures or overwritten words and may not be used if any errors are committed in completing it.

The information to be entered in box 11 of the certificate may be submitted in a separate analysis report, certified by the competent laboratory. In this case, box 11 shall refer to the separate report.

- 1.6. The list of the authorities, agencies and laboratories authorised to complete the certificate referred to in point 1.5 shall be drawn up jointly and exchanged between the Parties.

The Commission will inform in due time the Republic of Croatia of any update of this list.

- 1.7. The original and the copy of the certificate shall, on completion of the customs formalities for release for free circulation of the consignment to which they relate, be handed over to the competent authority of the Republic of Croatia that carries out such formalities. The authority shall endorse the back of the certificate. It shall return the original to the person concerned and keep the copy for at least five years.
- 1.8. The certification in box 10 of the certificate may be replaced by an attestation of designation of origin in accordance with Article 7 of Commission Regulation (EC) No 884/2001.
- 1.9. The certificate referred to in point 1.1 replaces the certificates referred to in the Croatian legislation.
- 1.10. Certificates completed in accordance with the Croatian legislation in force before the date of the entry into force of this exchange of Letters may be used until 1 July 2002 in place of the certificate provided for in point 1.1.

2. **Wines originating in the Republic of Croatia and imported into the Community:**

- 2.1. The certificate referred to in paragraph 6 of the Agreement is the V I 1 or V I 2 document completed in accordance with Commission Regulation (EC) No 883/2001.
- 2.2. The list of the authorities, agencies and laboratories authorised to complete the certificate referred to in point 2.1 shall be drawn up jointly and exchanged between the Parties.

The Republic of Croatia will inform in due time the Commission of any update of this list.

This Exchange of Letters shall enter into force after notification of the Croatian Government.

ANNEX

ORIGINAL	1. Exporter (name, full address)	EUROPEAN COMMUNITY— MEMBER STATE OF ISSUE: CERTIFICATE FOR THE IMPORTATION OF WINE INTO THE REPUBLIC OF CROATIA															
	2. Consignee (name, full address)																
	3. Stamp of the Croatian customs authorities ⁽¹⁾	Serial No: ⁽¹⁾ Obligatory only for wines benefiting from a reduced customs tariff ⁽²⁾ Delete as appropriate ⁽³⁾ Put an 'x' in the appropriate place															
	4. Means of transport ⁽¹⁾																
	5. Place of unloading ⁽¹⁾																
6. Description of product — CN code — Marks and reference Nos — Number and nature of packages		7. Quantity in l/hl/kg ⁽²⁾															
		8. Number of bottles															
		9. Colour of wine															
10. CERTIFICATION The wine described above ⁽³⁾ ☐ is/ ☐ is not intended for direct human consumption and complies with the conditions governing production and entry into circulation applying in the European Community. <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Full name and address of the competent authority:</td> <td style="width: 50%;">Place and date:</td> </tr> <tr> <td></td> <td>Signature, name and title of official:</td> </tr> <tr> <td></td> <td style="text-align: right;">Stamp:</td> </tr> </table>				Full name and address of the competent authority:	Place and date:		Signature, name and title of official:		Stamp:								
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	Signature, name and title of official:																
	Stamp:																
11. ANALYSIS REPORT (only if the wine is intended for direct human consumption) <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Total alcoholic strenght:</td> <td style="width: 50%;">Actual alcoholic strenght:</td> </tr> <tr> <td>Total dry extract:</td> <td>Total acidity:</td> </tr> <tr> <td>Volatile acidity</td> <td>Citric acidity:</td> </tr> <tr> <td>Total sulphur dioxide:</td> <td></td> </tr> </table> This wine has not been subject to oenological practices which are not permitted under current European Community provisions. <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Full name and address of the laboratory:</td> <td style="width: 50%;">Place and date:</td> </tr> <tr> <td></td> <td>Signature, name and title of official:</td> </tr> <tr> <td></td> <td style="text-align: right;">Stamp:</td> </tr> </table>				Total alcoholic strenght:	Actual alcoholic strenght:	Total dry extract:	Total acidity:	Volatile acidity	Citric acidity:	Total sulphur dioxide:		Full name and address of the laboratory:	Place and date:		Signature, name and title of official:		Stamp:
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I have the honour to confirm that my Government is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.
