

English edition

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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2075/2002
of 22 November 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 1947/2002 ⁽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 23 November 2002.

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

Done at Brussels, 22 November 2002.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 22 November 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	54,2
	204	48,9
	999	51,5
0707 00 05	052	108,1
	628	164,7
	999	136,4
0709 90 70	052	101,0
	204	122,4
	999	111,7
0805 20 10	052	71,6
	204	74,9
	999	73,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	56,1
	999	56,1
0805 50 10	052	57,3
	600	67,7
	999	62,5
0808 10 20, 0808 10 50, 0808 10 90	060	31,2
	400	112,6
	404	87,0
	720	97,8
	999	82,2
0808 20 50	052	112,3
	400	80,5
	720	96,5
	999	96,4

⁽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 2076/2002
of 20 November 2002**

**extending the time period referred to in Article 8(2) of Council Directive 91/414/EEC and
concerning the non-inclusion of certain active substances in Annex I to that Directive and the
withdrawal of authorisations for plant protection products containing these substances**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, as last amended by Commission Directive 2002/81/EC ⁽²⁾, and in particular Article 8(2) thereof,

Having regard to Commission Regulation (EC) No 451/2000 of 28 February 2000 laying down the detailed rules for the implementation of the second and third stages of the work programme referred to in Article 8(2) of Directive 91/414/EEC ⁽³⁾, as last amended by Regulation (EC) No 1490/2002 ⁽⁴⁾, and in particular Article 6(7) and Article 11(2) thereof,

Whereas:

(1) Article 8(2) of Directive 91/414/EEC provides that a Member State may, during a period of 12 years following the notification of that Directive, authorise the placing on the market of plant protection products containing active substances not listed in Annex I that are already on the market two years after the date of notification, except where a decision has been taken not to include a substance in Annex I.

(2) Commission Regulation (EEC) No 3600/92 ⁽⁵⁾, as last amended by Regulation (EC) No 2266/2000 ⁽⁶⁾, Regulation (EC) No 451/2000 and Regulation (EC) No 1490/2002 lay down the detailed rules for the implementation of the first, second and third stages of the programme of work referred to in Article 8(2) of Directive 91/414/EEC. This programme is ongoing and it has not been possible yet to complete decision making on a number of active substances. The notification procedure for the active substances covered by Regulation (EC) No 1112/2002 ⁽⁷⁾ has not yet been finalised either and therefore for certain of these active substances the time period will also need to be extended.

(3) The Commission presented its progress report on 26 July 2001 ⁽⁸⁾. It concluded that progress has not been as good as was originally anticipated and therefore the deadline should be extended for those substances still under review or for which industry has notified a commitment to further prepare the necessary dossiers within the time limits.

(4) For the active substances covered by the first stage the Commission will ensure that as many decisions as possible are taken before July 2003, acknowledging however that for a number of active substances a decision can not be taken before 2005. Additional time is needed to evaluate the further data required by the Commission before it can be decided whether these active substances satisfy the safety requirements of Directive 91/414/EEC and the Commission will ensure that the extension of the time period will be as short as possible.

(5) Active substances for which a commitment to further prepare the necessary dossier has not been notified, should not be included in Annex I to Directive 91/414/EEC and Member States should withdraw all authorisations for plant protection products containing such active substances.

(6) For uses for which additional technical evidence has been provided demonstrating the essential need for further use of the active substance and the absence of an efficient alternative, temporary measures should be provided to enable the development of alternatives. For a number of uses such information has been presented and evaluated by the Commission with Member State experts. Derogations should be given only for cases, which appear justified and as not giving rise to concern, and should be restricted to the control of harmful organisms, for which no efficient alternatives exist.

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

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 276, 12.10.2002, p. 28.

⁽³⁾ OJ L 55, 29.2.2000, p. 25.

⁽⁴⁾ OJ L 224, 21.8.2002, p. 23.

⁽⁵⁾ OJ L 366, 15.12.1992, p. 10.

⁽⁶⁾ OJ L 259, 13.10.2000, p. 27.

⁽⁷⁾ OJ L 168, 27.6.2002, p. 14.

⁽⁸⁾ COM(2001) 444 final.

HAS ADOPTED THIS REGULATION:

Article 1

The time period of 12 years referred to in Article 8(2) of Directive 91/414/EEC is extended until 31 December 2005 for the active substances which are assessed in the framework of Regulations (EEC) No 3600/92 and the second stage under Regulation (EC) No 451/2000, and until 31 December 2008 for the active substances which are assessed in the framework of Regulation (EC) No 1490/2002, unless a decision has been taken or is taken before that date to include or not include the active substance in Annex I to Directive 91/414/EEC. During these periods the Member States may continue to authorise or authorise again the placing on the market of plant protection products containing the above mentioned active substances, in accordance with the provisions of Article 8(2) of Directive 91/414/EEC.

Article 2

1. The active substances listed in Annex I to this Regulation are not included as active substance in Annex I to Directive 91/414/EEC.

2. Member States shall ensure that authorisations for plant protection products containing the active substances listed in Annex I to this Regulation are withdrawn by 25 July 2003 except as provided in paragraph 3.

3. In relation to a substance specified in column A of Annex II, any Member State specified in column B of that Annex in relation to the substance may maintain in force authorisations for plant protection products containing that substance for the uses listed in column C until 30 June 2007 provided that it:

- (a) ensures that the continued use is only accepted as far it does not have any harmful effect on human or animal health and no unacceptable influence on the environment;

- (b) ensures that such plant protection products remaining on the market after 31 December 2003 are relabelled in order to match the restricted use conditions;
- (c) imposes all appropriate risk mitigation measures to reduce any possible risks;
- (d) ensures that alternatives for such uses are being seriously sought.

The Member State concerned shall inform the Commission on 31 December 2004 at the latest on the application of this paragraph and in particular on the actions taken pursuant to points (a) to (d).

Article 3

Any period of grace granted by Member States in accordance with Article 4(6) of Directive 91/414/EEC shall be as short as possible and:

- (a) for the uses for which the authorisation is to be withdrawn by 25 July 2003, shall expire not later than 31 December 2003, except for the limited number of essential uses referred to in Annex II, for which the authorisation can still be maintained in specified Member States in accordance with the provisions of Article 2(3);
- (b) for the uses for which the authorisation is to be withdrawn by 30 June 2007, shall expire not later than 31 December 2007.

Article 4

This Regulation shall enter into force on the seventh 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, 20 November 2002.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

List of active substances which are not included as active substance in Annex I to Directive 91/414/EEC

1,2-Dichloropropane	Bromopropylate
1,3-Dichloropropene (cis)	Bronopol
1,3-Diphenyl urea	Butachlor
2-(dithiocyanomethylthio)-benzothiazol	Butocarboxim
2,3,6-TBA	Butoxycarboxim
2,4,5-T	Butylate
2-Aminobutane (aka sec-butylamine)	Calcium carbonate (aka chalk)
2-Benzyl-4-chlorophenol	Calcium hydroxide (aka slake lime)
4-CPA (4-chlorophenoxyacetic acid = PCPA)	Calcium oxide (quick lime)
4-t-Pentylphenol	Carbon disulfide
Acifluorfen	Carbophenothion
Aldimorph	Cartap
Alkyltrimethyl ammonium chloride	Cetrimide
Alkyltrimethylbenzyl ammonium chloride	Chinomethionat (aka quinomethionate)
Allethrin	Chlormethoxyfen
Alloxydim	Chloral-bis-acylal
Allyl alcohol	Chloral-semi-acetal
Ametryn	Chloramben
Ampropylfos	Chlorbromuron
Ancymidol	Chlorbufam
Anilazine	Chloretazate
Anthracene oil	Chlorfenprop
Azaconazole	Chlorfenson (aka chlorfenizon)
Azamethiphos	Chlorfenvinphos
Aziprotryne	Chlorfluazuron
Barban	Chlormephos
Barium fluosilicate	Chlorobenzilate
Barium polysulphide	Chloropropylate
Benazolin	Chloroxuron
Bendiocarb	Chlorphonium chloride
Benfuresate	Chlorthiamid
Benodanil	Chlorthiophos
Bensulide	Cufraneb
Bensultap	Cyanazine
Bentaluron	Cycloate
Benzalkonium chloride	Cycluron
Benzoximate	Cyprofuram
Benzoylprop	DADZ (zinc-diethyldithiocarbamate)
Benzthiazuron	Dalapon
Bioallethrin	delta-endotoxin of <i>Bacillus thuringiensis</i>
Bioresmethrin	Demeton-S-methyl
Bitumen	Demeton-S-methyl sulphone
Brandol (hydroxynonyl-2,6-dinitrobenzene)	Desmetryne
Bromacil	Diafenthion
Bromocyclen	Dialifos
Bromofenoxim	Di-allate
Bromophos	Diammonium phosphate
Bromophos-ethyl	Dichlofenthion

Dichlofluanid	Fluorodifen
Dichlone	Fluoroglycofene
Dichlorprop	Flupoxam
Diclobutrazol	Fluridone
Dicrotophos	Fomesafen
Dicyclopentadiene	Fonofos
Dienochlor	Formothion
Diethatyl (-ethyl)	Fosamine
Difenoxuron	Fosthietan
Difenzoquat	Furalaxyl
Dikegulac	Furathiocarb
Dimefox	Furconazole
Dimefuron	Furfural
Dimepiperate	Furmecyclox
Dimethirimol	Gentian violet
Dimexano	Halfenprox (aka brofenprox)
Dinitramine	Haloxypop
Dinobuton	Heptenophos
Dioxacarb	Hexachlorophene
Dioxathion	Hexazinone
Diphenamid (aka difenamide)	Hydramethylnon
Disodium octaborate tetrahydrate	Hydroxy-MCPA
Disulfoton	Hydroxyphenyl-salicylamide
Ditalimfos	Imazapyr
Drazoxolon	Imazethabenz
Endothal	Iminoctadine
EPTC (ethyl dipropylthiocarbamate)	Iodofenphos
Etacelasil	Isazofos
Ethidimuron (aka sulfodiazol)	Isocarbamide
Ethiofencarb	Isofenphos
Ethion (aka diethion)	Isolan
Ethirimol	Isopropalin
Ethoate-methyl	Isoprothiolane
Etrimfos	Isoxathion
Fenaminosulf	Karbutilate
Fenazaflor	Kinoprene
Fenfuram	Mancopper
Fenoprop	Mecarbam
Fenothiocarb	Mefenacet
Fenoxaprop	Mephospholan
Fenpiclonil	Mepronil
Fenpropathrin	Merphos (aka tributylphosphorotrithioite)
Fenridazon	Methacrifos
Fenson (aka fenizon)	Methazole
Fenthiosulf	Methfuroxam
Fenuron	Methoprene
Flamprop	Methoprothryne
Fluazifop	Methoxychlor
Flubenzimine	Methylenebisthiocyanate
Flucycloxuron	Methylisothiocyanate
Flucythrinate	Methylnaphthylacetamide
Flumequine	Methylnaphthylacetic acid
Flumethralin	Metobromuron

Metolachlor	Pyrifenox
Metoxuron	Pyroquilone
Metsulfovax	Quinalphos
Mevinphos	Quizalofop
Monalide	Resmethrin
Monocrotophos	Rock powder
Monuron	Secbumeton
MAA (methyl arsonic acid)	Seconal (aka 5-allyl-5-(1'-methylbutyl) barbituric acid)
Nabam	Sethoxydim
Naptalam	Siduron
Naphtylacetic acid hydrazide	Silicates
Neburon	Silver nitrate
Nitralin	Sodium arsenite
Nitrothal	Sodium diacetoneketogulonate
Nonylphenol ether polyoxyethyleneglycol	Sodium dichlorophenate
Nonylphenol ethoxylate	Sodium dimethyldithiocarbamate
Norflurazon	Sodium dioctyl sulfosuccinate
Noruron	Sodium fluosilicate
Octhilinone	Sodium monochloroacetate
Ofurace	Sodium pentaborate
Omethoate	Sodium p-t-amylphenate
Orbencarb	Sodium silicate
Oxadixyl	Sodium silver thiosulphate
Oxine-copper	Sodium tetrathiocarbamate
Oxycarboxin	Sodium thiocyanate
Oxytetracycline	Sulfotep
Paraformaldehyde	Sulprofos
p-Chloronitrobenzene	Tar acids
Pebulate	TCA
Pentachlorophenol	TCMTB
Pentanochlor	Tebutam (aka butam)
Perfluidone	Tebuthiuron
Phenols	Temephos
Phenothrin	Terbacil
Phenthoate	Terbufos
Phorate	Terbumeton
Phosametine	Terbutryn
Phosphamidon	Tetrachlorvinphos
Pirimiphos-ethyl	Tetradifon
Potassium silicate	Tetramethrin
Profenofos	Tetrasul
Promecarb	Thiazafluron
Prometryne	Thiazopyr
Propazine	Thiocyclam
Propetamphos	Thiofanox
Propoxur	Thiometon
Propyl-3-t-butylphenoxyacetate	Thionazin
Prothiocarb	Thiophanate
Prothiofos	Tiocarbazil
Prothoate	Tolylphtalam
Pyraclofos	Tralomethrin
Pyrazoxyfen	Triapenthenol
Pyridafenthion	Triazbutyl

Triazophos

Tribufos (s,s,s-tributyl-phosphorotrithioate)

Tributyltinoxyde

Trichloronate

Tridiphane

Trietazine

Trifenmorph

Triforine

Trioxymethylen

Validamycin

Vamidothion

Vernolate

ANNEX II

List of authorisations referred to in Article 2(3)

Column A	Column B	Column C
Active substance	Member State	Use
2-aminobutane	United Kingdom Ireland	Stored seed potato Stored seed potato
1,3-dichloropropene (cis)	The Netherlands	flower bulbs, strawberries, vegetables, tree nursery crops, perennials and replanting of orchards
4-CPA (4-chlorophenoxyacetic acid)	Greece Spain	Grape (seedless) Tomato, aubergine
Acifluorfen	Italy	Soybean
Azaconazole	Belgium The Netherlands United Kingdom	Sweet pepper, tomato, arboriculture Tomato Ornamentals
Benfuresate	Spain	Cotton
Bromacil	France	Lavender, lavandin
Bromopropylate	Belgium Spain	Bean Lemon, tomato, pome fruit, vine
Cartap	Italy	Pome fruit, stone fruit, tomato, aubergine, pepper, melon, marrow, ornamentals
Chinomethionate	Greece Spain	Melon, water melon <i>Cucurbitaceae</i>
Chlorfenvinfos	Denmark Germany Ireland France The Netherlands Spain	Cabbage Small radish, radish, carrot, onion, celery, cabbage, cucumber Carrot, parsnip, cabbage, swede Mushroom, asparagus, cress, radish, spinach, corn salad, gherkin, courgette, onion, shallot, carrot, celeriac, leek, celery, parsley, garlic, cabbage, turnip Cabbage, onion, carrot, brassica vegetables, swede, turnip, radish, black radish, leek, celeriac Brassicas
Cyanazine	United Kingdom Ireland	Pea, bean, brassica, narcissi, oilseed rape, Allium, forestry Onion
Ethion	France	Carrot, parsley, celery, celeriac, garlic, shallot, onion, leek, cabbage
Dikegulac	Germany	Ornamentals (under glass)
Dinobuton	Spain	Pome fruit
Ethyl dipropylthiocarbamate (EPTC)	Portugal	Potato

Column A	Column B	Column C
Active substance	Member State	Use
Fenpropathrin	United Kingdom	Soft fruit (blackcurrant)
Fenuron	United Kingdom	Pea, bean, spinach
Fomesafen	United Kingdom France Italy	Pea, bean, lupin Soybean, bean Soybean, bean, pea
Furalaxyl	Ireland	Ornamentals
Furathiocarb	Belgium	Leek
Haloxypol	Denmark	Seed grass fields of red fescue, seed beds of ornamentals
Heptenophos	Ireland	Ornamentals, cucumber, tomato, lettuce
Hexazinone	Austria France Ireland Spain	Conifer Conifer, lavender, lavandin, clary sage, liquorice, lucerne, sugar cane Conifer Conifer, lucerne
Imazapyr	Ireland	Forestry
Mepronil	Austria	Lettuce
Metobromuron	Belgium Germany	Lambs lettuce, bean, potato Lambs lettuce, bean, tobacco
Metoxuron	Belgium France Ireland Luxembourg The Netherlands United Kingdom	Carrot, potato Carrot Carrot Carrot, potato Carrot, potato, iris, gladiolus Carrot
Naptalam	Spain France	Melon, water melon Melon
Omethoate	Austria	Ornamentals
Orbencarb	Austria	Lupin
Oxadixyl	Belgium	Pea — seed treatment
Oxycarboxin	United Kingdom Austria Greece Spain Ireland	Ornamentals Ornamentals Ornamentals, flowers Ornamentals Turf grass
Pebulate	Greece	Tobacco

Column A	Column B	Column C
Active substance	Member State	Use
Pentachlor	United Kingdom	Umbellifers, herbs
Prometryn	United Kingdom Spain Greece Ireland France	Umbellifers, Allium, herbs Cotton Cotton Carrots, parsley, celery, parsnips Celery, celeriac, lentils, leek
Pyridafenthion	Spain	Vine, meadow, lemon
Resmethrin	United Kingdom	Mushroom
Sethoxydim	Austria Belgium Italy	Strawberry Leek, beans, cabbage Vegetables
Silver nitrate	The Netherlands	Cucumber and gherkin grown for seed
Sodium monochloracetate	United Kingdom Ireland	Brassica, Allium, soft fruit, hop Cabbage, Brussels sprouts, kale
Sodium silver thiosulphate	Denmark	Cut flowers, pot plants
Terbacil	Spain France Greece United Kingdom	Mentha Arnica, ribbed melilot, balm, peppermint, oregano, wild pansy, rosemary, winter savory, sage, thyme Aromatic plants Aromatic and pharmaceutical plants
Terbufos	Germany	Sugar beet, fodder beet
Terbutryn	United Kingdom	Pea, bean, lupin
Tetradifon	Spain Ireland	Citrus, Cucurbitaceae, tomato, grapes Tomato, cucumber, ornamentals nursery stock
Triazophos	Ireland	Carrot
Triforine	Austria Denmark	Bean, cucumber, ornamentals growing, rose Apple, pear, blackcurrant, red currant, gooseberry
Vamidothion	Belgium Spain Italy Portugal	Apple, arboriculture Pome fruit Pome fruit Apple, pear

**COMMISSION REGULATION (EC) No 2077/2002
of 22 November 2002**

**establishing the quantities to be allocated to importers from the 2003 Community quantitative
quotas on certain products originating in the People's Republic of China**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas ⁽¹⁾, as last amended by Regulation (EC) No 138/96 ⁽²⁾, and in particular Articles 9 and 13 thereof,

Having regard to Commission Regulation (EC) No 1498/2002 of 21 August 2002 establishing administration procedures for the 2003 quantitative quotas for certain products originating in the People's Republic of China ⁽³⁾, and in particular Article 6 thereof,

Whereas:

- (1) Regulation (EC) No 1498/2002 established the portion of each of the quotas concerned reserved for traditional and other importers and the conditions and methods for participating in the allocation of the quantities available. Importers have lodged applications for import licences with the competent national authorities between 23 August 2002 and 3 p.m., Brussels time, on 21 October 2002, in accordance with Article 3 of Regulation (EC) No 1498/2002.
- (2) The Commission has received from the Member States, pursuant to Article 5 of Regulation (EC) No 1498/2002, particulars of the numbers and aggregate volume of import licence applications submitted and the total volume imported by traditional importers in 1998 or 1999, the reference years.
- (3) The Commission is now able, on the basis of that information, to establish uniform quantitative criteria by which the competent national authorities may satisfy licence applications submitted by importers in the Member States for the 2003 quantitative quotas.
- (4) Examination of the figures supplied by Member States shows that the aggregate volume of applications submitted by traditional importers for the products listed in Annex I to this Regulation exceeds or is lower than the portion of the quota set aside for them. The applications must therefore be met by applying the uniform

rate of reduction or increase shown in Annex I to the volume of each importer's imports, expressed in quantity or value terms, over the reference period.

- (5) Examination of the figures supplied by Member States shows that the aggregate volume of applications submitted by non-traditional importers for the products listed in Annex II to this Regulation exceeds the portion of the quota set aside for them. The applications must therefore be met by applying the uniform rate of reduction shown in Annex II to the amounts requested by each importer, as limited by Regulation (EC) No 1498/2002.
- (6) Quantities not taken up by non-traditional importers were transferred to traditional importers,

HAS ADOPTED THIS REGULATION:

Article 1

In response to licence applications in respect of the products listed in Annex I duly submitted by traditional importers, the competent national authorities shall allocate each importer a quantity or value equal to his imports for 1998 or 1999, as indicated by the importer, adjusted by the rate of reduction/increase specified in the said Annex for each quota.

Where the use of this quantitative criterion would entail allocating an amount greater than that applied for, the quantity or value allocated shall be limited to that specified in the application.

Article 2

In response to licence applications in respect of the products listed in Annex II duly submitted by non-traditional importers, the competent national authorities shall allocate each importer a quantity or value equal to the amount requested within the limits set by Regulation (EC) No 1498/2002, adjusted by the rate of reduction specified in the said Annex for each quota.

Article 3

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

⁽¹⁾ OJ L 66, 10.3.1994, p. 1.

⁽²⁾ OJ L 21, 27.1.1996, p. 6.

⁽³⁾ OJ L 225, 22.8.2002, p. 15.

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

Done at Brussels, 22 November 2002.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX I

**Rate of reduction (-)/increase (+) applicable to imports in 1998 or 1999
(traditional importers)**

Product description	HS/CN codes	Rate of reduction/increase
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	- 21,49 %
	6403 51 6403 59	+ 18,46 %
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	- 27,85 %
	ex 6404 11 ⁽²⁾	- 19,60 %
	6404 19 10	+ 39,53 %
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	- 27,63 %
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	- 19,13 %

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

ANNEX II

**Rate of reduction (–) applicable to the volume requested within the limits of the maximum amounts fixed by
Regulation (EC) No 1498/2002
(non-traditional importers)**

Product description	HS/CN codes	Rate of reduction
Footwear falling within HS/CN codes	ex 6402 99 ⁽¹⁾	– 58,24 %
	6403 51 6403 59	– 93,91 %
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	– 86,78 %
	ex 6404 11 ⁽²⁾	– 79,46 %
	6404 19 10	– 59,17 %
Tableware, kitchenware of porcelain or china falling within HS/CN code	6911 10	– 49,37 %
Ceramic tableware, kitchenware, other household articles and toilet articles, other than of porcelain or china falling within HS/CN code	6912 00	– 60,58 %

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

⁽²⁾ Excluding:

- (a) footwear which is designed for a sporting activity and has, or has provision for the attachment of, spikes, sprigs, stops, clips, bars or the like, with a non-injected sole;
- (b) footwear involving special technology: shoes which have a cif price per pair of not less than EUR 9 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralise impact or materials such as low-density polymers.

COMMISSION REGULATION (EC) No 2078/2002
of 22 November 2002
concerning tenders submitted in response to the invitation to tender for the export of husked long
grain B rice to the island of Réunion referred to in Regulation (EC) No 1895/2002

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 10(1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion ⁽³⁾, as amended by Regulation (EC) No 1453/1999 ⁽⁴⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1895/2002 ⁽⁵⁾ opens an invitation to tender for the subsidy on rice exported to Réunion.
- (2) Article 9 of Regulation (EEC) No 2692/89 allows the Commission to decide, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, to make no award.

(3) On the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89, a maximum subsidy 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 submitted from 18 to 21 November 2002 in response to the invitation to tender referred to in Regulation (EC) No 1895/2002 for the subsidy on exports to Réunion of husked long grain B rice falling within CN code 1006 20 98.

Article 2

This Regulation shall enter into force on 23 November 2002.

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

Done at Brussels, 22 November 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 261, 7.9.1989, p. 8.

⁽⁴⁾ OJ L 167, 2.7.1999, p. 19.

⁽⁵⁾ OJ L 287, 25.10.2002, p. 3.

**COMMISSION REGULATION (EC) No 2079/2002
of 22 November 2002**

**fixing the maximum export refund on wholly milled round grain rice to certain third countries in
connection with the invitation to tender issued in Regulation (EC) No 1896/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1896/2002 ⁽³⁾.

(2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1896/2002 is hereby fixed on the basis of the tenders submitted from 18 to 21 November 2002 at 157,00 EUR/t.

Article 2

This Regulation shall enter into force on 23 November 2002.

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

Done at Brussels, 22 November 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 287, 25.10.2002, p. 5.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

**COMMISSION REGULATION (EC) No 2080/2002
of 22 November 2002**

fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1897/2002

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1897/2002 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1897/2002 is hereby fixed on the basis of the tenders submitted from 18 to 21 November 2002 at 170,00 EUR/t.

Article 2

This Regulation shall enter into force on 23 November 2002.

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

Done at Brussels, 22 November 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 287, 25.10.2002, p. 8.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

**COMMISSION REGULATION (EC) No 2081/2002
of 22 November 2002**

**fixing the maximum export refund on wholly milled long grain B rice to certain third countries in
connection with the invitation to tender issued in Regulation (EC) No 1898/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1898/2002 ⁽³⁾.

(2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled long grain B rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1898/2002 is hereby fixed on the basis of the tenders submitted from 18 to 21 November 2002 at 260,00 EUR/t.

Article 2

This Regulation shall enter into force on 23 November 2002.

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

Done at Brussels, 22 November 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 287, 25.10.2002, p. 11.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

COMMISSION REGULATION (EC) No 2082/2002
of 22 November 2002
amending representative prices and additional duties for the import of certain products in the
sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) The amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1153/2002 ⁽⁵⁾, as last amended by Regulation (EC) No 2074/2002 ⁽⁶⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 23 November 2002.

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

Done at Brussels, 22 November 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 141, 24.6.1995, p. 16.

⁽⁴⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁵⁾ OJ L 170, 29.6.2002, p. 27.

⁽⁶⁾ OJ L 318, 22.11.2002, p. 15.

ANNEX

to the Commission Regulation of 22 November 2002 altering representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	19,90	6,35
1701 11 90 ⁽¹⁾	19,90	12,02
1701 12 10 ⁽¹⁾	19,90	6,16
1701 12 90 ⁽¹⁾	19,90	11,50
1701 91 00 ⁽²⁾	22,87	14,40
1701 99 10 ⁽²⁾	22,87	9,28
1701 99 90 ⁽²⁾	22,87	9,28
1702 90 99 ⁽³⁾	0,23	0,41

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

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

⁽³⁾ By 1 % sucrose content.

**COMMISSION REGULATION (EC) No 2083/2002
of 22 November 2002**

amending for the eighth time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan⁽¹⁾, as last amended by Commission Regulation (EC) No 1935/2002⁽²⁾, and in particular Article 7(1), first indent, thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

- (2) On 28 October and 21 November 2002, the Sanctions Committee decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources shall apply and, therefore, Annex I should be amended accordingly.

- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 22 November 2002.

For the Commission

Christopher PATTEN

Member of the Commission

⁽¹⁾ OJ L 139, 29.5.2002, p. 9.

⁽²⁾ OJ L 295, 30.10.2002, p. 11.

ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

1. The following legal persons, groups or entities shall be added under the heading 'Legal persons, groups and entities':
 - (a) Benevolence International Foundation (aka BIF, BIF-USA, Al-Bir Al-Dawalia, and Mezhdunarodnyj Blagotvori-tel'nyj Fond); US Federal Employer Identification Number 36-3823186; addresses and offices in so far as known:
 - 8820, Mobile Avenue, 1A, Oak Lawn, Illinois, 60453, USA,
 - PO box 548, Worth, Illinois, 60482, USA,
 - (former location) 9838, S. Roberts Road, Suite 1W, Palos Hills, Illinois, 60465, USA,
 - (former location) 20-24, Branford Place, Suite 705, Newark, New Jersey, 07102, USA,
 - Bashir Safar Ugli 69, Baku, Azerbaijan,
 - 69, Boshir Safaroglu Street, Baku, Azerbaijan,
 - 3, King Street South, Waterloo, Ontario, N2J 3Z6 Canada,
 - PO box 1508, Station B, Mississauga, Ontario, L4Y 4G2 Canada,
 - 2465, Cawthra Road, No. 203, Mississauga, Ontario, L5A 3P2 Canada,
 - 91, Paihonggou, Lanzhou, Gansu, China 730 000,
 - Hrvatov 30, 41000 Zagreb, Croatia,
 - Burgemeester Kessensingel 40, Maastricht, Netherlands,
 - House 111, First Floor, Street 64, F-10/3, Islamabad, Pakistan,
 - PO box 1055, Peshawar, Pakistan,
 - Azovskaya 6, km. 3, off. 401, Moscow, Russia 113149,
 - Ulitsa Oktyabr'skaya, dom. 89, Moscow, Russia 127521,
 - PO box 1937, Khartoum, Sudan,
 - PO box 7600, Jeddah 21472, Saudi Arabia,
 - PO box 10845, Riyadh 11442, Saudi Arabia;
 - (b) Benevolence International Fund (aka Benevolent International Fund and BIF-Canada); last known addresses:
 - 2465, Cawthra Road, Unit 203, Mississauga, Ontario, L5A 3P2 Canada,
 - PO box 1508, Station B, Mississauga, Ontario, L4Y 4G2 Canada,
 - PO box 40015, 75, King Street South, Waterloo, Ontario, N2J 4V1 Canada,
 - 92, King Street, 201, Waterloo, Ontario, N2J 1P5 Canada;
 - (c) Bosanska Idealna Futura (aka Bosnian Ideal Future, BIF-Bosnia, BECF Charitable Educational Center, Benevolence Educational Center); addresses and offices in so far as known:
 - Salke Lagumdžije 12, 71000 Sarajevo, Bosnia-Herzegovina,
 - Hadžije Mazica Put 16F, 72000 Zenica, Bosnia-Herzegovina,
 - Šehidska Street, Breza, Bosnia-Herzegovina,
 - Kanal 1, 72000 Zenica, Bosnia-Herzegovina,
 - Hamze Celenke 35, Ilidza, Sarajevo, Bosnia-Herzegovina.
2. The entry 'Essabar, Zakarya (aka Essabar, Zakariya), Dortmund Strasse 38, D-22419 Hamburg, Germany; date of birth 3 April 1977; place of birth: Essaouira, Morocco; citizenship: Morocco; passport No M 271 351 issued on 24 October 2000 by the Embassy of Morocco in Berlin, Germany' under the heading 'Natural persons' shall be replaced with the following:

'Essabar, Zakarya (aka Essabar, Zakariya), Dortmund Strasse 38, D-22419 Hamburg, Germany; date of birth 13 April 1977; place of birth: Essaouira, Morocco; citizenship: Morocco; passport No M 271 351 issued on 24 October 2000 by the Embassy of Morocco in Berlin, Germany'.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 November 2002

concerning a request for derogation under paragraph 2(b) of Annex III to and Article 9 of Council Directive 91/676/EEC concerning protection of waters against pollution caused by nitrates from agricultural sources

(notified under document number C(2002) 464)

(Only the Danish text is authentic)

(2002/915/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources ⁽¹⁾, and in particular paragraph 2(b) of Annex III thereto,

Whereas:

- (1) Paragraph 2(b) of Annex III to Directive 91/676/EEC provides that if a Member State allows a different amount of manure to be applied per hectare each year than the one specified in paragraph 2 of Annex III and subparagraph (a) of Annex III, it shall inform the Commission which will examine the justification in accordance with the procedure laid down in Article 9 of Directive 91/676/EEC.

These amounts must be fixed so as not to prejudice the achievement of the objectives specified in Article 1 of Directive 91/676/EEC and must be justified on the basis of objective criteria, for example:

- long growing seasons,
- crops with high nitrogen uptake,
- high net precipitation in the vulnerable zone,
- soils with exceptionally high denitrification capacity.

This Decision in particular applies to the first and second of the above criteria.

- (2) Denmark informed the Commission on 2 July 1998 of its intention to apply a derogation under paragraph 2(b) of Annex III to Directive 91/676/EEC with regard to the action programme established under Article 5 of the Directive, and completed this request by technical documents on 2 December 1999, 30 June 2000, 20 November 2000 and 8 October 2001.

- (3) Denmark intends to allow the application of livestock manure, comparable to 230 kg nitrogen per hectare per year on specific cattle holdings with an average of 90 % of agricultural land available for manure application, cropped by grass, grass catch crops or beets and other crops being undersown by grass with low nitrate leaching potential.

- (4) No leguminous or other plants fixing atmospheric nitrogen will be cropped in these farms and clover in grassland will be limited by adapted practices.

- (5) This derogation applies to approximately 10 % of the total number of livestock units in Denmark based on nitrogen equivalent in animal manure, and 5 % of the agricultural surface.

- (6) Cattle holdings with more than 250 livestock units must obtain an approval following the Danish implementation of the Integrated Pollution Prevention and Control Directive from the Municipality ensuring that manure use is in compliance with local needs for water protection. The cattle holdings, that in the next eight years must obtain an approval, correspond to 6 to 8 % of the national cattle herd.

⁽¹⁾ OJ L 375, 31.12.1991, p. 1.

- (7) Development of organic farming is a high priority for the Danish government. Organic cattle holdings allow only 140 kg nitrogen per hectare and reduce consequently nitrogen leaching of more than 10 %. Organic dairy farming in 1998 covers approximately 50 000 livestock units corresponding to 5 % of the national cattle herd and the prognosis for 2003 is that organic dairy farming covers 130 000 livestock units, equivalent to 15 % of the national cattle herd.
- (8) Denmark on 6 June 1997 notified legislation to the Commission in order to transpose the Directive into Danish law. Denmark on 2 July 1998 notified additional legislation to the Commission in order to implement fully the Directive. The legislation as notified is considered to be in compliance with the Directive. The provisions of that legislation apply equally to the notified derogation.
- (9) Action programmes are established with objectives for the aquatic environment to be attained through the appropriate associated reduction targets for nutrient discharges, i.e. elimination of point source farm-waste discharges and reduction of leaching losses to a level corresponding to an average of approximately 50 kg nitrogen per hectare annually which will ensure compliance with the objective of the Directive of a maximum of 50 mg/l of nitrates in groundwater.
- (10) Denmark's implementation of the Nitrates Directive is based on a stringent interpretation of the provisions of the Directive, in this context in particular the calculation of livestock units, nitrogen content of manure and the calculation of the acreage available for application of manure.
- (11) The Danish implementation of the Nitrates Directive is aimed at ensuring full achievement of the environmental objectives of the Directive as set out in Article 1.
- (12) The national monitoring program set up in agricultural areas contributes to the demonstration of the effect of the initiatives under the action programmes. The results will contribute to the basis for decision on additional measures or reinforced actions if it becomes apparent that the measures already taken are not sufficient for achieving the objective specified in Article 1 of the Directive.
- (13) The objective of the national monitoring programme is to demonstrate:
- development in the agricultural contribution to water pollution,
 - relations between agricultural praxis and the discharge of nutrients to the environment,
 - reduction of the amount of nutrients in water leaving the root zone until it rejoins the watercourses,
- development in the nutrient content in near-surface groundwater,
 - development in the agricultural use of nutrients,
 - size of and development in the agricultural field discharge.
- (14) The Danish action program for implementation of the Nitrates Directive includes a comprehensive set of general regulations setting standards for animal housing, manure containers, field application of livestock manure and fertiliser management. These regulations are based on acts and statutory orders.
- (15) As part of the implementation considering manure handling includes requests for animal houses built with appropriate drainage and collection of all manure and liquid waste, nine months storage capacity, tight floating cover on open liquid manure containers and limitations on manure spreading to certain times of the year. A control system has been set up by the municipalities to ensure compliance with these rules.
- (16) Each livestock holding must ensure a balance between agricultural land and number of livestock units corresponding to 170 kg nitrogen per hectare in animal manure (210 kg N/ha for cattle holdings) until 2002 and after 2002 the balance shall be equivalent to 140 kg N/ha (170 kg N/ha for cattle holdings). Acreage available for manure application excludes land that does not require fertilisation, land where livestock manure cannot be applied under normal conditions and land designated as set-aside acreage.
- (17) The nitrogen content of livestock manure is understood as the amount of total nitrogen in excreta minus volatile losses of ammonia in animal housing systems and during storage (10 % volatile losses being the maximum allowed for calculations).
- (18) As part of the implementation an increase in efficiency of utilisation of nitrogen content of manure (cattle slurry) from the present 60 % to a minimum of 65 % in the fertilisation year 2001/2002 is prescribed. A reduction of nitrogen fertilisation norms by 10 % below the economic optimum is prescribed, determined annually on the basis of numerous field trials.
- (19) All agricultural holdings must draw up crop rotation and fertilisation plans each year covering the period 1 August to 31 July. Such plans must be submitted to the competent authority. Such plans covering the period 1 August to 31 March the following year must be available to the authorities by 1 September at the latest. By 31 March such plans covering the whole of the period must be available. Crop rotation plans must specify green crops (catch crops, winter grain cereals and crops with a long growing season). Fertilisation plans must include the estimated need for nitrogen and phosphorous

application according to the economic optimal and specifying the nature of fertiliser to be used (e.g. livestock manure, waste products, chemical fertiliser). Fertilisation plans must include a sketch map indicating location of individual fields. Such plans must be revised no later than seven days following any changes in agricultural practices to ensure consistency between plans and actual agricultural practices. These regulations are based on acts and statutory orders.

(20) Fertilisation norms, crop nitrogen requirements and the relationship between these, in terms of permitted fertilisation, are stipulated in Statutory Orders.

(21) Empirical models and calculations, presented in the Danish notification, based on amounts of manure and chemical fertiliser, crop type and soil type, show that a leaching of nitrate below 50 kg nitrogen per hectare annually could be reached with some complementary preventive measures on farming practices. The above models and calculations indicate that compliance with the objective of a maximum of 50 mg per litre of nitrates in groundwater at watershed level and considering denitrification is ensured.

(22) Calculations presented by Denmark show the possibility of further reducing the amount of chemical fertiliser to ensure a higher efficiency of nitrogen uptake from applied manure in case monitoring shows a need for reduction of total nitrogen applied. Such further reduction of leaching shall ensure compliance with the above leaching target.

(23) Maps showing the percentage of fields cultivated under this Decision will be presented every two years.

(24) Results of representative monitoring from intensive cattle holdings in the approximately 1 500 ha agricultural catchment monitoring program relevant to the situation covered by this Decision will be presented in order to show practical compliance with the conditions of this Decision.

(25) This Decision is applicable within the framework of the Danish action programs adopted for the years 1999 to 2003.

(26) The Commission, having examined the justification of Denmark's request, is satisfied that the amount fixed and the conditions for its application will not prejudice the achievement of the objectives of the Directive, as specified in Article 1.

(27) The measures provided for in this Decision are in accordance with the opinion of 6 December 2001 of the Committee set up pursuant to Article 9 of Directive 91/676/EEC,

HAS ADOPTED THIS DECISION:

Article 1

Denmark's request submitted by letter of 2 July 1998 asking the Commission to allow derogation under paragraph 2(b) of Annex III to Directive 91/676/EEC is approved, subject to the conditions laid down hereunder.

Article 2

Definitions

- 'Cattle farms' means holdings with more than three livestock units, where at least two-thirds of livestock are cattle,
- 'grass' means permanent or temporary grassland (generally temporary lies less than four years),
- 'crops being undersown by grass': silage cereals, silage maize and/or spring barley, to be undersown before (maize) or after harvest, by grass which will act as a catch crop, for biological retention of nitrogen residual during winter,
- 'beets' means forage beets.

Article 3

Scope

This derogation applies, on an individual basis, to cattle farms where the crop rotation includes more than 70 % of particularly nitrogen consuming crops, with a long growing season. Farmers, who will annually submit an application to the competent authorities, shall give written commitment to fulfill the conditions prescribed in Articles 4 and 5.

Article 4

Application of manure and other fertilisers

The amount of livestock manure applied to the land each year on cattle holdings, including by the animal themselves, shall not exceed the amount of manure containing 230 kg nitrogen, under the following conditions:

- the total nitrogen inputs will comply with the nutrient demand of the considered crop and the supply from the soil, the fertilisation rate being fixed 10 % under optimal economic level,
- a fertilisation plan and account will be kept for each farm,
- each farm must annually submit an application together with the fertilisation account to the competent national authority and accept that they can be subject to random control,

- periodic autumn and spring nitrogen and phosphorous analysis in soil will be done by each farmer who is granted derogation (at least every three years per 5 ha of land), for accurate fertilisation,
- no manure will be spread in the autumn before a grass cultivation, and the ploughing will be followed by a high nitrogen demanding crop.

Article 5

Land cover

1. 70 % or more of the acreage available for manure application on the cattle holding in question shall be cultivated with grass, grass catch crops or beets and other crops being under-sown by grass with low nitrate leaching potential.
2. Grass catch crops shall not be ploughed before 1 March in order to ensure permanent vegetal cover of arable area for recovering subsoil autumn losses of nitrates and limit winter losses.
3. Temporary grasslands shall be ploughed in spring.

Article 6

Monitoring

1. Two maps, showing the percentage of farms and percentage of agricultural land encompassed by the derogation in each municipality of Denmark, shall be updated every year, and transmitted to the Commission. The first submission will take place in the last quarter of 2002.
2. Survey and continuous nutrient analysis shall be carried out in the national monitoring program on reference sites on sandy and clay soils providing data on local land use, crop rotations and practices on cattle holdings. These data can be used for model-based calculations of the magnitude of nitrate leaching from fields where up to 230 kg nitrogen in livestock manure is applied based on scientific principles.
3. In order to prove that the derogation will not jeopardise the objective of national action program and the Directive, a network of sampling of ditches with drainage waters and of

shallow groundwater established as agricultural catchment monitoring sites under the national monitoring program shall be maintained to provide data on state of nitrate content in water leaving the root zone and entering the groundwater system.

Article 7

Reporting

The results of the monitoring shall be transmitted every year to the Commission, with a concise report on evaluation practice (controls at farm level) and water quality evolution (based on root zone leaching monitoring, surface/ground water quality and model-based calculations). Based on initial assessment, first results shall be transmitted at the end of 2002, and a second report at the end of 2003.

Article 8

Validity

This derogation is valid until 1 August 2004.

Article 9

Extension

Following a request of the Danish authorities, the Commission could extend the derogation period, taking into account, *inter alia*, the results of monitoring.

Article 10

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 18 November 2002.

For the Commission

Margot WALLSTRÖM

Member of the Commission

COMMISSION DECISION

of 21 November 2002

amending Decision 94/652/EC as regards updating the inventory of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food

*(notified under document number C(2002) 4447)***(Text with EEA relevance)**

(2002/916/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/5/EEC of 25 February 1993 on assistance to the Commission and cooperation by the Member States in the scientific examination of questions relating to food ⁽¹⁾, and in particular the fourth indent of Article 3(2) thereof,

Whereas:

- (1) Commission Decision 94/458/EC of 29 June 1994 ⁽²⁾ lays down rules on the administrative management of cooperation in the scientific examination of questions relating to food.
- (2) Commission Decision 94/652/EC ⁽³⁾, as last amended by Decision 2001/773/EC ⁽⁴⁾, establishes the inventory and distribution of tasks to be undertaken within the framework of cooperation by Member States in the scientific examination of questions relating to food.
- (3) The updating of the inventory of tasks should take account of the need for the protection of public health within the Community and the requirements of Community legislation in the foodstuffs sector.

(4) The tasks should be distributed having regard to the scientific expertise and resources available within the Member States, and in particular the institutes which will be participating in the scientific cooperation.

(5) Decision 94/652/EC should be amended accordingly.

(6) The measures provided for by 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

The Annex to Decision 94/652/EC is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 November 2002.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 52, 4.3.1993, p. 18.

⁽²⁾ OJ L 189, 23.7.1994, p. 84.

⁽³⁾ OJ L 253, 29.9.1994, p. 29.

⁽⁴⁾ OJ L 290, 7.11.2001, p. 9.

ANNEX

‘ANNEX

Inventory of tasks to be undertaken by Member States within the framework of cooperation by the Member States in the scientific examination of questions relating to food

Subject, nature and extent of the task	Member States to which the task is distributed	Time limit for completion
1. Flavouring substances 1.1. Chemically defined flavouring substances as listed in the register in the Annex to Commission Decision 1999/217/EC of 23 February 1999: — to prepare reports for the safety evaluation of chemically defined flavouring substances according to the evaluation programme referred to in Article 4 of Regulation (EC) No 2232/96, — to establish and maintain a physical and electronic archive of the available toxicological and exposure data for the substances concerned.	Denmark (coordinator) Germany, Spain, France, Italy, Netherlands, Austria, Portugal, Finland, Sweden, United Kingdom	31 May 2005
3. Contaminants 3.1. <i>General questions</i> 3.1.1. <i>Unscheduled and urgent questions:</i> — to coordinate the collection of data in the Member States required for risk assessment by the Scientific Committee for Food in response to unscheduled and urgent questions related to food contaminants 3.2. <i>Specific questions</i> 3.2.9. Collection and collation of data on levels of 3-monochloropropanediol (3-MCPD) and related substances in foodstuffs. 3.2.10. Collection of occurrence data of fusarium toxins in food and assessment of dietary intake by the population of EU Member States. 3.2.11. Assessment of the dietary exposure to lead, cadmium, mercury and arsenic of the population of the EU Member States. 3.2.12. Collection of occurrence data on polynuclear aromatic hydrocarbons in food. 3.2.13. Assessment of the dietary exposure to organotin compounds of the population of the EU Member States.	Italy, United Kingdom (joint coordinators) All the Member States (*) Sweden, United Kingdom (joint coordinators) Denmark, Germany, France, Ireland, Netherlands, Austria, Finland (*) Germany (coordinator) Belgium, Denmark, France, Ireland, Italy, Netherlands, Austria, Portugal, Finland, Sweden, United Kingdom (*) Italy, Sweden (joint coordinators) Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Netherlands, Austria, Portugal, Finland, United Kingdom (*) France (coordinator) Belgium, Denmark, Germany, Greece, Spain, Ireland, Italy, Netherlands, Austria, Portugal, Finland, United Kingdom (*) Italy (coordinator) Belgium, Denmark, Germany, Greece, France, Netherlands (*)	31 December 2002 31 October 2002 28 February 2003 31 December 2002 30 April 2003 31 December 2002
8. Packaging materials 8.1. Preparation of summary data sheets or reports for the risk assessment of the substances used for or present in food contact materials.	Netherlands (coordinator) Denmark, Germany, France, Italy, Finland, Sweden, United Kingdom (*)	31 December 2002

(*) Norway participates in this task.

CORRIGENDA**Corrigendum to Directive 2001/80/EC of the European Parliament and of the Council of 23 October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants**

(Official Journal of the European Communities L 309 of 27 November 2001)

On page 8, in Article 14(3):

for: '3. In the cases referred to in Article 5(2) and (3), the rates ...',

read: '3. In the cases referred to in Article 5(2), the rates ...';

on page 9, in Article 17(2):

for: '... before 27 November 2002 Article 4(1) ...',

read: '... before 27 November 2002 as specified in Article 4(1) ...'.
