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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1833/2002
of 15 October 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 16 October 2002.

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

Done at Brussels, 15 October 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 15 October 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	52,2
	096	39,4
	204	93,7
	999	61,8
0707 00 05	052	93,6
	999	93,6
0709 90 70	052	81,9
	999	81,9
0805 50 10	052	73,5
	388	58,8
	524	61,6
	528	55,6
	999	62,4
0806 10 10	052	115,2
	064	135,5
	400	202,9
	999	151,2
0808 10 20, 0808 10 50, 0808 10 90	096	38,5
	388	88,3
	400	85,8
	512	97,8
	800	192,2
	804	87,3
0808 20 50	999	98,3
	052	98,7
	720	40,1
	999	69,4

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

COMMISSION REGULATION (EC) No 1834/2002

of 15 October 2002

on the sale by tender of beef held by certain intervention agencies and intended for processing within the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

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 28(2) thereof,

Whereas:

- (1) The application of intervention measures in respect of beef has created stocks in several Member States. In order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender for processing in the Community.
- (2) The sale should be made subject to the rules laid down by Commission Regulations (EEC) No 2173/79 ⁽³⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁴⁾, (EEC) No 3002/92 ⁽⁵⁾, as last amended by Regulation (EC) No 770/96 ⁽⁶⁾, and (EEC) No 2182/77 ⁽⁷⁾, as last amended by Regulation (EC) No 2417/95, subject to certain special exceptions on account of the particular use to which the products in question are to be put.
- (3) With a view to ensuring a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8(1) of Regulation (EEC) No 2173/79.
- (4) Provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79, in view of the administrative difficulties which application of this point creates in the Member States concerned.
- (5) In order to ensure optimum monitoring of the destination of beef from intervention stocks, control measures should be taken, in addition to the measures provided for in Regulation (EEC) No 3002/92, which are based on physical inspection of quantities and qualities.
- (6) In order to ensure a proper functioning of the tender arrangements it is necessary to provide for a higher amount of security than the one fixed in Article 15(1) of Regulation (EEC) No 2173/79.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

1. The sale shall take place of the following quantities of meat, for processing within the Community:

- approximately 1 000 tonnes of bone-in forequarters held by the German intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the Austrian intervention agency,
- 400 tonnes of bone-in forequarters held by the Danish intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the French intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the Italian intervention agency,
- 67 tonnes of bone-in forequarters held by the Dutch intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the Spanish intervention agency,
- approximately 199 tonnes of boneless beef held by the Danish intervention agency,
- approximately 1 506 tonnes of boneless beef held by the German intervention agency,
- approximately 851 tonnes of boneless beef held by the Spanish intervention agency,
- approximately 1 800 tonnes of boneless beef held by the French intervention agency,
- approximately 1 576 tonnes of boneless beef held by the Italian intervention agency,
- approximately 144 tonnes of boneless beef held by the Dutch intervention agency.

Detailed information concerning quantities is given in Annex I.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulations (EEC) No 2173/79, in particular Titles II and III thereof, (EEC) No 2182/77 and (EEC) No 3002/92.

Article 2

1. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and Annexes to this Regulation shall serve as a general notice of invitation to tender.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 315, 1.12.2001, p. 29.

⁽³⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁴⁾ OJ L 248, 14.10.1995, p. 39.

⁽⁵⁾ OJ L 301, 17.10.1992, p. 17.

⁽⁶⁾ OJ L 104, 27.4.1996, p. 13.

⁽⁷⁾ OJ L 251, 1.10.1977, p. 60.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

- (a) the quantities of beef offered for sale; and
- (b) the deadline and place for submitting tenders.

2. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies shall, in addition, display the notice referred to in paragraph 1 at their head offices and may publish it in other ways.

3. For each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest. However, Member States may in exceptional cases and after having obtained authorisation from the Commission derogate from that obligation.

4. Only tenders which reach the intervention agencies concerned by 12 noon on 22 October 2002 shall be considered.

5. Notwithstanding Article 8(1) of Regulation (EEC) No 2173/79, a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 4.

6. Notwithstanding Article 8(2)(b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

Article 3

1. Member States shall provide the Commission with information concerning the tenders received not later than on the working day following the deadline set for the submission of tenders.

2. After the tenders received have been examined a minimum selling price shall be set for each product or the sale will not proceed.

Article 4

1. A tender shall be valid only if presented by or on behalf of a natural or legal person who, for the 12 months prior to the entry into force of this Regulation, has been engaged in the processing of products containing beef and who is entered in a national VAT register. In addition, tenders must be presented by or on behalf of a processing establishment approved in accordance with Article 8 of Directive 77/99/EEC ⁽¹⁾.

For the purposes of the preceding subparagraph, a retail or catering establishment or an establishment attached to a retail

sales outlet where meat is processed and put up for sale to the final consumer shall not be taken into consideration.

2. Notwithstanding Article 3(1) and (2) of Regulation (EEC) No 2182/77, a tender must be accompanied by:

- a written undertaking by the tenderer to process the meat into the products specified in Article 5 within the period referred to in Article 5(1) of Regulation (EEC) No 2182/77,
- precise details of the establishment or establishments where the meat which has been purchased is to be processed.

3. The tenderers referred to in paragraph 1 may instruct an agent in writing to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the bids of the tenderers represented together with the written instruction referred to above.

4. Notwithstanding Article 18(1) of Regulation (EEC) No 2173/79 the time limit for taking over meat sold pursuant to this Regulation shall be two months from the day of the notification referred to in Article 11 of the same Regulation.

5. The purchasers and agents referred to in the preceding paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view in particular to ensuring that the quantities of products purchased and manufactured tally.

Article 5

1. Meat purchased in accordance with this Regulation shall be processed into products which comply with the definitions for A products and B products set out in paragraphs 2 and 3 below.

2. An A product means a processed product falling within CN code 1602 10, 1602 50 31, 1602 50 39 or 1602 50 80, not containing meat other than that of animals of the bovine species, with a collagen/protein ratio of no more than 0,45 % ⁽²⁾ and containing by weight at least 20 % ⁽³⁾ of lean meat excluding offal ⁽⁴⁾ and fat with meat and jelly accounting for at least 85 % of the total net weight.

The product must be subjected to a heat treatment sufficient to ensure the coagulation of meat proteins in the whole of the product, which may not therefore show any traces of a pinkish liquid on the cut surface when the product is cut along a line passing through its thickest part.

3. A B product means a processed product containing beef, other than:

- one specified in Article 1(1)(a) of Regulation (EC) No 1254/1999, or
- one referred to in paragraph 2.

⁽²⁾ Determination of collagen content: the collagen content shall be taken to mean the hydroxyproline content multiplied by the factor 8. The hydroxyproline content must be determined according to ISO method 3496-1978.

⁽³⁾ The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210, 1. 8. 1986, p. 39).

⁽⁴⁾ Offal includes the following: heads and cuts thereof (including ears), feet, tails, hearts, udders, livers, kidneys, sweetbreads (thymus gland with pancreas), brains, lungs, throats, thick skirts, spleens, tongues, caul, spinal cords, edible skin, reproductive organs (i.e. uteri, ovaries and testes), thyroid glands, pituitary glands.

⁽¹⁾ OJ L 26, 31.1.1977, p. 85.

However, a processed product falling within CN code 0210 20 90 which has been dried or smoked so that the colour and consistency of the fresh meat has totally disappeared and with a water/protein ratio not exceeding 3,2 shall be considered to be a B product.

Article 6

1. Member States shall set up a system of physical and documentary supervision to ensure that all meat is processed in accordance with Article 5.

The system must include physical checks of quantity and quality at the start of the processing, during the processing and after the processing operation is completed. To this end, processors shall at any time be able to demonstrate the identity and use of the meat through appropriate production records.

Technical verification of the production method by the competent authority may, to the extent necessary, make allowance for drip losses and trimmings.

In order to verify the quality of the finished product and establish its conformity with the processor's recipe Member States shall undertake representative sampling and analysis of the product. The costs of such operations shall be borne by the processor concerned.

2. Member States may, at the request of the processor, authorise the boning of bone-in forequarters in an establishment other than that provided for in respect of processing provided the relevant operations take place in the same Member State under appropriate supervision.

3. Article 1 of Regulation (EEC) No 2182/77 shall not apply.

Article 7

1. Notwithstanding Article 15(1) of Regulation (EEC) No 2173/79, the security shall be EUR 12 per 100 kilograms.

2. The security provided for in Article 4(1) of Regulation (EEC) No 2182/77 shall be:

- for forequarters the difference in EUR between the tender price per tonne and EUR 1 600,
- for boneless beef of intervention codes INT 22 and INT 24 the difference in EUR between the tender price per tonne and EUR 1 800,

- for boneless beef of intervention codes INT 11, INT 18, INT 21 and INT 23 the difference in EUR between the tender price per tonne and EUR 1 400.

3. Notwithstanding Article 5(3) of Regulation (EEC) No 2182/77, the processing of all beef purchased into finished products as referred to in Article 5 shall constitute a principal requirement.

Article 8

Notwithstanding Article 9 of Regulation (EEC) No 2182/77, in addition to the entries provided for in Regulation (EEC) No 3002/92:

Section 104 of T 5 control copies must be completed with one or more of the following:

- Para transformación [Reglamentos (CEE) n° 2182/77 y (CE) n° 1834/2002]
- Til forarbejdning (forordning (EØF) nr. 2182/77 og (EF) nr. 1834/2002)
- Zur Verarbeitung bestimmt (Verordnungen (EWG) Nr. 2182/77 und (EG) Nr 1834/2002)
- Για μεταποίηση [κανονισμοί (ΕΟΚ) αριθ. 2182/77 και (ΕΚ) αριθ. 1834/2002]
- For processing (Regulations (EEC) No 2182/77 and (EC) No 1834/2002)
- Destinés à la transformation [règlements (CEE) n° 2182/77 et (CE) n° 1834/2002]
- Destinate alla trasformazione [regolamenti (CEE) n. 2182/77 e (CE) n. 1834/2002]
- Bestemd om te worden verwerkt (Verordeningen (EEG) nr. 2182/77 en (EG) nr. 1834/2002)
- Para transformação [Regulamentos (CEE) n.º 2182/77 e (CE) n.º 1834/2002]
- Jalostettavaksi (Asetukset (ETY) N:o 2182/77 ja (EY) N:o 1834/2002)
- För bearbetning (Förordningarna (EEG) nr 2182/77 och (EG) nr 1834/2002).

Article 9

This Regulation shall enter into force on 16 October 2002.

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

Done at Brussels, 15 October 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I —
ANEXO I — LIITE I — BILAGA I

Estado miembro	Productos ⁽¹⁾	Cantidad aproximada (toneladas)
Medlemsstat	Produkter ⁽¹⁾	Tilnærmet mængde (tons)
Mitgliedstaat	Erzeugnisse ⁽¹⁾	Ungefähre Mengen (Tonnen)
Κράτος μέλος	Προϊόντα ⁽¹⁾	Κατά προσέγγιση ποσότητα (τόνοι)
Member State	Products ⁽¹⁾	Approximate quantity (tonnes)
État membre	Produits ⁽¹⁾	Quantité approximative (tonnes)
Stato membro	Prodotti ⁽¹⁾	Quantità approssimativa (tonnellate)
Lidstaat	Producten ⁽¹⁾	Hoeveelheid bij benadering (ton)
Estado-Membro	Produtos ⁽¹⁾	Quantidade aproximada (toneladas)
Jäsenvaltio	Tuotteet ⁽¹⁾	Arvioitu määrä (tonneina)
Medlemsstat	Produkter ⁽¹⁾	Ungefärlig kvantitet (ton)

a) **Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Εμπρόσθια τέταρτα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

DEUTSCHLAND	— Vorderviertel	1 000
DANMARK	— Forfjerding	400
ITALIA	— Quarti anteriori	1 000
FRANCE	— Quartiers avant	1 000
ÖSTERREICH	— Vorderviertel	1 000
NEDERLAND	— Voorvoeten	67
ESPAÑA	— Cuartos delanteros	1 000

b) **Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött**

DANMARK	— Interventionsskant af forfjerding (INT 21)	11,4
	— Interventionsbov (INT 22)	77,0
	— Interventionsbryst (INT 23)	39,2
	— Interventionsforfjerding (INT 24)	71,3
DEUTSCHLAND	— Hinterhesse (INT 11)	247,3
	— Lappen (INT 18)	300,0
	— Vorderhesse (INT 21)	258,2
	— Schulter (INT 22)	300,0
	— Brust (INT 23)	200,0
	— Vorderviertel (INT 24)	200,0
ESPAÑA	— Jarrete de intervención (INT 11)	16,6
	— Falda del costillar de intervención (INT 18)	104,5
	— Morcillo de intervención (INT 21)	129,7
	— Paleta de intervención (INT 22)	200,0
	— Pecho de intervención (INT 23)	200,0
	— Cuarto delantero de intervención (INT 24)	200,0
FRANCE	— Jarret arrière d'intervention (INT 11)	300,0
	— Flanchet d'intervention (INT 18)	300,0
	— Jarret avant d'intervention (INT 21)	300,0
	— Épaule d'intervention (INT 22)	300,0
	— Poitrine d'intervention (INT 23)	300,0
	— Avant d'intervention (INT 24)	300,0

ITALIA	— Garretto posteriori d'intervento (INT 11)	56,0
	— Pancia d'intervento (INT 18)	417,4
	— Garretto anteriori d'intervento (INT 21)	70,7
	— Spalla d'intervento (INT 22)	406,2
	— Petto di manzo d'intervento (INT 23)	200,7
	— Quarto anteriori d'intervento (INT 24)	424,8
NEDERLAND	— Interventievoorschenkel (INT 21)	7,3
	— Interventieschouder (INT 22)	56,8
	— Interventieborst (INT 23)	31,2
	— Interventievoorvoet (INT 24)	48,1

(¹) Véanse los anexos III y V del Reglamento (CE) n° 562/2000 de la Comisión (DO L 68 de 16.3.2000, p. 22), cuya última modificación la constituye el Reglamento (CE) n° 1564/2001 (DO L 208 de 1.8.2001, p. 14).

(¹) Se bilag III og V til Kommissionens forordning (EF) nr. 562/2000 (EFT L 68 af 16.3.2000, s. 22), senest ændret ved forordning (EF) nr. 1564/2001 (EFT L 208 af 1.8.2001, s. 14).

(¹) Vgl. Anhänge III und V der Verordnung (EG) Nr. 562/2000 der Kommission (ABl. L 68 vom 16.3.2000, S. 22), zuletzt geändert durch die Verordnung (EG) Nr. 1564/2001 (ABl. L 208 vom 1.8.2001, S. 14).

(¹) Βλέπε παραρτήματα III και V του κανονισμού (ΕΚ) αριθ. 562/2000 της Επιτροπής (ΕΕ L 68 της 16.3.2000, σ. 22), όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΚ) αριθ. 1564/2001 (ΕΕ L 208 της 1.8.2001, σ. 14).

(¹) See Annexes III and V to Commission Regulation (EC) No 562/2000 (OJ L 68, 16.3.2000, p. 22), as last amended by Regulation (EC) No 1564/2001 (OJ L 208, 1.8.2001, p. 14).

(¹) Voir annexes III et V du règlement (CE) n° 562/2000 de la Commission (JO L 68 du 16.3.2000, p. 22). Règlement modifié en dernier lieu par le règlement (CE) n° 1564/2001 (JO L 208 du 1.8.2001, p. 14).

(¹) Cfr. allegati III e V del regolamento (CE) n. 562/2000 della Commissione (GU L 68 del 16.3.2000, pag. 22), modificato da ultimo dal regolamento (CE) n. 1564/2001 (GU L 208 dell'1.8.2001, pag. 14).

(¹) Zie de bijlagen III en V van Verordening (EG) nr. 562/2000 van de Commissie (PB L 68 van 16.3.2000, blz. 22), laatstelijk gewijzigd bij Verordening (EG) nr. 1564/2001 (PB L 208 van 1.8.2001, blz. 14).

(¹) Ver anexos III e V do Regulamento (CE) n.º 562/2000 da Comissão (JO L 68 de 16.3.2000, p. 22), com a última redacção que lhe foi dada pelo Regulamento (CE) n.º 1564/2001 (JO L 208 de 1.8.2001, p. 14).

(¹) Katso komission asetuksen (EY) N:o 562/2000 (EYVL L 68, 16.3.2000, s. 22), sellaisena kuin se on viimeksi muutettuna asetuksella (EY) N:o 1564/2001 (EYVL L 208, 1.8.2001, s. 14) liitteet III ja V.

(¹) Se bilagorna III och V i kommissionens förordning (EG) nr 562/2000 (EGT L 68, 16.3.2000, s. 22), senast ändrad genom förordning (EG) nr 1564/2001 (EGT L 208, 1.8.2001, s. 14).

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II —
BIJLAGE II — ANEXO II — LIITE II — BILAGA II

Direcciones de los organismos de intervención — Interventionsorganernes adresser — Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de intervenção — Interventioelinten osoitteet — Interventionsorganens adresser

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COMMISSION REGULATION (EC) No 1835/2002

of 15 October 2002

amending Regulation (EC) No 1901/2000 laying down certain provisions for the implementation of Council Regulation (EEC) No 3330/91 on the statistics relating to the trading of goods between Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States ⁽¹⁾, as last amended by European Parliament and Council Regulation (EC) No 1624/2000 ⁽²⁾, and in particular Article 30 thereof,

Whereas:

- (1) Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾, as last amended by Commission Regulation (EC) No 969/2002 ⁽⁴⁾, authorises Member States to use subheadings to meet national requirements, when these requirements cannot be met at Community level.
- (2) Commission Regulation (EC) No 1901/2000 ⁽⁵⁾, as amended by Regulation (EC) No 2150/2001 ⁽⁶⁾, authorises those Member States so wishing to collect more detailed information than that resulting from the application of the Combined Nomenclature, provided that the party responsible for providing the information is allowed to elect to supply it in accordance with either the Combined Nomenclature or the additional subdivisions.
- (3) It may be necessary for some Member States to collect more detailed information than that resulting from the application of the Combined Nomenclature on a compulsory basis, and thus to obtain more comprehensive statistical information on sectors of national interest.
- (4) The introduction of this degree of flexibility is aimed at meeting specific national requirements, without having

to reflect them systematically in the Combined Nomenclature. This measure will enable an overall reduction in the burden on intra-Community operators by concentrating the obligation to provide statistical information at national level and exempting operators in other Member States.

- (5) Member States should have the choice of whether to implement this type of data collection and, if need be, to determine the implementing provisions.
- (6) Regulation (EC) No 1901/2000 must therefore be amended.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Statistics Relating to the Trading of Goods between Member States,

HAS ADOPTED THIS REGULATION:

Article 1

The first paragraph of Article 47 of Regulation (EC) No 1901/2000 is replaced by the following text:

‘Those Member States wishing to have more detailed information than that resulting from the application of Article 21 of the basis Regulation may, by way of derogation from that Article, organise the collection of that information.’

Article 2

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

It shall apply from 1 January 2003.

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

Done at Brussels, 15 October 2002.

For the Commission

Pedro SOLBES MIRA

Member of the Commission

⁽¹⁾ OJ L 316, 16.11.1991, p. 1.

⁽²⁾ OJ L 187, 26.7.2000, p. 1.

⁽³⁾ OJ L 256, 7.9.1987, p. 1.

⁽⁴⁾ OJ L 149, 6.7.2002, p. 20.

⁽⁵⁾ OJ L 228, 8.9.2000, p. 28.

⁽⁶⁾ OJ L 288, 1.11.2001, p. 30.

COMMISSION REGULATION (EC) No 1836/2002
of 15 October 2002
amending Regulation (EC) No 2138/97 delimiting the homogenous olive oil production zones

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the common organisation of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EC) No 1513/2001 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2261/84 of 17 July 1984 laying down general rules on the granting of aid for the production of olive oil and of aid to olive oil producer organisations ⁽³⁾, as last amended by Regulation (EC) No 1639/98 ⁽⁴⁾, and in particular Article 19 thereof,

Whereas:

- (1) Article 18 of Regulation (EEC) No 2261/84 stipulates that olive yields and oil yields are to be fixed by homogeneous production zones on the basis of the figures supplied by producer Member States.
- (2) The production zones are delimited in the Annex to Commission Regulation (EC) No 2138/97 of 30 October 1997 delimiting the homogeneous olive oil production zones ⁽⁵⁾, as last amended by Regulation (EC) No 2193/2001 ⁽⁶⁾. For administrative and structural reasons the homogeneous production zones in Spain and Italy should be amended for the marketing year 2001/02.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 2138/97 is amended as follows:

1. in Point A, the provinces 'Brescia', 'Roma', 'Caserta', 'Lecce', 'Potenza', 'Cosenza', 'Reggio Calabria', 'Vibo Valentia', 'Siracusa' and 'Sassari' are replaced in accordance with the Annex to this Regulation;
2. in Point D, under the heading 'Comunidad autónoma: Andalucía', 'Genalguacil' is added to zone 4 ('Serranía de Ronda') in the province 'Málaga'.
3. in Point D, under the heading 'Comunidad autónoma: Aragón':
 - 'Ruesca' is added to zone 2 in the province 'Zaragoza',
 - 'Cuervo (El)' is added to zone 3 and 'Segura de Baños' is added to zone 4 in the province 'Teruel', and
 - 'Ibica' and 'Ortilla' are added to zone 5 in the province 'Huesca'.

Article 2

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

It shall apply from 1 November 2001.

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

Done at Brussels, 15 October 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 72, 30.9.1966 p. 3025/66.

⁽²⁾ OJ L 201, 26.7.2001, p. 4.

⁽³⁾ OJ L 208, 3.8.1984, p. 3.

⁽⁴⁾ OJ L 210, 28.7.1998, p. 38.

⁽⁵⁾ OJ L 297, 31.10.1997, p. 3.

⁽⁶⁾ OJ L 295, 13.11.2001, p. 3.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO —
LIITE — BILAGA

‘Brescia:

1. Acquafredda, Adro, Agnosine, Alfianello, Anfo, Angolo Terme, Artogne, Azzano Mella, Bagnolo Mella, Bagolino, Barbariga, Barghe, Bassano Bresciano, Bedizzole, Berlingo, Berzo Demo, Berzo Inferiore, Bienno, Bione, Borgo San Giacomo, Borgosatollo, Borno, Botticino, Bovegno, Bovezzo, Brandico, Braone, Breno, Brescia, Brione, Caino, Calcinato, Calvagese della Riviera, Calvisano, Capo di Ponte, Capovalle, Capriano del Colle, Capriolo, Carpenedolo, Castegnato, Castel Mella, Castelvotati, Castelnedolo, Casto, Castrezzato, Cazzago San Martino, Cedegolo, Cellatica, Cervenno, Ceto, Cevo, Chiari, Cigole, Cimbergo, Cividate Camuno, Coccaglio, Collebeato, Collio, Cologne, Comezzano-Cizzago, Concesio, Corte Franca, Corteno Golgi, Corzano, Darfo Boario Terme, Dello, Desenzano del Garda, Edolo, Erbusco, Esine, Fiesse, Flero, Gambara, Gardone Val Trompia, Gavardo, Ghedi, Gianico, Gottolengo, Gussago, Idro, Incudine, Irma, Iseo, Isorella, Lavenone, Leno, Lodrino, Lograto, Lonato, Longhena, Losine, Lozio, Lumezzane, Macclodio, Magasa, Mairano, Malegno, Malonno, Manerba del Garda, Manerbio, Marcheno, Marmentino, Marone, Mazzano, Milzano, Moniga del Garda, Monno, Monte Isola, Monticelli Brusati, Montichiari, Montirone, Mura, Muscoline, Nave, Niardo, Nuvolento, Nuvolera, Odolo, Offlaga, Ome, Ono San Pietro, Orzinuovi, Orzivecchi, Ospitaletto, Ossimo, Padenghe sul Garda, Paderno Franciacorta, Paisco Loveno, Paitone, Palazzolo sull'Oglio, Paratico, Paspardo, Passirano, Pavone del Mella, Pertica Alta, Pertica Bassa, Pezzaze, Pian Camuno, Piancogno, Pisogne, Polaveno, Polpenazze del Garda, Pompiano, Poncarale, Ponte di Legno, Pontevico, Pontoglio, Pozzolengo, Pralboino, Preseglie, Prestine, Prevalle, Provaglio Val Sabbia, Provaglio d'Iseo, Puegnago sul Garda, Quinzano d'Oglio, Remedello, Rezzato, Roccafranca, Rodengo-Saiano, Roè Volciano, Roncadelle, Rovato, Rudiano, Sabbio Chiese, Sale Marasino, San Felice del Benaco, San Gervasio Bresciano, San Paolo, San Zeno Naviglio, Sarezze, Saviore dell'Adamello, Sellero, Seniga, Serle, Sirmione, Soiano del Lago, Sonico, Sulzano, Tavernole sul Mella, Temù, Torbole Casaglia, Travagliato, Trenzano, Treviso Bresciano, Urigo d'Oglio, Vallio Terme, Valvestino, Verolanuova, Verolavecchia, Vestone, Vezza d'Oglio, Villa Carcina, Villachiera, Villanuova sul Clisi, Vione, Visano, Vobarno, Zone.

2. (*)

‘Roma:

1. (*)
2. Albano Laziale, Anguillara Sabazia, Anzio, Ardea, Ariccia, Artena, Bellegra, Bracciano, Campagnano di Roma, Canale Monterano, Capena, Castel Gandolfo, Castelnuovo di Porto, Cave, Cerveteri, Ciampino, Civitavecchia, Civitella San Paolo, Colleferro, Colonna, Fiano Romano, Filacciano, Fiumicino, Formello, Frascati, Galliciano nel Lazio, Gavignano, Genazzano, Genzano di Roma, Grottaferrata, Labico, Ladispoli, Lanuvio, Lariano, Magliano Romano, Manziana, Marino, Mazzano Romano, Monte Porzio Catone, Montecompatri, Morlupo, Nazzano, Nemi, Nettuno, Olevano Romano, Palestrina, Pomezia, Ponzano Romano, Riano, Rignano Flaminio, Roma, Sacrofano, San Cesario, San Vito Romano, Sant'Oreste, Santa Marinella, Torrita Tiberina, Trevignano Romano, Valmontone, Velletri, Zagarolo.
3. Casape, Castel Madama, Guidonia Montecelio, Marcellina, Mentana, Monteflavio, Montelibretti, Monterotondo, Montorio Romano, Moricone, Nerola, Palombara Sabina, Poli, San Gregorio da Sassola, San Polo dei Cavalieri, Sant'Angelo Romano, Tivoli.

‘Caserta:

1. Arienzo, Bellona, Caiazzo, Calvi Risorta, Camigliano, Capua, Carinola, Casagiove, Casapulla, Caserta, Castel Campagnano, Castel Morrone, Castel di Sasso, Cellole, Cervino, Falciano del Massico, Francolise, Galluccio, Giano Vetusto, Maddaloni, Mondragone, Pastorano, Piana di Monte Verna, Pignataro Maggiore, Pontelatone, Rocca d'Evandro, San Felice a Cancelli, San Prisco, Santa Maria a Vico, Sessa Aurunca, Sparanise, Teano, Vitulazio.

2. (*)

‘Lecce:

1. Arnesano, Campi Salentina, Carmiano, Cavallino, Guagnano, Lecce, Lizzanello, Monteroni di Lecce, Novoli, Salice Salentino, Squinzano, Surbo, Trepuzzi, Veglie.
2. Aradeo, Bagnolo del Salento, Calimera, Cannole, Caprarica di Lecce, Carpignano Salentino, Castri di Lecce, Castrignano de' Greci, Castro Marino, Copertino, Corigliano d'Otranto, Cursi, Galatina, Galatone, Giuggianello, Giurdignano, Lequile, Leverano, Maglie, Martano, Martignano, Melendugno, Melpignano, Minervino di Lecce, Muro Leccese, Nardò, Neviano, Ortelle, Otranto, Palmariggi, Poggiardo, Porto Cesareo, San Cesario di Lecce, San Donato di Lecce, San Pietro in Lama, Sanarica, Santa Cesarea Terme, Seclì, Sogliano Cavour, Soleto, Sternatia, Surano, Uggiano la Chiesa, Vernole, Zollino.

3. (*)

‘Potenza:

1. Acerenza, Armento, Atella, Banzi, Baragiano, Barile, Cancellara, Cersosimo, Chiaromonte, Corleto Perticara, Filiano, Forenza, Francavilla in Sinni, Gallicchio, Genzano di Lucania, Ginestra, Guardia Perticara, Lavello, Maschito, Melfi, Missanello, Montemilone, Montemurro, Nemoli, Noepoli, Oppido Lucano, Palazzo San Gervasio, Pietragalla, Rapolla, Rionero in Vulture, Ripacandida, Rivello, Roccanova, Rotonda, San Chirico Nuovo, San Chirico Raparo, Sant'Arcangelo, Senise, Tolve, Venosa, Vietri di Potenza.

2. (*)

‘Cosenza:

1. Amendolara, Calopezzati, Caloveto, Cariati, Cassano allo Ionio, Cerchiara di Calabria, Corigliano Calabro, Cropalati, Crosia, Mandatoriccio, Montegiordano, Paludi, Pietrapaola, Rocca Imperiale, Roseto Capo Spulico, Rossano, San Cosmo Albanese, San Demetrio Corone, San Giorgio Albanese, Santa Sofia d'Epiro, Scala Coeli, Terravecchia, Trebisacce, Vaccarizzo Albanese, Villapiana.
2. Acquafredda, Acri, Albidona, Alessandria del Carretto, Altìlia, Altomonte, Aprigliano, Belsito, Bianchi, Bisignano, Bocchigliero, Campana, Canna, Carolei, Carpanzano, Casole Bruzio, Castiglione Cosentino, Castrolibero, Castroregio, Castrovillari, Celico, Cellara, Cerisano, Cervicati, Cerzeto, Civita, Colosimi, Cosenza, Dipignano, Domanico, Fagnano Castello, Figline Vegliaturo, Firmo, Francavilla Marittima, Frascineto, Grimaldi, Laino Borgo, Laino Castello, Lappano, Lattarico, Longobucco, Lungro, Luzzi, Malito, Malvito, Mangone, Marano Marchesato, Marano Principato, Marzi, Mendicino, Mongrassano, Montalto Uffugo, Morano Calabro, Mormanno, Mottafollone, Nocera, Oriolo, Panettieri, Papisidero, Parenti, Paterno Calabro, Pedace, Pedivigliano, Piane Crati, Pietrafitta, Plataci, Rende, Roggiano Gravina, Rogliano, Rose, Rota Greca, Rovito, San Basile, San Benedetto Ullano, San Donato di Ninea, San Fili, San Giovanni in Fiore, San Lorenzo Bellizzi, San Lorenzo del Vallo, San Marco Argentano, San Martino di Finita, San Pietro in Guarano, San Sosti, San Vincenzo la Costa, Sant'Agata di Esaro, Santa Caterina Albanese, Santo Stefano di Rogliano, Saracena, Scigliano, Serra Pedace, Spezzano Albanese, Spezzano Piccolo, Spezzano della Sila, Tarsia, Terranova da Sibari, Torano Castello, Trenta, Zumpano.
3. (*)

‘Reggio Calabria:

1. Bagaladi, Bagnara Calabra, Calanna, Campo Calabro, Cittanova, Cosoleto, Delianuova, Fiumara, Gioia Tauro, Laganadi, Melicuccà, Melicucco, Molochio, Montebello Ionico, Oppido Mamertina, Palmi, Reggio di Calabria, Rizziconi, Rosarno, San Ferdinando, San Lorenzo, San Procopio, Sant'Alessio in Aspromonte, Sant'Eufemia d'Aspromonte, Santa Cristina d'Aspromonte, Santo Stefano in Aspromonte, Scido, Scilla, Seminara, Sinopoli, Taurianova, Terranova Sappo Minulio, Varapodio, Villa San Giovanni.
2. Anoia, Bovalino, Candidoni, Cinquefrondi, Feroletto della Chiesa, Galatro, Giffone, Laureana di Borrello, Maropati, Polistena, San Giorgio Morgeto, San Pietro di Caridà, Sant'Illario dello Ionio, Serrata.
3. (*)
4. Agnana Calabra, Antonimina, Bivongi, Camini, Canolo, Caulonia, Ciminà, Gerace, Grotteria, Mammola, Martone, Monasterace, Pazzano, Placanica, Riace, Samo, San Giovanni di Gerace, Stignano, Stilo.

‘Vibo Valentia:

1. (*)
2. Acquaro, Arena, Capistrano, Dasà, Dinami, Filogaso, Gerocarne, Maierato, Monterosso Calabro, Nardodipace, Pizzoni, San Nicola da Crissa, Simbario, Soriano Calabro, Vallerlonga, Vazzano.
3. Briatico, Cessaniti, Drapia, Filandari, Francica, Ionadi, Joppolo, Limbadi, Mileto, Nicotera, Parghelia, Ricadi, Rombiolo, San Calogero, San Costantino Calabro, San Gregorio d'Ippona, Sant'Onofrio, Spilinga, Stefanaceni, Tropea, Vibo Valentia, Zaccanopoli, Zambrone, Zungri.

‘Siracusa:

1. (*)
2. Buccheri, Buscemi, Cassaro, Ferla, Francofonte, Palazzolo Acreide, Sortino.

‘Sassari:

1. (*)
2. Aggius, Aglientu, Ala'dei Sardi, Anela, Ardara, Arzachena, Badesi, Banari, Benetutti, Berchidda, Bessude, Bonnanaro, Bono, Bonorva, Bortigiadas, Borutta, Bottidda, Buddusò, Bultei, Bulzi, Burgos, Calangianus, Cargeghe, Castelsardo, Cheremule, Chieramonti, Codrongianos, Cossoine, Esporlatu, Florinas, Giave, Golfo Aranci, Illorai, Ittireddu, Ittiri, La Maddalena, Laerru, Loiri Porto San Paolo, Luogosanto, Luras, Mara, Martis, Monteone Rocca Doria, Monti, Mores, Muros, Nughedu di San Nicolò, Nule, Nulvi, Olbia, Olmedo, Oschiri, Osilo, Ossi, Ozieri, Padria, Palau, Pattada, Perfugas, Ploaghe, Porto Torres, Pozzomaggiore, Putifigari, Romana, Sant'Antonio di Gallura, Santa Maria Coghinas, Santa Teresa Gallura, Sassari, Sedini, Semestene, Siligo, Telti, Tempio Pausania, Tergu, Thiesi, Tissi, Torralba, Trinita D'Agultu e Vignola, Tula, Valledoria, Viddalba, Villanova Monteone.

COMMISSION REGULATION (EC) No 1837/2002**of 15 October 2002****fixing the production levies and the coefficient for the additional levy in the sugar sector for the marketing year 2001/02**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular the second and third indents of Article 15(8) and Article 16(5) thereof,

Whereas:

- (1) Article 8 of Commission Regulation (EC) No 314/2002 of 20 February 2002 laying down detailed rules for the application of the quota system in the sugar sector ⁽³⁾ provides that the basic production levy and the B levy together with, if required, the coefficient referred to in Article 16(2) of Regulation (EC) No 1260/2001 for sugar, isoglucose and inulin syrup shall be fixed before 15 October in respect of the preceding marketing year and, secondly, that the Member States shall determine for each undertaking the balance of the levies outstanding for payment.
- (2) Commission Regulation (EC) No 1628/2001 of 9 August 2001 revising the maximum amount for the B production levy and amending the minimum price for B beet in the sugar sector for the marketing year 2001/02 ⁽⁴⁾ increased, for the marketing year 2001/02, the maximum amount referred to in the first indent of Article 15(4) of Regulation (EC) No 1260/2001 to 37,5 % of the intervention price for white sugar.
- (3) For the marketing year 2001/02, the estimate of the overall loss recorded in accordance with Article 15(1) and (2) of Regulation (EC) No 1260/2001 shall require, in accordance with paragraphs 4 and 5 of that Article, the adoption of the maximum amounts of 2 % for the basic levy and 37,5 % for the B levy, fixed respectively in the first indent of the second subparagraph of paragraph 3 of that Article and in Article 1 of Regulation (EC) No 1628/2001.
- (4) Article 16(1) of Regulation (EC) No 1260/2001 provides that an additional levy shall be charged where the overall loss recorded in accordance with Article 15(1) and (2) is not covered in its entirety by the receipts from the basic production levy and the B levy. For the marketing year 2001/02, as this uncovered overall loss amounts to

EUR 63 899 203, the coefficient referred to in Article 16(2) of that Regulation should be fixed at an amount of 0,08319 which represents the ratio, less 1, between the abovementioned loss and revenue.

- (5) Article 48 of Regulation (EC) No 1260/2001 provides for the balance remaining from the compensation system for storage costs applied during the marketing year 2000/01 to be charged or credited, as appropriate, under the system referred to in Articles 15 and 16 of that Regulation for the marketing year 2001/02.
- (6) The application of Commission Regulation (EC) No 1667/2001 of 17 August 2001 postponing the date by which the sugar storage levy must be paid ⁽⁵⁾ and Commission Regulation (EC) No 1878/2001 of 26 September 2001 laying down transitional measures in connection with the compensation system for storage costs for sugar ⁽⁶⁾ produces a positive balance of EUR 31 276 971 for the compensation system for storage costs during the marketing year 2000/01.
- (7) Since this positive balance comes from the storage levies paid by sugar-producing undertakings when disposing of their A and B sugar, provision should therefore be made for it to be reimbursed, on the basis of their production of A and B sugar in the marketing year 2001/02, to the undertakings in question which, in accordance with Articles 15 and 16 of Regulation (EC) No 1260/2001, bear the costs of the levies for that marketing year.
- (8) The Management Committee for Sugar has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The production levies in the sugar sector for the 2001/02 marketing year shall be as follows:

- (a) EUR 12,638 per tonne as the basic production levy on A sugar and B sugar;
- (b) EUR 236,963 per tonne of white sugar as the B levy on B sugar;
- (c) EUR 5,330 per tonne of dry matter as the basic production levy on A isoglucose and B isoglucose;

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 50, 21.2.2002, p. 40.

⁽⁴⁾ OJ L 216, 10.8.2001, p. 8.

⁽⁵⁾ OJ L 223, 18.8.2001, p. 9.

⁽⁶⁾ OJ L 258, 27.9.2001, p. 9.

- (d) EUR 99,424 per tonne of dry matter as the B levy on B isoglucose;
- (e) EUR 12,638 per tonne of dry matter equivalent sugar/isoglucose as the basic production levy on A inulin syrup and B inulin syrup;
- (f) EUR 236,963 per tonne of dry matter equivalent sugar/isoglucose as the B levy on B inulin syrup.

Article 2

For the marketing year 2001/02, the coefficient provided for in Article 16(2) of Regulation (EC) No 1260/2001 shall be 0,08319.

Article 3

1. For the marketing year 2001/02, the positive balance obtained by applying Article 48 of Regulation (EC) No 1260/2001 shall be EUR 2,2111 per tonne of A sugar and B sugar.

2. An overall balance applicable to each sugar-producing undertaking shall be established by multiplying its definitive production of A sugar and B sugar for the marketing year 2001/02 by the unit amount fixed in paragraph 1.

3. The overall balance recorded for each sugar-producing undertaking, in accordance with paragraph 2 shall be deducted from the balance of the levies for the undertaking concerned for the marketing year 2001/02, established by the Member States in accordance with the first subparagraph of Article 8(2) of Regulation (EC) No 314/2002.

Article 4

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

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

Done at Brussels, 15 October 2002.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 1838/2002**of 15 October 2002****on the issue of import licences for rice with cumulative ACP/OCT origin against applications submitted in the first five working days of October 2002 pursuant to Regulation (EC) No 2603/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1706/98 of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 715/90 ⁽¹⁾,

Having regard to Council Decision 2001/822/EC of 27 November 2001 on the association of the overseas countries and territories with the European Community (Overseas Association Decision) ⁽²⁾,

Having regard to Commission Regulation (EC) No 2603/97 of 16 December 1997 laying down the detailed rules of application for the import of rice from the ACP States and for the import of rice from the overseas countries and territories (OCT) ⁽³⁾, as last amended by Regulation (EC) No 174/2002 ⁽⁴⁾, and in particular Article 9(2) thereof,

Whereas:

- (1) Pursuant to Article 9(2) of Regulation (EC) No 2603/97, the Commission must decide within 10 days of the final

date for notification by the Member States the extent to which applications can be granted.

- (2) Applications submitted for imports with cumulative ACP/least-developed OCT origin account for less than the quantities available. The available quantity should therefore be used to meet applications for imports of products originating in the Netherlands Antilles and Aruba, in accordance with Article 6(4) of Regulation (EC) No 2603/97,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences for rice against applications submitted during the first five working days of October 2002 pursuant to Regulation (EC) No 2603/97 and notified to the Commission shall be issued for the quantities applied for.

Article 2

This Regulation shall enter into force on 16 October 2002.

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

Done at Brussels, 15 October 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 215, 1.8.1998, p. 12.

⁽²⁾ OJ L 314, 30.11.2001, p. 1.

⁽³⁾ OJ L 351, 23.12.1997, p. 22.

⁽⁴⁾ OJ L 30, 31.1.2002, p. 33.

COMMISSION REGULATION (EC) No 1839/2002
of 15 October 2002
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 16 October 2002.

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

Done at Brussels, 15 October 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 91, 6.4.2002, p. 9.

ANNEX I

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

CN code	Description	Import duty ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality ⁽¹⁾	0,00
1001 90 91	Common wheat seed	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	0,00
	medium quality	0,00
	low quality	0,00
1002 00 00	Rye	1,79
1003 00 10	Barley, seed	1,79
1003 00 90	Barley, other ⁽⁴⁾	1,79
1005 10 90	Maize seed other than hybrid	29,16
1005 90 00	Maize other than seed ⁽⁵⁾	29,16
1007 00 90	Grain sorghum other than hybrids for sowing	1,79

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

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

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

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

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

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

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

ANNEX II

Factors for calculating duties

(period from 1 October to 14 October 2002)

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	184,85	175,00	140,36	101,64	213,15 (**)	203,15 (**)	130,61 (**)
Gulf premium (EUR/t)	—	22,88	12,28	11,96	—	—	—
Great Lakes premium (EUR/t)	24,18	—	—	—	—	—	—

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

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico–Rotterdam: 14,27 EUR/t; Great Lakes–Rotterdam: 24,62 EUR/t.

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 8 October 2002

amending Decision 98/508/EC on the conclusion of an Agreement on mutual recognition in relation to conformity assessment, certificates and markings between the European Community and Australia

(2002/800/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with Article 300(2), first subparagraph, first sentence, and Article 300(3), first subparagraph, first sentence, and (4) thereof,

Having regard to the proposal from the Commission,

Whereas:

In order to ensure the efficient operation of the Agreement on mutual recognition in relation to conformity assessment, certificates and markings between the European Community and Australia ⁽¹⁾ (hereinafter referred to as the 'Agreement') it is necessary to amend Decision 98/508/EC ⁽²⁾ in order to empower the Commission to take all necessary measures for the operation of the Agreement,

HAS DECIDED AS FOLLOWS:

Sole Article

Article 3 of Decision 98/508/EC shall be replaced by the following:

'Article 3

1. The Commission shall represent the Community in the Joint Committee provided for in Article 12 of the Agreement, assisted by the special Committee designated by the Council. The Commission shall proceed, after consultation with this special Committee, to the appointments, notifications, exchanges of information and requests for information specified in the Agreement.
2. The position of the Community in the Joint Committee shall be determined by the Commission, following consultation of the special Committee referred to in paragraph 1.'

Done at Luxembourg, 8 October 2002.

For the Council
The President
T. PEDERSEN

⁽¹⁾ OJ L 229, 17.8.1998, p. 3.

⁽²⁾ OJ L 229, 17.8.1998, p. 1.

COUNCIL DECISION**of 8 October 2002****amending Decision 98/509/EC on the conclusion of an Agreement on mutual recognition in relation to conformity assessment between the European Community and New Zealand**

(2002/801/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with Article 300(2), first subparagraph, first sentence, and Article 300(3), first subparagraph, first sentence, and (4) thereof,

Having regard to the proposal from the Commission,

Whereas:

In order to ensure the efficient operation of the Agreement on mutual recognition in relation to conformity assessment between the European Community and New Zealand ⁽¹⁾ (hereinafter referred to as the 'Agreement') it is necessary to amend Decision 98/509/EC ⁽²⁾ in order to empower the Commission to take all necessary measures for the operation of the Agreement,

HAS DECIDED AS FOLLOWS:

Sole Article

Article 3 of Decision 98/509/EC shall be replaced by the following:

'Article 3

1. The Commission shall represent the Community in the Joint Committee provided for in Article 12 of the Agreement, assisted by the special Committee designated by the Council. The Commission shall proceed, after consultation with this special Committee, to the appointments, notifications, exchanges of information and requests for information specified in the Agreement.
2. The position of the Community in the Joint Committee shall be determined by the Commission, following consultation of the special Committee referred to in paragraph 1.'

Done at Luxembourg, 8 October 2002.

For the Council

The President

T. PEDERSEN

⁽¹⁾ OJ L 229, 17.8.1998, p. 62.

⁽²⁾ OJ L 229, 17.8.1998, p. 61.

COUNCIL DECISION**of 8 October 2002****amending Decision 98/566/EC on the conclusion of an Agreement on mutual recognition between the European Community and Canada**

(2002/802/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with Article 300(2), first subparagraph, first sentence, and Article 300(3), first subparagraph, first sentence, and (4) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In order to ensure the efficient operation of the Agreement on mutual recognition between the European Community and Canada ⁽¹⁾ (hereinafter referred to as the 'Agreement') it is necessary to amend Decision 98/566/EC ⁽²⁾ in order to empower the Commission to take all necessary measures for the operation of the Agreement.
- (2) The Council should retain the power to decide on the termination of Sectoral Annexes,

HAS DECIDED AS FOLLOWS:

Sole Article

Article 3 of Decision 98/566/EC shall be replaced by the following:

'Article 3

1. The Commission shall represent the Community in the Joint Committee and in the joint sectoral groups established by the Sectoral Annexes, provided for in Articles XI and XII of the Agreement, assisted by the special Committee designated by the Council. The Commission shall proceed, after consultation with this special Committee, to the appointments, notifications, exchanges of information and requests for information specified in the Agreement.
2. The position of the Community with regard to decisions to be taken by the Joint Committee shall be determined, with regard to the termination of Sectoral Annexes in accordance with Article XIX(2), by the Council, acting by qualified majority on a proposal by the Commission.
3. The position of the Community in the Joint Committee or, if appropriate, in the joint sectoral groups shall in all other cases be determined by the Commission, following consultation of the special Committee referred to in paragraph 1.'

Done at Luxembourg, 8 October 2002.

For the Council

The President

T. PEDERSEN

⁽¹⁾ OJ L 280, 16.10.1998, p. 3.

⁽²⁾ OJ L 280, 16.10.1998, p. 1.

COUNCIL DECISION**of 8 October 2002****amending Decision 1999/78/EC on the conclusion of an Agreement on Mutual Recognition
between the European Community and the United States of America**

(2002/803/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with Article 300(2), first subparagraph, first sentence, and Article 300(3), first subparagraph, first sentence, and (4) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In order to ensure the efficient operation of the Agreement on mutual recognition between the European Community and the United States of America ⁽¹⁾ (hereinafter referred to as the 'Agreement') it is necessary to amend Decision 1999/78/EC ⁽²⁾ in order to empower the Commission to take all necessary measures for the operation of the Agreement.
- (2) The Council should retain the power to decide on amendments to the main body of the Agreement,

HAS DECIDED AS FOLLOWS:

Sole Article

Article 3 of Decision 1999/78/EC shall be replaced by the following:

'Article 3

1. The Commission shall represent the Community in the Joint Committee provided for in Article 14 of the Agreement, and in the Joint Sectoral Committees established by the Sectoral Annexes, assisted by the special Committee designated by the Council. The Commission shall proceed, after consultation with this special Committee, to the appointments, notifications, exchanges of information and requests for information specified in the Agreement.
2. The position of the Community with regard to decisions to be taken by the Joint Committee shall be determined, with regard to amendments to the main body of the Agreement in accordance with Article 14(4)(g) and Article 21(2) of the Agreement, by the Council, acting by qualified majority on a proposal by the Commission.
3. The position of the Community in the Joint Committee or Joint Sectoral Committees in all other cases shall be determined by the Commission, following consultation of the special Committee referred to in paragraph 1.'

Done at Luxembourg, 8 October 2002.

For the Council

The President

T. PEDERSEN

⁽¹⁾ OJ L 31, 4.2.1999, p. 3.

⁽²⁾ OJ L 31, 4.2.1999, p. 1.

COUNCIL DECISION**of 8 October 2002****amending Decision 2001/747/EC concerning the conclusion of the Agreement on Mutual Recognition between the European Community and Japan**

(2002/804/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 in conjunction with Article 300(2), first subparagraph, first sentence, and Article 300(3), first subparagraph, first sentence, and (4) thereof,

Having regard to the proposal from the Commission,

Whereas:

In order to ensure the efficient operation of the Agreement on mutual recognition between the European Community and Japan ⁽¹⁾ (hereinafter referred to as the 'Agreement') it is necessary to amend Decision 2001/747/EC ⁽²⁾ in order to empower the Commission to take all necessary measures for the operation of the Agreement,

HAS DECIDED AS FOLLOWS:

Sole Article

Article 3 of Decision 2001/747/EC shall be replaced by the following:

'Article 3

1. The Commission shall represent the Community in the Joint Committee or in any subcommittee provided for in Article 8 of the Agreement, assisted by the special Committee designated by the Council. The Commission shall proceed, after consultation with this special Committee, to the actions required for the implementation of the Agreement.
2. The position of the Community in the Joint Committee or in any subcommittee shall be determined by the Commission, following consultation of the special Committee referred to in paragraph 1.'

Done at Luxembourg, 8 October 2002.

For the Council

The President

T. PEDERSEN

⁽¹⁾ OJ L 284, 29.10.2001, p. 3.

⁽²⁾ OJ L 284, 29.10.2001, p. 1.

COMMISSION

COMMISSION DECISION

of 15 October 2002

concerning certain protective measures with regard to certain products of animal origin for animal nutrition and imported from Ukraine

(notified under document number C(2002) 3785)

(Text with EEA relevance)

(2002/805/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽¹⁾, and in particular Article 53(1) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽²⁾, and in particular Article 22(1) thereof,

Whereas:

- (1) As regards in particular, food and feed, Article 53(1)(b)(iii) of Regulation (EC) No 178/2002 provides for the adoption of any appropriate interim measure where it is evident that food or feed imported from a third country is likely to constitute a serious risk to human health, animal health or the environment.
- (2) In accordance with Article 22 of Directive 97/78/EC, the necessary measures must be adopted as regards the import of certain products from third countries where anything likely to constitute a serious danger for animal or human health appears or develops.
- (3) The presence of chloramphenicol has been detected in skimmed-milk powder and artificial milk replacer made from skimmed-milk powder, intended for animal nutrition and imported from Ukraine.
- (4) Since the presence of this substance in feed presents a potential risk for animal and public health, all consignments of milk powder and artificial milk replacer made from milk powder, intended for animal nutrition and imported from Ukraine, shall be sampled and analysed in order to demonstrate their wholesomeness.

- (5) Regulation (EC) No 178/2002 set up the rapid alert system for food and feed, and recourse to it is appropriate for implementing the mutual information requirement laid down in Directive 97/78/EC.

- (6) This Decision will be reviewed in the light of the guarantees offered by the competent authorities of Ukraine and on the basis of the results of the tests carried out by Member States.

- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

This Decision shall apply to milk powder and artificial milk replacer made from milk powder, intended for animal nutrition, and imported from Ukraine.

Article 2

1. Member States shall, using appropriate sampling plans and detection methods, subject each consignment of milk powder or artificial milk replacer made from milk powder, intended for animal nutrition and imported from Ukraine, to a chemical test in order to ensure that the products concerned do not present a hazard for animal or public health. This test must be carried out, in particular, with a view to detecting the presence of chloramphenicol.

2. Member States shall inform immediately the Commission of the results of the test referred in paragraph 1, making use of the rapid alert system for food and feed, set up by Regulation (EC) No 178/2002.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ OJ L 24, 30.1.1998, p. 9.

Article 3

Member States shall not authorise the importation into their territory or the consignment to another Member State of the products referred to in Article 1 unless the results of the checks referred to in Article 2 are favourable.

Article 4

All expenditures incurred by the application of this Decision shall be charged to the consignor, the consignee or their agent.

Article 5

Member States shall amend the measures they apply to imports in order to bring them into line with this Decision and they shall give immediate appropriate publicity to the measures adopted. They shall immediately inform the Commission thereof.

Article 6

This Decision shall be reviewed on the basis of the guarantees provided by the competent Ukrainian authorities and of the results of the tests referred to in Article 2.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 15 October 2002.

For the Commission

David BYRNE

Member of the Commission
