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Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1406/2003 of 7 August 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
★ Commission Regulation (EC) No 1407/2003 of 7 August 2003 amending Council Regulation (EC) No 2341/2002 fixing for 2003 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required	3
★ Commission Regulation (EC) No 1408/2003 of 7 August 2003 derogating, for the marketing year 2003/2004, from Regulation (EC) No 2316/1999 as regards the use of land set aside in certain Member States	5
★ Commission Regulation (EC) No 1409/2003 of 7 August 2003 derogating from Regulation (EEC) No 1915/83 on certain detailed implementing rules concerning the keeping of accounts for the purpose of determining the incomes of agricultural holdings	8
★ Commission Regulation (EC) No 1410/2003 of 7 August 2003 amending Regulation (EC) No 1622/2000 laying down certain detailed rules for implementing Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine and establishing a Community code of oenological practices and processes	9
★ Commission Regulation (EC) No 1411/2003 of 7 August 2003 amending Regulation (EC) No 1623/2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms	12
★ Commission Regulation (EC) No 1412/2003 of 7 August 2003 suspending Regulation (EC) No 934/2003 opening an invitation to tender for the refund on common wheat exports to certain third countries	14

★ Commission Regulation (EC) No 1413/2003 of 7 August 2003 suspending Regulation (EC) No 935/2003 opening an invitation to tender for the refund on rye exports to certain third countries	15
★ Commission Regulation (EC) No 1414/2003 of 7 August 2003 suspending Regulation (EC) No 936/2003 opening an invitation to tender for the refund on barley exports to certain third countries	16
Commission Regulation (EC) No 1415/2003 of 7 August 2003 on the opening of a standing invitation to tender for the resale on the internal market of some 5 000 tonnes of rice from the 2001 harvest held by the Spanish intervention agency	17
Commission Regulation (EC) No 1416/2003 of 7 August 2003 amending the import duties in the cereals sector	18

II Acts whose publication is not obligatory

Commission

2003/592/EC:

★ Commission Decision of 13 May 2003 on the State aid which Belgium is planning to implement for Opel Belgium NV ⁽¹⁾ (notified under document number C(2003) 1486)	21
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2003/593/EC:

★ Commission Decision of 7 August 2003 amending Decision 2003/43/EC establishing the classes of reaction-to-fire performance of certain construction products ⁽¹⁾ (notified under document number C(2003) 2592)	25
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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1406/2003
of 7 August 2003
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 8 August 2003.

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

Done at Brussels, 7 August 2003.

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 7 August 2003 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	060	34,6
	999	34,6
0709 90 70	052	83,4
	999	83,4
0805 50 10	382	56,8
	388	61,9
	524	49,6
	528	55,2
	999	55,9
0806 10 10	052	133,6
	204	147,8
	220	126,8
	400	181,4
	600	115,9
	624	151,9
	999	142,9
0808 10 20, 0808 10 50, 0808 10 90	388	66,1
	400	83,8
	508	66,3
	512	67,1
	528	68,9
	720	55,5
	800	61,6
	804	91,9
	999	70,1
0808 20 50	052	64,5
	388	99,3
	512	80,6
	528	87,4
	999	83,0
0809 20 95	052	317,2
	400	259,1
	404	268,6
	999	281,6
0809 30 10, 0809 30 90	052	137,0
	999	137,0
0809 40 05	064	68,4
	066	71,5
	093	67,6
	094	77,8
	624	183,8
	999	93,8

⁽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 1407/2003**of 7 August 2003****amending Council Regulation (EC) No 2341/2002 fixing for 2003 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2341/2002 of 31 December 2002 fixing for 2003 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required ⁽¹⁾, as last amended by Regulation (EC) No 1091/2003 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) The Community's fishing opportunities for capelin in zone V, XIV (Greenland waters) for 2003 are laid down provisionally in Annex IC to Regulation (EC) No 2341/2002.
- (2) Under the Fourth Protocol laying down the conditions relating to fishing provided for in the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and Home Rule Government of Greenland, on the other ⁽³⁾, the Community receives 70 % of the Greenland share of the total allowable catch (TAC) for capelin in zones V and XIV.

(3) By letter of 17 June 2003, the Greenland authorities have informed the Commission that the Greenland share of the TAC for capelin for 2003 has been fixed at 91 850 tonnes. The final fishing opportunities for capelin for the Community during 2003 should therefore be fixed at 64 295 tonnes in zones V and XIV (Greenland waters).

(4) Regulation (EC) No 2341/2002 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex IC to Regulation (EC) No 2341/2002 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 7 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 31.12.2002, p. 12.

⁽²⁾ OJ L 157, 26.6.2003, p. 1.

⁽³⁾ OJ L 209, 2.8.2001, p. 2.

ANNEX

In Annex IC to Regulation (EC) No 2341/2002, the entry concerning the species Capelin in zones V and XIV (Greenland waters) is replaced by the following:

Species: Capelin <i>Mallotus villosus</i>		Zone: V, XIV (Greenland waters)
All Member States	17 595 ⁽¹⁾	⁽¹⁾ Available to all Member States. ⁽²⁾ Of which 6 700 tonnes are allocated to Norway, 30 000 tonnes to Iceland and 10 000 tonnes to Faroe Islands. The Community share represents 70 % of the Greenland share of the TAC for capelin.'
EC	64 295 ⁽²⁾	
TAC	Not relevant	

**COMMISSION REGULATION (EC) No 1408/2003
of 7 August 2003**

**derogating, for the marketing year 2003/2004, from Regulation (EC) No 2316/1999 as regards the
use of land set aside in certain Member States**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1251/1999 of 17 May 1999 establishing a support system for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 1038/2001 ⁽²⁾, and in particular Article 9 thereof,

Whereas:

(1) Commission Regulation (EC) No 2316/1999 of 22 October 1999 laying down detailed rules for the application of Council Regulation (EC) No 1251/1999 establishing a support system for producers of certain arable crops ⁽³⁾, as last amended by Regulation (EC) No 1035/2003 ⁽⁴⁾, sets the terms on which area payments are granted for certain arable crops. Under Article 19(2) and (3) of Regulation (EC) No 2316/1999 areas set aside must remain so for a period commencing on 15 January at the latest and ending on 31 August at the earliest and, except as otherwise provided for, may not be used for agricultural production or a lucrative purpose.

(2) In recent months certain regions of the Community have experienced extreme drought that has seriously affected fodder supplies and occasioned livestock farmers severe income loss because obliged to sell their stock when its normal feed has been unavailable.

(3) Commission Regulation (EC) No 1360/2003 derogating, for the marketing year 2003/2004, from Regulation (EC) No 2316/1999 as regards the use of land set aside in certain regions of the Community ⁽⁵⁾ authorises use for animal feed purposes of the land declared as set aside in these regions. But since drought conditions have spread to other Community regions it is desirable to find additional feed resources prior to the autumn.

(4) Since under the present exceptional weather conditions feed supply availability remains highly unpredictable a new derogation from Regulation (EC) No 2316/1999

should be urgently introduced whereby the Member States affected may allow arable crop set-aside land to be used for animal feed purposes before expiry of the set-aside period in line with terms and criteria set by them. These rules must however effectively disallow any lucrative utilisation of such land.

(5) 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

1. By way of derogation from Article 19(2) and (3) of Regulation (EC) No 2316/1999, Member States may, in regions of the Community not listed in the Annex to Regulation (EC) No 1360/2003, allow land declared as set-aside for the 2003/2004 marketing year to be used for animal feed purposes in line with terms and criteria set by them.

2. The Member States concerned shall take all necessary measures to ensure that the set-aside land indicated in paragraph 1 is not used for lucrative purposes, and in particular that no dried fodder production aid under Council Regulation (EC) No 603/95 ⁽⁶⁾ is granted on crops from it.

Article 2

The Member States listed in the Annex shall notify to the Commission the measures they adopt under this Regulation.

Article 3

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

It shall apply with effect from 18 July 2003.

⁽¹⁾ OJ L 160, 26.6.1999, p. 1.

⁽²⁾ OJ L 145, 31.5.2001, p. 16.

⁽³⁾ OJ L 280, 30.10.1999, p. 43.

⁽⁴⁾ OJ L 150, 18.6.2003, p. 24.

⁽⁵⁾ OJ L 194, 1.8.2003, p. 35.

⁽⁶⁾ OJ L 63, 21.3.1995, p. 1.

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

Done at Brussels, 7 August 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

Belgium
Germany
Spain
France
Italy
Luxembourg
Austria
Portugal.

**COMMISSION REGULATION (EC) No 1409/2003
of 7 August 2003**

**derogating from Regulation (EEC) No 1915/83 on certain detailed implementing rules concerning
the keeping of accounts for the purpose of determining the incomes of agricultural holdings**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation No 79/65/EEC of the Council of 15 June 1965 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Economic Community ⁽¹⁾, as last amended by Regulation (EC) No 1256/97 ⁽²⁾, and in particular Article 6(2) thereof,

Whereas:

- (1) Article 3 of Commission Regulation (EEC) No 1915/83 ⁽³⁾ provides that the liaison agency shall forward all the farm returns to the Commission not later than nine months after the end of the accounting year to which they relate.
- (2) Commission Regulation (EC) No 1251/2002 ⁽⁴⁾ provided, by way of derogation from the first and second paragraphs of Article 3 of Regulation (EEC) No 1915/83, for a period of 22 months for the delivery of the farm returns for the accounting years 2000 and 2001.
- (3) This prolongation of the period was justified, *inter alia*, because of the introduction of amendments to the form of the farm return.

(4) In order to allow liaison agencies more time to adapt to the new farm return, it is appropriate to provide for the accounting year 2002 also for a prolongation of the period for the delivery of the farm return to the Commission.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Community Committee for the Farm Accountancy Data Network,

HAS ADOPTED THIS REGULATION:

Article 1

By way of derogation from the first and second paragraphs of Article 3 of Regulation (EEC) No 1915/83, for the accounting year 2002, the period for the forwarding of the farm returns shall be 15 months.

Article 2

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

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

Done at Brussels, 7 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ 109, 23.6.1965, p. 1859/65.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 190, 14.7.1983, p. 25.

⁽⁴⁾ OJ L 183, 12.7.2002, p. 9.

COMMISSION REGULATION (EC) No 1410/2003**of 7 August 2003****amending Regulation (EC) No 1622/2000 laying down certain detailed rules for implementing Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine and establishing a Community code of oenological practices and processes**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 46 thereof,

Whereas:

(1) Commission Regulation (EC) No 1622/2000 of 24 July 2000 laying down certain detailed rules for implementing Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine and establishing a Community code of oenological practices and processes ⁽³⁾, as last amended by Regulation (EC) No 2244/2002 ⁽⁴⁾, lays down restrictions on and certain conditions for the use of substances authorised by Regulation (EC) No 1493/1999. In the light of developments in wine-making and trial methods, the limits for L-ascorbic acid and the nutritive salts diammonium phosphate or ammonium sulphate laid down in Annex IV to Regulation (EC) No 1622/2000 should be amended.

(2) Article 46(2) of Regulation (EC) No 1493/1999 provides for the adoption of the purity and identification specifications of substances used in oenological practices. Specifications for a large number of these substances are already laid down in Commission Directive 96/77/EC of 2 December 1996 laying down specific purity criteria on food additives other than colours and sweeteners ⁽⁵⁾, as last amended by Directive 2002/82/EC ⁽⁶⁾, which, in the case of polyvinylpyrrolidone, lays down stricter criteria than the requirements and purity criteria in Annex V to Regulation (EC) No 1622/2000. As a result, the horizontal legislation laying down the purity criteria for food additives should be made to apply to the wine sector and Annex V deleted.

(3) In the wine-growing regions in wine-growing zone A listed in Article 8 of Regulation (EC) No 1622/2000, the official designation of the region 'Rheinpfalz' has been changed to 'Pfalz'. The new designation for the region should be used in that Article.

(4) Italian quality wines psr entitled to bear the designation of origin Colli orientali del Friuli accompanied by the term 'Picolit' have a residual sugar content greater than 5 grams per litre and for their preservation in good quality conditions require a sulphur dioxide content above the general limit of 260 mg/l but less than 300 mg/l. Those wines should therefore be added to the list in Annex XII.

(5) The aforementioned quality wines psr Colli orientali del Friuli accompanied by the term 'Picolit' are made using special methods and have a total alcoholic strength by volume greater than 13 % vol. and normally have a volatile acid content above the limits laid down in Annex V(B) to Regulation (EC) No 1493/1999 but less than 25 milliequivalents per litre. Those wines should therefore be added to the list in Annex XIII.

(6) Regulation (EC) No 1622/2000 provides that the usual methods of analysis described in Commission Regulation (EEC) No 2676/90 of 17 September 1990 determining Community methods for the analysis of wines ⁽⁷⁾, as last amended by Regulation (EC) No 440/2003 ⁽⁸⁾, are repealed from 1 August 2003. Several of those usual methods of analysis are undergoing technical and scientific evaluation and a validation study of their precision and accuracy with a view to their recognition as reference methods. Since that work has not yet been completed, the date of repeal of certain provisions of Regulation (EEC) No 2676/1990 should be postponed for a further period of two years pending the final outcome of the studies in progress.

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1622/2000 is hereby amended as follows:

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.⁽²⁾ OJ L 122, 16.5.2003, p. 1.⁽³⁾ OJ L 194, 31.7.2000, p. 1.⁽⁴⁾ OJ L 341, 17.12.2002, p. 27.⁽⁵⁾ OJ L 339, 30.12.1996, p. 1.⁽⁶⁾ OJ L 292, 28.10.2002, p. 1.⁽⁷⁾ OJ L 272, 30.10.1990, p. 1.⁽⁸⁾ OJ L 66, 11.3.2003, p. 15.

1. Article 6 is replaced by the following:

Article 6

The purity and identification specifications of substances used in oenological practices referred to in Article 46(2)(c) of Regulation (EC) No 1493/1999 shall be those laid down in Directive 96/77/EC. Where necessary, those purity criteria shall be supplemented by the specific requirements provided for in this Regulation.'

2. In the penultimate indent of Article 8, 'Rheinpfalz' is replaced by 'Pfalz'.
3. In Article 44(2), '1 August 2003' is replaced by '1 August 2005'.
4. Annex IV is replaced by the Annex hereto.
5. Annex V is deleted.

6. In Annex XII(a), the following indent is inserted after the second indent:

— the quality wines psr entitled to bear the designation of origin Colli orientali del Friuli — Picolit,'

7. In Annex XIII(c), the following indent is inserted after the second indent:

— the quality wines psr Colli orientali del Friuli accompanied by the term "Picolit",.

Article 2

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

It shall apply from 1 August 2003.

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

Done at Brussels, 7 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

‘ANNEX IV

Restrictions on the use of certain substances

(Article 5 of this Regulation)

The maximum limits applying to the use of the substances referred to in Annex IV to Regulation (EC) No 1493/1999 in accordance with the conditions laid down therein are as follows.

Substance	Use with fresh grapes, grape must, grape must in fermentation, grape must in fermentation obtained from raisined grapes, concentrated grape must and new wine still in fermentation	Use with grape must in fermentation intended for direct human consumption as such, wine suitable for producing table wine, table wine, sparkling wine, aerated sparkling wine, semi-sparkling wine, aerated semi-sparkling wine, liqueur wine and quality wines psr
Preparations of yeast cell wall	40 g/hl	40 g/hl
Carbon dioxide		maximum content in wine thus treated: 2 g/l
L-ascorbic acid		250 mg/l; the maximum content in wine thus treated must not exceed 250 mg/l
Citric acid		maximum content in wine thus treated: 1 g/l
Metatartaric acid		100 mg/l
Copper sulphate		1 g/hl provided the copper content of the product thus treated does not exceed 1 mg/l
Charcoal for oenological use	100 g dry weight per hl	100 g dry weight per hl
Nutritive salts: diammonium phosphate or ammonium sulphate	1 g/l (expressed in salt (*))	0,3 g/l (expressed in salt) for the preparation of sparkling wine
Ammonium sulphite or ammonium bisulphite	0,2 g/l (expressed in salt (*))	
Growth factors: thiamine in the form of thiamine hydrochloride	0,6 mg/l (expressed in thiamine)	0,6 mg/l (expressed in thiamine) for the preparation of sparkling wine
Polyvinylpolypyrrolidone	80 g/hl	80 g/hl
Calcium tartrate		200 g/hl
Calcium phytate		8 g/hl
Lysozyme	500 mg/l (**)	500 mg/l (**)

(*) These products may also be used in combination, up to an overall limit of 1 g/l, without prejudice to the 0,2 g/l limit set above.

(**) Where added to both the must and the wine, the total quantity must not exceed the limit of 500 mg/l.’

**COMMISSION REGULATION (EC) No 1411/2003
of 7 August 2003**

**amending Regulation (EC) No 1623/2000 laying down detailed rules for implementing Regulation
(EC) No 1493/1999 on the common organisation of the market in wine with regard to market
mechanisms**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Articles 26, 33 and 36 thereof,

Whereas:

- (1) Commission Regulation (EC) No 1623/2000 ⁽³⁾, as last amended by Regulation (EC) No 1183/2003 ⁽⁴⁾, grants a derogation under the aid scheme for grape must used to enrich wine for musts from wine-growing zones other than CIII. The derogation expires at the end of the 2002/03 wine year. However, pending a forthcoming in-depth examination of the aid scheme, the status quo should be maintained and the derogation in question extended.
- (2) The distillation rules for wine obtained from grapes classified as both wine grapes and grapes for other uses were slightly adjusted for the 2001/02 and 2002/03 marketing years pending more profound changes. As the preparatory work for these has not yet been completed the adjustments made for 2001/02 and 2002/03 should continue to apply.
- (3) There are technical inconsistencies between certain Articles and paragraphs in Regulation (EC) No 1623/2000 that need to be corrected.
- (4) Regulation (EC) No 1623/2000 should be amended accordingly.
- (5) The Management Committee for Wine has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1623/2000 is hereby amended as follows:

1. In Article 13(1) the second subparagraph is replaced by:

‘However, for wine years 2003/04 to 2004/05 for rectified concentrated musts obtained from grapes harvested outside wine-growing zones CIII (a) and CIII (b), in establishments

that began production of rectified concentrated musts before 1 January 1986 in the case of Spain, and before 30 June 1982 elsewhere, the aid shall be that specified for zone CIII products.’

2. In Article 52(1) the fourth subparagraph is replaced by:

‘However, in the case of wine obtained from grapes of varieties classified as both wine-grape varieties and varieties for the production of spirits distilled from wine with a designation of origin, the total quantity normally produced in the region during that reference period shall be reduced by the quantities that were the subject of distillation other than to produce spirits distilled from wine with a designation of origin in that period. Moreover, where the quantity normally produced in the region is over 5 million hl, this total quantity normally produced shall be reduced by 1,4 million hl for the 2001/02 to 2004/05 wine years.’

3. In Article 58 the second subparagraph is amended as follows:

- (a) point (a) is replaced by:

‘(a) the buying-in price for remaining quantities as indicated in the first subparagraph and the price for the alcohol produced from them and delivered to the intervention agency shall be reduced by EUR 0,6279/% vol of alcohol and per hectolitre in the case of distillation as indicated in Article 27 of Regulation (EC) No 1493/1999 and by EUR 0,7728/% vol of alcohol and per hectolitre in the case of distillation as indicated in Article 28 of that Regulation;’

- (b) point (c) is deleted.

4. Article 91(8) and (9) are replaced by:

‘8. Ownership of the alcohol covered by a removal order shall be transferred on the date indicated in the order, which may not be later than the date specified in compliance with the third subparagraph of paragraph 7.

9. If by the fault of the successful tenderer the alcohol is not removed until after the date stated in the removal order he shall pay the storage costs and theft, loss or destruction shall be at his own risk.

If by the fault of the intervention agency the alcohol is not removed until after the date stated in the removal order the Member State shall compensate the tenderer for losses sustained.’

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 194, 31.7.2000, p. 45.

⁽⁴⁾ OJ L 165, 3.7.2003, p. 20.

Article 2

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

It shall apply from 1 August 2003.

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

Done at Brussels, 7 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 1412/2003
of 7 August 2003**

**suspending Regulation (EC) No 934/2003 opening an invitation to tender for the refund on
common wheat exports to certain third countries**

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 markets in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1501/95 ⁽³⁾, as last amended by Regulation (EC) No 1324/2002 ⁽⁴⁾, lays down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 covering the grant of export refunds on cereals and the measures to be taken in the event of disturbance in the sector.

- (2) Regulation (EC) No 934/2003 ⁽⁵⁾ opens an invitation to tender for the refund on common wheat exports to certain third countries.

- (3) For economic reasons, that invitation to tender should be suspended.

- (4) The Management Committee for Cereals has not delivered an opinion within the period set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The tendering procedure provided for in Regulation (EC) No 934/2003 is hereby suspended.

Article 2

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

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

Done at Brussels, 7 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁵⁾ OJ L 133, 29.5.2003, p. 42.

COMMISSION REGULATION (EC) No 1413/2003**of 7 August 2003****suspending Regulation (EC) No 935/2003 opening an invitation to tender for the refund on rye exports to certain third countries**

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 markets in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1501/95 ⁽³⁾, as last amended by Regulation (EC) No 1324/2002 ⁽⁴⁾, lays down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 covering the grant of export refunds on cereals and the measures to be taken in the event of disturbance in the sector.

- (2) Regulation (EC) No 935/2003 ⁽⁵⁾ opens an invitation to tender for the refund on rye exports to certain third countries.

- (3) For economic reasons, that invitation to tender should be suspended.

- (4) The Management Committee for Cereals has not delivered an opinion within the period set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The tendering procedure provided for in Regulation (EC) No 935/2003 is hereby suspended.

Article 2

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

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

Done at Brussels, 7 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁵⁾ OJ L 133, 29.5.2003, p. 45.

COMMISSION REGULATION (EC) No 1414/2003**of 7 August 2003****suspending Regulation (EC) No 936/2003 opening an invitation to tender for the refund on barley exports to certain third countries**

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 markets in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1501/95 ⁽³⁾, as last amended by Regulation (EC) No 1324/2002 ⁽⁴⁾, lays down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 covering the grant of export refunds on cereals and the measures to be taken in the event of disturbance in the sector.

- (2) Regulation (EC) No 936/2003 ⁽⁵⁾ opens an invitation to tender for the refund on barley exports to certain third countries.

- (3) For economic reasons, that invitation to tender should be suspended.

- (4) The Management Committee for Cereals has not delivered an opinion within the period set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The tendering procedure provided for in Regulation (EC) No 936/2003 is hereby suspended.

Article 2

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

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

Done at Brussels, 7 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁵⁾ OJ L 133, 29.5.2003, p. 48.

**COMMISSION REGULATION (EC) No 1415/2003
of 7 August 2003**

**on the opening of a standing invitation to tender for the resale on the internal market of some
5 000 tonnes of rice from the 2001 harvest held by the Spanish intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 75/91 of 11 January 1991 laying down the procedures and conditions for the disposal of paddy rice held by intervention agencies ⁽³⁾ lays down requirements relating to those procedures and conditions.
- (2) For a very long time now the Spanish intervention agency has been storing a significant quantity of round-, medium- and long-grain A paddy rice from the 2001 harvest. A standing invitation to tender should be opened for the resale on the internal market of approximately 5 000 tonnes of round-, medium- or long-grain A paddy rice from the 2001 harvest held by the Spanish intervention agency.
- (3) The Management Committee for Cereals has not delivered an opinion within the time limit laid down by its chairman,

Article 1

The Spanish intervention agency shall open, on the terms laid down in Regulation (EEC) No 75/91, a standing invitation to tender for the resale on the internal market of some 5 000 tonnes of round-, medium- or long-grain A paddy rice from the 2001 harvest which it holds.

Article 2

1. The closing date for submitting tenders under the first partial invitation to tender shall be 18 August 2003.
2. The closing date for submitting tenders under the last partial invitation to tender shall be 1 September 2003.
3. The tenders must be lodged with the Spanish intervention agency:
Fondo Español de Garantía Agraria (FEGA)
Beneficencia 8
E-28004 Madrid
Telex: 23427 FEGA E
Fax: (34) 91 521 98 32, (34) 91 522 43 87.

Article 3

No later than the Tuesday of the week following the closing date for submitting tenders, the Spanish intervention agency shall inform the Commission of the quantities and average prices of the various lots sold.

Article 4

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

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

Done at Brussels, 7 August 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 9, 12.1.1991, p. 15.

COMMISSION REGULATION (EC) No 1416/2003
of 7 August 2003
amending the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽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 1900/2002 ⁽⁴⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 1365/2003 ⁽⁵⁾.

- (2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1365/2003,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1365/2003 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 8 August 2003.

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

Done at Brussels, 7 August 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 287, 25.10.2002, p. 15.

⁽⁵⁾ OJ L 194, 1.8.2003, p. 48.

ANNEX I

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

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	22,61
1005 10 90	Maize seed other than hybrid	61,56
1005 90 00	Maize other than seed ⁽²⁾	61,56
1007 00 90	Grain sorghum other than hybrids for sowing	32,70

⁽¹⁾ 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.

⁽²⁾ 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 31 July 2003 to 6 August 2003)

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

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	129,06 (****)	71,81	173,59 (***)	163,59 (***)	143,59 (***)	107,83 (***)
Gulf premium (EUR/t)	—	15,93	—	—	—	—
Great Lakes premium (EUR/t)	23,84	—	—	—	—	—

(*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 2378/2002).

(***) Fob Duluth.

(****) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

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

Freight/cost: Gulf of Mexico–Rotterdam: 17,82 EUR/t; Great Lakes–Rotterdam: 26,58 EUR/t.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 May 2003

on the State aid which Belgium is planning to implement for Opel Belgium NV

(notified under document number C(2003) 1486)

(Only the Dutch and French texts are authentic)

(Text with EEA relevance)

(2003/592/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

DETAILED DESCRIPTION OF THE AID

Having regard to the Treaty establishing the European Community, and in particular the first subparagraph of Article 88(2) thereof,

Having regard to the Agreement on the European Economic Area, and in particular Article 62(1)(a) thereof,

Having called on interested parties to submit their comments pursuant to the provisions cited above ⁽¹⁾,

Whereas:

(4) The beneficiary of the aid is to be Opel Belgium NV, which is situated in Antwerp and owned by the General Motors Corporation. The Opel Antwerp plant currently employs 5 914 people and assembles the Opel Astra model. As part of a major restructuring project being implemented by General Motors Europe ('Olympia plan'), General Motors intends to invest around EUR 320 million in the Antwerp plant in order to extend the existing press shop and to retool the plant for the replacement Astra and another new model. According to Belgium, an extensive staff retraining programme is necessary in the context of these investments.

PROCEDURE

(1) The planned aid was notified to the Commission by letter dated 2 July 2002. The Commission requested further information on 20 August 2002. Belgium replied on 23 September 2002.

(2) The Commission decided on 27 November 2002 to initiate proceedings pursuant to Article 88(2) of the Treaty, as it found that doubts were raised as to the compatibility of the aid with the common market. Belgium submitted its comments on the initiation of proceedings by letter dated 28 January 2003.

(3) The Commission decision to initiate proceedings was published in the *Official Journal of the European Communities* ⁽²⁾, with an invitation to interested parties to submit their comments on the aid. However, no comments from interested parties were received.

(5) The Belgian authorities propose to grant training aid of EUR 16,93 million (net present value EUR 15,26 million) over a period of three years, from 2003 to 2005. The proposed aid is to be granted as ad hoc aid from the Flemish Community. The total eligible cost of the training project is EUR 46,6 million. According to the notification, the programme includes elements of specific training amounting to EUR 25,54 million and general training measures amounting to EUR 21,06 million.

GROUNDS FOR INITIATING THE PROCEDURE

(6) In its Decision of 27 November 2002 to initiate proceedings, the Commission expressed doubts on the way the Belgian authorities interpreted the definition of general as opposed to specific training. It could not be excluded that an excessively wide definition of general training was being applied to the project.

⁽¹⁾ OJ C 2, 7.1.2003, p. 7.

⁽²⁾ See footnote 1.

- (7) The Commission's doubts as regards the inclusion of specific training measures among measures described as general training measures concerned in particular the training courses 'Theoretical concepts of press shop operations' and 'Preparation and introduction of a new model'. In both cases it seemed that the courses might involve tuition directly and principally applicable to the employee's position in the specific car plant and there were doubts as to what extent the qualifications were transferable to other firms or fields of work.

COMMENTS FROM BELGIUM

- (8) In its comments on the initiation of proceedings submitted on 28 January 2003, Belgium stated that the two training courses on which the Commission had expressed doubts should indeed be classified as specific training measures, and it amended its notified aid proposal accordingly.
- (9) On this basis, Belgium provided a revised, detailed breakdown of figures on the eligible training costs and planned aid. According to these data, the general training costs amount to EUR 11 964 710 and cover activities related to:

— theoretical training on new machinery: EUR 2 776 438,

— general training: EUR 3 000 000,

— training in lean production principles: EUR 4 955 847,

— general coordination: EUR 1 232 425.

- (10) The specific training costs amount to EUR 34 661 609 and cover activities related to:

— press shop training: EUR 5 107 000,

— practical training in new machinery: EUR 5 022 384,

— preparation and introduction of a new model: EUR 18 520 158,

— implementation of lean production: EUR 5 991 067,

— depreciation: EUR 21 000.

- (11) On this basis, Belgium amended its notified aid proposal and informed the Commission that it intended to grant EUR 5,98 million for general training (50 % of eligible costs) and EUR 8,66 million for specific training (25 % of eligible costs).

ASSESSMENT OF THE AID

- (12) According to Article 87(1) of the EC Treaty, any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, in so far as it affects trade between Member States, be incompatible with the common market. Pursuant to the established case law of the European Courts, the criterion of trade being affected is met if the recipient firm carries out an economic activity involving trade between Member States.

- (13) The Commission notes that the notified training aid is granted through State resources to an individual company, favouring it by reducing the costs it would normally have to bear if it wanted to implement the notified training programme so as to enable its employees to acquire new skills. Moreover, the recipient of the aid, Opel Belgium NV, is a company that designs, manufactures and sells motor vehicles, which is an economic activity involving trade between Member States. The training aid in question therefore falls within the scope of Article 87(1) of the EC Treaty.

- (14) Commission Regulation (EC) No 68/2001 of 12 January 2001 on the application of Articles 87 and 88 of the EC Treaty to training aid⁽¹⁾ ('the Regulation') applies to training aid in all sectors and provides that aid fulfilling all the conditions of the Regulation shall be compatible with the common market and shall be exempt from the notification requirement of Article 88(3) of the Treaty, provided that the measure contains an express reference to the Regulation.

- (15) Article 5 of the Regulation provides that the notification requirement continues to apply if the amount of aid granted to one enterprise for a single training project exceeds EUR 1 million. The Commission notes that the notified aid in this case amounts to approximately EUR 16,93 million, that it is to be paid to one enterprise and that the training project is a single project. The Commission notes that the notification relates to an individual aid measure that is not granted under an approved scheme. The Commission therefore considers that the notification requirement applies to the proposed aid and, in accordance with recital 4 of the Regulation, that the notification must be assessed in particular in the light of the criteria set out in the Regulation.

⁽¹⁾ OJ L 10, 13.1.2001, p. 20.

- (16) Under Article 3(1) of the Regulation, individual aid shall be compatible with the common market within the meaning of Article 87(3)(c) if it fulfils all of the conditions of the Regulation.
- (17) The Commission notes that the distinction between specific training and general training is drawn under Article 4 of the Regulation. Specific training is defined in Article 2 as training involving tuition directly and principally applicable to the employee's present or future position in the assisted firm and providing qualifications which are not, or only to a limited extent, transferable to other firms or fields of work.
- (18) General training is defined in Article 2 as training involving tuition which is not applicable only or principally to the employees' present or future position in the assisted firm, but which provides qualifications that are largely transferable to other firms or fields of work and thereby substantially improve the employability of the employee. It is linked to the overall activities of the firm and provides qualifications which are largely transferable to other firms or to other fields of work. Training is considered to be general if, for example, it is jointly organised by different independent enterprises, or if employees of different firms may avail themselves of the training; or if it is recognised, certified or validated by public authorities or bodies or institutions on which a Member State or the Community has conferred the necessary powers.
- (19) The eligible costs of a training aid project are listed under Article 4(7) of the Regulation. As regards trainees' personnel costs, Belgium confirmed that only hours during which the trainees actually participate in the training have been taken into account. In accordance with Article 4(7)(f) of the Regulation, only trainees' personnel costs have been taken into account up to the amount of the total of the other eligible costs referred to in Article 4(7)(a) to (e). On the basis of the information provided by Belgium, the Commission notes that the total eligible cost of the training programme amounts to EUR 46,6 million.
- (20) According to Article 4(2) and (3), training aid is compatible with the common market if it complies with the aid intensities set out therein, in relation to eligible costs. Under the terms of the Regulation, the maximum aid intensities that can be authorised for the project in question, which is carried out by a large firm, are 25 % for specific training and 50 % for general training.
- (21) In its decision of 27 November 2002 to initiate proceedings, the Commission expressed doubts on the way the Belgian authorities interpreted the definition of general as opposed to specific training, in particular as regards the training courses 'Theoretical concepts of press shop operations' and 'Preparation and introduction of a new model'. In both these courses, indicated as general training, it seemed that they should in fact be characterised as specific training measures as they seemed to involve tuition directly and principally applicable to the employee's position in the specific car plant and as there were doubts as to what extent the qualifications were transferable to other firms or fields of work.
- (22) In its comments on the initiation of proceedings submitted on 28 January 2003, Belgium agreed that the two training courses on which the Commission expressed doubts should indeed be classified as specific training measures. Belgium provided a revised, detailed breakdown of figures on the eligible training costs and planned aid. On this basis, the Commission notes that the general training costs amount to EUR 11 964 710 and the specific training costs to EUR 34 661 609.
- (23) The applicable aid intensity ceiling for specific training is 25 % of the eligible costs, and the applicable aid intensity ceiling for general training is 50 % of eligible costs. The allowable aid consequently amounts to EUR 5 982 355 for general training and EUR 8 665 402 for specific training.
- (24) The total allowable aid for the project is EUR 14 647 757. This amount comprises a training voucher awarded from the Flemish Community Ministry amounting to EUR 1 500. The Commission notes that the remaining amount of EUR 14 646 257 will be paid in three equal yearly instalments during the period 2003 to 2005.

CONCLUSION

- (25) In view of the above, the training aid having a nominal value of EUR 14 647 757, comprising a training voucher of EUR 1 500 and an amount of EUR 14 646 257 payable in three equal yearly instalments during the period 2003 to 2005, fulfils the criteria governing compatibility with the common market pursuant to Article 87(3)(c) of the EC Treaty,

HAS ADOPTED THIS DECISION:

Article 1

The State aid for training which Belgium is planning to implement for Opel Belgium NV amounting to EUR 14 647 757 in nominal terms, comprising a training voucher of EUR 1 500 and an amount of EUR 14 646 257 payable in three equal yearly instalments during the period 2003 to 2005, is compatible with the common market within the meaning of Article 87 of the Treaty.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 13 May 2003.

For the Commission

Mario MONTI

Member of the Commission

COMMISSION DECISION
of 7 August 2003
amending Decision 2003/43/EC establishing the classes of reaction-to-fire performance of certain
construction products

(notified under document number C(2003) 2592)

(Text with EEA relevance)

(2003/593/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/106/EEC of 21 December 1988, on the approximation of laws, regulations and administrative provisions of the Member States relating to construction products ⁽¹⁾, as amended by Directive 93/68/EEC ⁽²⁾, and in particular Article 20(2) thereof,

Whereas:

- (1) Commission Decision 2003/43/EC ⁽³⁾ establishes classes of reaction-to-fire performance of certain construction products, namely wood-based panel products.
- (2) Decision 2003/43/EC should be adapted to technical progress through the inclusion of certain gypsum products, certain high-pressure decorative laminate panels and certain structural timber products in conformity with the classification established in Commission Decision 2000/147/EC of 8 February 2000 implementing Council Directive 89/106/EEC as regards the classification of the reaction-to-fire performance of construction products ⁽⁴⁾.

(3) Decision 2003/43/EC should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2003/43/EC is amended as set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 August 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 40, 11.2.1989, p. 12.

⁽²⁾ OJ L 220, 30.8.1993, p. 1.

⁽³⁾ OJ L 13, 18.1.2003, p. 35.

⁽⁴⁾ OJ L 50, 23.2.2000, p. 14.

ANNEX

In the Annex to Decision 2003/43/EC, the following Tables and note shall be added:

TABLE 2

Classes of reaction-to-fire performance of gypsum plasterboard products

Gypsum plasterboard	Nominal board thickness (mm)	Gypsum core		Paper gram-mage ⁽¹⁾ (g/m ²)	Class ⁽²⁾ (excluding floorings)
		Density (kg/m ³)	Reaction to fire class		
Conforming to EN 520 (except perforated board)	≥ 9,5	≥ 600	A1	≤ 220	A2-s1, d0
	≥ 12,5	≥ 800		> 220 ≤ 300	B-s1, d0

⁽¹⁾ Determined according to EN ISO 536 and with no more than 5 % organic additive content.

⁽²⁾ Classes as provided for in Table 1 of the Annex to Decision 2000/147/EC.

Note: End Use Application

The gypsum plasterboards shall be mounted and fixed using one of the two following methods:

(a) *Mechanically fixed to a supporting substructure*

The boards, or (in the case of multi-layer systems) at least the outermost layer of boards, shall be mechanically fixed to a metal substructure (made from components detailed in EN 14195) or a timber substructure (in accordance with EN 336 and ENV 1995-5).

When the substructure provides supporting members in one direction only, the maximum span between the supporting members shall not exceed a dimension equal to 50 times the thickness of the boards. When the substructure includes supporting members in two directions the maximum span in either direction shall not exceed a dimension equal to 100 times the thickness of the boards.

The mechanical fixings shall be screws or nails, which shall be fixed through the thickness of the boards into the substructure at centres not exceeding 300 mm measured along the length of each supporting member.

All joints between adjoining boards shall be fully filled with jointing compound as specified in EN 13963.

The cavity formed behind the boards by the substructure may provide an air space, or may be filled with an insulating material with a reaction to fire classification of at least class A2-s1, d0.

(b) *Directly fixed or bonded to a solid substrate (dry lining system)*

The boards shall be fixed directly to a solid substrate with a reaction to fire classification of at least class A2-s1, d0.

The boards may be fixed using screws or nails fixed through the thickness of the boards into the solid substrate or may be bonded to the substrate using "dabs" of gypsum based adhesive compound. In either case the screw or nail fixings or the adhesive "dabs" shall be positioned at maximum 600 mm vertical and horizontal centres.

All joints between adjoining boards shall be fully filled with jointing compound as specified in EN 13963.

TABLE 3

Classes of reaction-to-fire performance of high-pressure decorative laminate panels

High pressure decorative laminate panels ⁽¹⁾	Product detail	Minimum density (kg/m ³)	Minimum overall thickness (mm)	Class ⁽²⁾ (excluding floorings)
Interior grade non-FR Compact HPL panels ⁽³⁾	Compact HPL meeting EN 438-4 type CGS	1 350	6	D-s2, d0
Interior grade non-FR HPL composite panels with wood-based substrates ⁽³⁾	Composite panels comprising non-FR grade HPL meeting the requirements of EN 438-3, adhesively bonded to both sides of non-FR grade wood-based core of minimum thickness 12 mm complying with EN 13986, using PVAc or thermosetting adhesive at an application rate of 60 to 120 g/m ²	Wood-based core minimum density 600 HPL minimum density 1 350	12 mm wood-based core with HPL ≥ 0,5 mm bonded to both sides	D-s2, d0

⁽¹⁾ Either directly fixed (i.e. with no air gap) to a material having a reaction to fire of A2-s1, d0 or better and a density of at least 600 kg/m³, or mounted on a timber or metal batten support frame, with a non-ventilated (i.e. void open only at the top) air gap of at least 30 mm, the reverse face of the cavity so formed having a reaction to fire classification of A2-s1, d0 or better.

⁽²⁾ Classes as provided for in Table 1 of the Annex to Decision 2000/147/EC.

⁽³⁾ Complying with European Standard EN 438-7.

TABLE 4

Classes of reaction-to-fire performance of structural timber products ⁽¹⁾

	Product detail	Minimum mean density ⁽²⁾ (kg/m ³)	Minimum overall thickness (mm)	Class ⁽²⁾ (excluding floorings)
Structural timber	Visual and machine graded structural timber with rectangular cross-sections shaped by sawing, planing or other methods or with round cross-sections	350	22	D-s2, d0

⁽¹⁾ Applies to all species covered by the product standards.

⁽²⁾ Classes as provided for in Table 1 of the Annex to Decision 2000/147/EC.

⁽³⁾ Conditioned according to EN 13238.