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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 83/2001
of 17 January 2001
establishing the standard import values for determining the entry price of certain fruit and
vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 January 2001.

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

Done at Brussels, 17 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 17 January 2001 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	98,4
	204	47,3
	624	165,6
	999	103,8
0707 00 05	052	104,3
	624	208,9
	628	142,5
	999	151,9
0709 90 70	052	105,1
	204	96,5
	999	100,8
0805 10 10, 0805 10 30, 0805 10 50	052	45,8
	204	54,6
	212	48,4
	220	41,9
	999	47,7
0805 20 10	052	47,4
	204	95,8
	999	71,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	68,5
	204	78,5
	624	70,0
	999	72,3
0805 30 10	052	56,9
	600	73,9
	999	65,4
0808 10 20, 0808 10 50, 0808 10 90	039	83,3
	060	38,4
	400	91,0
	404	82,8
	720	110,8
0808 20 50	999	81,3
	052	189,0
	400	107,8
	720	57,9
	999	118,2

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 84/2001**of 17 January 2001****fixing the maximum export refund for white sugar for the 23rd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1531/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular the second subparagraph of Article 18(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1531/2000 of 13 July 2000 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1531/2000 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community

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

- (3) Following an examination of the tenders submitted in response to the 23rd partial invitation to tender, the provisions set out in Article 1 should be adopted.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the 23rd partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1531/2000 the maximum amount of the export refund is fixed at 43,573 EUR/100 kg.

Article 2

This Regulation shall enter into force on 18 January 2001.

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

Done at Brussels, 17 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 175, 14.7.2000, p. 69.

COMMISSION REGULATION (EC) No 85/2001**of 17 January 2001****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the market in sugar ⁽¹⁾, as amended by Commission Regulation 1527/2000 ⁽²⁾,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 18 January 2001.

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 17 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,35	—	0
1703 90 00 ⁽¹⁾	9,88	—	0

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

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

COMMISSION REGULATION (EC) No 86/2001
of 17 January 2001
altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular the third subparagraph of Article 18(5) thereof,

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 42/2001 ⁽³⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 42/2001 to the information known to the Commission that the export refunds at present in

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 2038/1999, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 42/2001 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 January 2001.

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

Done at Brussels, 17 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 6, 11.1.2001, p. 6.

ANNEX

to the Commission Regulation of 17 January 2001 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	37,34 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	32,73 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	37,34 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	32,73 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4059
1701 99 10 9100	A00	EUR/100 kg	40,59
1701 99 10 9910	A00	EUR/100 kg	40,56
1701 99 10 9950	A00	EUR/100 kg	40,56
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4059

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 19 (4) of Council Regulation (EC) No 2038/1999.

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

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

The numeric destination codes are set out in Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14).

COMMISSION REGULATION (EC) No 87/2001
of 16 January 2001
establishing unit values for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 1602/2000 ⁽⁴⁾, and in particular Article 173 (1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish

unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 January 2001.

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

Done at Brussels, 16 January 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 311, 12.12.2000, p. 17.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 188, 26.7.2000, p. 1.

ANNEX

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 50	a) b) c)	58,40 347,23 517,24	803,59 383,07 2 355,82	114,22 45,99 37,42	436,05 113 076,62	19 899,53 128,69	9 716,81 11 707,99
1.30	Onions (other than seed) 0703 10 19	a) b) c)	10,30 61,23 91,22	141,71 67,56 41 5,45	20,14 8,11 6,60	76,90 19 941,06	3 509,28 22,70	1 713,56 2 064,70
1.40	Garlic 0703 20 00	a) b) c)	127,54 758,32 1 129,62	1 754,98 836,60 5 144,93	249,45 100,45 81,73	952,30 246 951,10	43 459,12 281,06	21 220,80 25 569,39
1.50	Leeks ex 0703 90 00	a) b) c)	56,60 336,50 501,27	778,78 371,24 2 283,07	110,69 44,57 36,27	422,58 109 584,94	19 285,05 124,72	9 416,77 11 346,46
1.60	Cauliflowers 0704 10 00	a) b) c)	55,28 328,68 489,61	760,67 362,61 2 229,99	108,12 43,54 35,42	412,76 107 037,01	18 836,66 121,82	9 197,82 11 082,64
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	11,97 71,17 106,01	164,70 78,51 482,84	23,41 9,43 7,67	89,37 23 175,80	4 078,54 26,38	1 991,52 2 399,63
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> <i>L. convar. botrytis</i> (L.) Alef var. <i>italica</i> Plenck) ex 0704 90 90	a) b) c)	74,29 441,71 657,99	1 022,25 487,31 2 996,85	145,30 58,51 47,61	554,70 143 845,50	25 314,32 163,71	12 360,82 14 893,81
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	116,12 690,42 1 028,47	1 597,84 761,69 4 684,25	227,11 91,45 74,41	867,03 224 838,70	39 567,72 255,89	19 320,66 23 279,87
1.110	Cabbage lettuce (head lettuce) 0705 11 00	a) b) c)	90,36 537,26 800,32	1 243,38 592,72 3 645,11	176,73 71,16 57,90	674,69 174 961,36	30 790,17 199,13	15 034,64 18 115,55
1.130	Carrots ex 0706 10 00	a) b) c)	20,46 121,65 181,21	281,54 134,21 825,35	40,02 16,11 13,11	152,77 39 616,08	6 971,74 45,09	3 404,26 4 101,86
1.140	Radishes ex 0706 90 90	a) b) c)	117,49 698,56 1 040,60	1 616,69 770,68 4 739,51	229,79 92,53 75,29	877,26 227 491,20	40 034,51 258,91	19 548,59 23 554,51
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	a) b) c)	356,09 2 117,19 3 153,85	4 899,84 2 335,77 14 364,44	696,44 280,44 228,18	2 658,78 689 476,90	121 336,00 784,71	59 247,58 71 388,65

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	a) b) c)	167,19 994,08 1 480,83	2 300,62 1 096,71 6 744,54	327,00 131,67 107,14	1 248,38 323 730,21	56 970,91 368,44	27 818,52 33 519,13
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	a) b) c)	128,47 763,85 1 137,86	1 767,78 842,71 5 182,45	251,26 101,18 82,32	959,24 248 752,03	43 776,05 283,11	21 375,56 25 755,86
1.180	Broad beans ex 0708 90 00	a) b) c)	157,74 937,88 1 397,10	2 170,55 1 034,71 6 363,22	308,51 124,23 101,08	1 177,80 305 427,23	53 749,91 347,61	26 245,73 31 624,03
1.190	Globe artichokes 0709 10 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	397,84 2 365,45 3 523,67	5 474,41 2 609,66 16 048,85	778,11 313,32 254,94	2 970,56 770 326,82	135 564,18 876,73	66 195,11 79 759,88
1.200.2	— other ex 0709 20 00	a) b) c)	367,21 2 183,36 3 252,42	5 052,99 2 408,77 14 813,41	718,21 289,21 235,31	2 741,88 711 027,00	125 128,44 809,23	61 099,40 73 619,96
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	109,28 649,75 967,89	1 503,73 716,83 4 408,35	213,73 86,07 70,03	815,96 211 595,78	37 237,19 240,82	18 182,68 21 908,69
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	74,07 440,40 656,04	1 019,23 485,87 2 987,98	144,87 58,33 47,46	553,06 143 419,52	25 239,35 163,23	12 324,21 14 849,70
1.230	Chantarelles 0709 51 30	a) b) c)	2 154,59 12 810,61 19 083,20	29 647,80 14 133,18 86 915,95	4 214,01 1 696,88 1 380,66	16 087,68 4 171 867,98	734 176,54 4 748,09	358 493,61 431 956,51
1.240	Sweet peppers 0709 60 10	a) b) c)	221,28 1 315,65 1 959,85	3 044,84 1 451,48 8 926,29	432,78 174,27 141,79	1 652,21 428 451,82	75 400,10 487,63	36 817,38 44 362,04
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	56,19 334,09 497,67	773,19 368,58 2 266,69	109,90 44,25 36,01	419,55 108 798,82	19 146,71 123,83	9 349,21 11 265,06
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	176,48 1 049,30 1 563,08	2 428,42 1 157,63 7 119,19	345,16 138,99 113,09	1 317,72 341 712,93	60 135,56 388,91	29 363,80 35 381,06
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	92,65 550,85 820,57	1 274,85 607,72 3 737,37	181,20 72,97 59,37	691,77 179 389,41	31 569,43 204,17	15 415,15 18 574,04

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 00	a) b) c)	143,05 850,54 1 267,00	1 968,42 938,35 5 770,63	279,78 112,66 91,67	1 068,11 276 984,00	48 744,39 315,24	23 801,57 28 679,01
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	93,93 558,49 831,95	1 292,53 616,15 3 789,20	183,71 73,98 60,19	701,36 181 877,13	32 007,23 207,00	15 628,92 18 831,62
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:							
2.70.1	— Clementines ex 0805 20 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.2	— Monreales and satsumas ex 0805 20 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.3	— Mandarines and wilkings ex 0805 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh ex 0805 30 90 ex 0805 90 00	a) b) c)	154,83 920,56 1 371,31	2 130,48 1 015,60 6 245,74	302,82 121,94 99,21	1 156,05 299 788,62	52 757,61 341,20	25 761,19 31 040,21
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 00	a) b) c)	55,57 330,40 492,17	764,64 364,51 2 241,63	108,68 43,76 35,61	414,91 107 595,81	18 935,00 122,46	9 245,84 11 140,50
2.90.2	— pink ex 0805 40 00	a) b) c)	57,97 344,68 513,45	797,70 380,27 2 338,56	113,38 45,66 37,15	432,86 112 248,28	19 753,75 127,75	9 645,63 11 622,22
2.100	Table grapes 0806 10 10	a) b) c)	207,19 1 231,91 1 835,10	2 851,03 1 359,09 8 358,11	405,23 163,18 132,77	1 547,04 401 180,04	70 600,74 456,59	34 473,88 41 538,31

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.110	Water melons 0807 11 00	a) b) c)	69,98 416,07 619,79	962,91 459,02 2 822,88	136,86 55,11 44,84	522,50 135 495,14	23 844,80 154,21	11 643,26 14 029,21
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	78,81 468,60 698,04	1 084,49 516,98 3 179,30	154,14 62,07 50,50	588,47 152 602,86	26 855,46 173,68	13 113,35 15 800,55
2.120.2	— other ex 0807 19 00	a) b) c)	107,40 638,55 951,21	1 477,81 704,47 4 332,36	210,05 84,58 68,82	801,90 207 948,62	36 595,36 236,67	17 869,27 21 531,07
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	Other ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 00	a) b) c)	122,72 729,66 1 086,93	1 688,66 804,99 4 950,51	240,02 96,65 78,64	916,31 237 619,05	41 816,84 270,44	20 418,89 24 603,15
2.160	Cherries 0809 20 95 0809 20 05	a) b) c)	411,80 2 448,44 3 647,30	5 666,47 2 701,22 16 611,91	805,41 324,32 263,88	3 074,78 797 353,08	140 320,34 907,48	68 517,51 82 558,19
2.170	Peaches 0809 30 90	a) b) c)	182,90 1 087,47 1 619,94	2 516,75 1 199,74 7 378,14	357,72 144,04 117,20	1 365,65 354 142,23	62 322,90 403,06	30 431,87 36 668,00
2.180	Nectarines ex 0809 30 10	a) b) c)	276,97 1 646,80 2 453,14	3 811,21 1 816,82 11 173,01	541,71 218,13 177,48	2 068,06 536 291,99	94 378,11 610,37	46 084,21 55 527,84
2.190	Plums 0809 40 05	a) b) c)	179,92 1 069,76 1 593,55	2 475,75 1 180,20 7 257,96	351,89 141,70 115,29	1 343,41 348 373,89	61 307,77 396,49	29 936,19 36 070,74
2.200	Strawberries 0810 10 00	a) b) c)	308,19 1 832,43 2 729,67	4 240,83 2 021,61 12 432,47	602,77 242,72 197,49	2 301,18 596 744,86	105 016,76 679,17	51 279,00 61 787,15
2.205	Raspberries 0810 20 10	a) b) c)	1 747,24 10 388,64 15 475,34	24 042,61 11 461,17 70 483,66	3 417,31 1 376,07 1 119,63	13 046,15 3 383 136,91	595 373,53 3 850,42	290 717,01 350 291,05
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	1 661,21 9 877,09 14 713,31	22 858,71 10 896,81 67 012,94	3 249,04 1 308,31 1 064,50	12 403,74 3 216 546,05	566 056,42 3 660,82	276 401,65 333 042,18
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	a) b) c)	85,34 507,39 755,82	1 174,25 559,77 3 442,45	166,90 67,21 54,68	637,18 165 233,73	29 078,28 188,06	14 198,73 17 108,35

Code	Description	Amount of unit values per 100 kg						
	Species, varieties, CN code	a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.230	Pomegranates ex 0810 90 85	a) b) c)	113,50 674,86 1 005,30	1 561,85 744,54 4 578,74	221,99 89,39 72,73	847,50 219 774,20	38 676,45 250,13	18 885,46 22 755,49
2.240	Khakis (including sharon fruit) ex 0810 90 85	a) b) c)	148,67 883,94 1 316,75	2 045,71 975,19 5 997,22	290,77 117,08 95,27	1 110,05 287 859,84	50 658,35 327,62	24 736,14 29 805,10
2.250	Lychees ex 0810 90 30	a) b) c)	142,59 847,78 1 262,88	1 962,02 935,30 5 751,90	278,87 112,30 91,37	1 064,65 276 084,80	48 586,15 314,22	23 724,30 28 585,91

COMMISSION REGULATION (EC) No 88/2001**of 17 January 2001****derogating, for the 2000/01 marketing year, from certain provisions of Regulation (EEC) No 1164/89 laying down detailed rules concerning the aid for fibre flax and hemp**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organisation of the market in flax and hemp ⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden and by Regulation (EC) No 2702/1999 ⁽²⁾, and in particular Article 4(5) thereof,

Whereas:

- (1) For the purposes of granting the aid for flax and hemp referred to in Article 4 of Regulation (EEC) No 1308/70, Commission Regulation (EEC) No 1164/89 ⁽³⁾, as last amended by Regulation (EC) No 1313/2000 ⁽⁴⁾, lays down conditions whereby areas may be deemed to have been harvested. Article 8(1) of that Regulation sets a time limit for lodging aid applications for flax and hemp. During the 2000/01 marketing year exceptional circumstances have delayed the harvest and affected its quality in some areas. To take account of this particular situation, special conditions applicable to the 2000/01 marketing year harvest in the areas concerned should be provided for.
- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Flax and Hemp,

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 4(a) of Regulation (EEC) No 1164/89 notwithstanding, in the zones set out in the Annex, areas affected by floods making the operation defined in that provision impossible may, to the exclusion of all others, be deemed to have been harvested in respect of the 2000/01 marketing year, provided that they have been completely sown and normal cultivation work has been carried out on them and it is proved to the satisfaction of the Member State that the end of the growing cycle of the crop is the result of the aforementioned floods.

Article 2

Article 8(1) of Regulation (EEC) No 1164/89 notwithstanding, for the 2000/01 marketing year, aid applications for the areas deemed to have been harvested within the meaning of Article 1 of this Regulation may be lodged no later than 30 April 2001.

Article 3

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

It shall apply from 1 August 2000.

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

Done at Brussels, 17 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 146, 4.7.1970, p. 1.

⁽²⁾ OJ L 327, 14.12.1999, p. 7.

⁽³⁾ OJ L 121, 29.4.1989, p. 4.

⁽⁴⁾ OJ L 148, 22.6.2000, p. 34.

ANNEX

The following zones in the United Kingdom: South-West, Wessex, South-East, East Midlands, North-East, North Mercia, South Wales, Scotland.

COMMISSION REGULATION (EC) No 89/2001**of 17 January 2001****amending Council Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community ⁽¹⁾, as last amended by Regulation (EC) No 1399/1999 ⁽²⁾, and in particular Article 122 thereof,

Whereas:

- (1) Certain Member States or their competent authorities have requested amendments to the Annexes to Regulation (EEC) No 574/72.
- (2) These amendments arise from decisions taken by the Member States or Member States concerned or their competent authorities which are responsible for the

implementation of social security legislation according to Community law.

- (3) The unanimous opinion of the Administrative Commission on Social Security for Migrant Workers has been obtained,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes 1 to 5, and Annex 10, to Regulation (EEC) No 574/72 are amended as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the 20th 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, 17 January 2001.

For the Commission

Anna DIAMANTOPOULOU

Member of the Commission

⁽¹⁾ OJ L 74, 27.3.1972, p. 1.

⁽²⁾ OJ L 164, 30.6.1999, p. 1.

ANNEX

1. Annex 1 is amended as follows:

Section 'O. UNITED KINGDOM' is amended as follows:

(i) The following point 1b is inserted:

'1b. Commissioners of the Inland Revenue or their official representative, London.'

(ii) Point 5 is replaced by the following:

'5. Principal Secretary, Social Affairs, Gibraltar'.

(iii) Point 6 is replaced by the following:

'6. Chief Executive of the Gibraltar Health Authority'.

2. Annex 2 is amended as follows:

(a) Section 'C. GERMANY' is amended as follows:

Point 3 is replaced by the following:

'3. Old-age insurance for farmers:	Gesamtverband der landwirtschaftlichen Alterskassen (National Association of Agricultural Old-Age Funds), Kassel'
------------------------------------	---

(b) Section 'D. SPAIN' is amended as follows:

Point 6 is amended as follows:

'(a) For old-age, death (including orphans' pensions) and invalidity pensions:	Dirección General de Costes de Personal y Pensiones Públicas — Ministerio de Economía y Hacienda (Directorate-General for Personnel Costs and Public Pensions — Ministry of Economics and Trade)
--	--

'(b) For recognition of major invalidity benefits and benefits for a dependent disabled child:	La Mutualidad General Judicial (Judicial general mutual benefits insurance fund), Madrid'
--	---

(c) Section 'O. UNITED KINGDOM' is amended as follows:

In point 2, the third indent is replaced by the following:

'— Gibraltar: Principal Secretary, Social Affairs, Gibraltar'.

3. Annex 3 is amended as follows:

(a) Section 'C. GERMANY' is amended as follows:

Point 4 is replaced by the following:

'4. Old-age insurance for farmers:	Gesamtverband der landwirtschaftlichen Alterskassen (National Association of Agricultural Old-Age Funds), Kassel'
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(b) Section 'J. NETHERLANDS' is amended as follows:

Point 3(b) is replaced by the following:

'(b) dealings with Belgium:	Bureau voor Belgische Zaken, Breda'
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(c) Section 'O. UNITED KINGDOM' is amended as follows:

(i) In point 1, the second indent is replaced by the following:

'— Gibraltar: Gibraltar Health Authority, 17 Johnstone's Passage, Gibraltar'.

(ii) Point 2 is replaced by the following:

‘2. Cash benefits (except for family benefits):

- | | |
|---------------------|--|
| — Great Britain: | Department of Social Security, Benefits Agency, Pensions and Overseas Benefits Directorate, Newcastle upon Tyne NE98 1BA |
| — Northern Ireland: | Department of Health and Social Services, Northern Ireland Social Security Agency, Network Support Branch, Overseas Benefits Unit, Castle Buildings, Belfast BT4 3SP |
| — Gibraltar: | Department of Social Services, 23 Mackintosh Square, Gibraltar |

(iii) In point 3, the third indent is replaced by the following:

- | | |
|---------------|--|
| ‘— Gibraltar: | Department of Social Services, 23 Mackintosh Square, Gibraltar |
|---------------|--|

4. Annex 4 is amended as follows:

(a) Section ‘C. GERMANY’ is amended as follows:

(i) The following point 5a is inserted:

- | | |
|--------------------------------|--|
| ‘5a. Civil servants’ pensions: | Bundesversicherungsanstalt für Angestellte (Federal Insurance Office for Clerical Staff), Berlin |
|--------------------------------|--|

(ii) Point 6 is replaced by the following:

- | | |
|------------------------------------|--|
| ‘6. Old-age insurance for farmers: | Gesamtverband der landwirtschaftlichen Alterskassen (National Association of Agricultural Old-Age Funds), Kassel |
|------------------------------------|--|

(b) Section ‘D. SPAIN’ is amended as follows:

Point 7 is amended as follows:

- | | |
|---|--|
| ‘(a) For old-age, death (including orphans’ pensions) and invalidity pensions: | Dirección General de Costes de Personal y Pensiones Públicas — Ministerio de Economía y Hacienda (Directorate-General for Personnel Costs and Public Pensions — Ministry of Economics and Trade) |
| (b) For recognition of major invalidity benefits and benefits for a dependent disabled child: | La Mutualidad General Judicial (Judicial general mutual benefits insurance fund), Madrid |

(c) Section ‘J. NETHERLANDS’ is amended as follows:

Point 2(b) is replaced by the following:

- | | |
|-----------------------------|------------------------------------|
| ‘(b) dealings with Belgium: | Bureau voor Belgische Zaken, Breda |
|-----------------------------|------------------------------------|

(d) Section ‘O. UNITED KINGDOM’ is replaced by the following:

‘Great Britain

- | | |
|--|---|
| (a) contributions and benefits in kind for posted workers: | National Insurance Contributions Office of the Inland Revenue, International Services, Newcastle upon Tyne, NE98 1ZZ |
| (b) all other questions: | Department of Social Security, Benefits Agency, Pensions and Overseas Benefits Directorate, Newcastle upon Tyne, NE98 1BA |

Northern Ireland:

Department of Health and Social Services, Northern Ireland Social Security Agency, Network Support Branch, Overseas Benefits Unit, Castle Buildings, Belfast BT4 3SP

Gibraltar:

Department of Social Security, Benefits Agency, Pensions and Overseas Benefits Directorate, Newcastle upon Tyne, NE98 1BA'

5. Annex 5 is amended as follows:

(a) Heading '20. DENMARK-ITALY' is replaced by the following:

'(a) The Exchange of Letters of 12 November 1982 and 12 January 1983 concerning Article 36(3) of the Regulation (reciprocal waiving of reimbursement of costs of benefits in kind for sickness and maternity provided under the terms of Chapter 1 of Title III of the Regulation with the exception of Article 22(1)(c) of the Regulation).

(b) Agreement of 18 November 1998 on the reimbursement of costs pursuant to Articles 36 and 63 of Regulation (EEC) No 1408/71 (benefits in kind under insurance for sickness, maternity, accidents at work and occupational diseases) and Article 105 of Regulation (EEC) No 574/72 (costs of administrative checks and medical examinations).'

(b) Heading '24. DENMARK-PORTUGAL' is replaced by the following:

'Agreement of 17 April 1998 on the partial waiving of reimbursement of costs pursuant to Articles 36 and 63 of Regulation (EEC) No 1408/71 (benefits in kind under insurance for sickness, maternity, accidents at work and occupational diseases) and Article 105 of Regulation (EEC) No 574/72 (costs of administrative checks and medical examinations).'

(c) Heading '45. SPAIN-NETHERLANDS' is replaced by the following:

'Agreement of 21 February 2000 between the Netherlands and Spain facilitating the settlement of reciprocal claims relating to sickness and maternity insurance benefits when implementing the provisions of Regulations (EEC) No 1408/71 and (EEC) No 574/72.'

(d) Heading '50. SPAIN-UNITED KINGDOM' is replaced by the following:

'The Agreement of 18 June 1999 on the reimbursement of costs for benefits in kind granted pursuant to the provisions of Regulations (EEC) No 1408/71 and (EEC) No 574/72.'

(e) Under heading '53. FRANCE-ITALY', the following parts (d) and (e) are added:

'(d) Exchange of Letters of 2 April 1997 and 20 October 1998 modifying the Exchange of Letters mentioned under point (b) and (c) concerning the procedures for the settlement of reciprocal debts under the terms of Articles 93, 94, 95 and 96 of the implementing Regulation.

(e) The Agreement of 28 June 2000 waiving reimbursement of the costs referred to in Article 105(1) of Regulation (EEC) No 574/72 for administrative checks and medical examinations requested under Article 51 of the abovementioned Regulation.'

(f) Heading '55. FRANCE-NETHERLANDS' is replaced by the following:

'(a) The Agreement of 28 April 1997 on the waiving of reimbursement of the costs of administrative checks and medical examinations pursuant to Article 105 of the implementing Regulation.

(b) The Agreement of 29 September 1998 laying down the special conditions for determining the amounts to be reimbursed for benefits in kind under the terms of Regulations (EEC) No 1408/71 and (EEC) No 574/72.

(c) The Agreement of 3 February 1999 laying down the special conditions for administration and settling of reciprocal debts for sickness benefits under the terms of Regulations (EEC) No 1408/71 and (EEC) No 574/72.'

(g) Heading '57. FRANCE-PORTUGAL' is replaced by the following:

'Agreement of 28 April 1999 laying down the special detailed rules governing the administration and settlement of reciprocal claims for medical treatment pursuant to Regulations (EEC) No 1408/71 and (EEC) No 574/72.'

(h) Heading '58. FRANCE-UNITED KINGDOM' is replaced by the following:

'(a) The Exchange of Letters of 25 March and 28 April 1997 regarding Article 105(2) of the implementing Regulation (waiving of reimbursement of the costs of administrative checks and medical examinations).

(b) The Agreement of 8 December 1998 on the specific methods of determining the amounts to be reimbursed for benefits in kind pursuant to Regulations (EEC) No 1408/71 and (EEC) No 574/72.'

- (i) Heading '63. GREECE-AUSTRIA' is replaced by the following:

'Agreement on the waiving of reimbursement of the costs of administrative checks and medical examinations provided for in Article 105(2) of the implementing Regulation in the form of a written record dated 29 April 1999.'

- (j) Heading '94. AUSTRIA-PORTUGAL' is replaced by the following:

'Agreement of 16 December 1998 on the refund of benefits in kind.'

6. Annex 10 is amended as follows:

- (a) Section 'D. SPAIN' is amended as follows:

- (i) The following point 8 is added:

'8. Special schemes for civil servants

For the application of Articles 14e, 14f and 17 of the Regulation and Article 12b of the implementing Regulation

Mutualidad General de Funcionarios Civiles del Estado, Servicios Centrales (General Mutual Insurance Scheme for State Civil Servants, Central Services), Madrid'

- (ii) The following point 9 is added:

'9. Special scheme for officials of the armed forces

For the application of Articles 14e, 14f and 17 of the Regulation and Article 12b of the implementing Regulation

Instituto Social de las Fuerzas Armadas (Social Insurance Institute of the Armed Forces), Madrid'

- (iii) The following point 10 is added:

'10. Special scheme for officials of the administration of justice

For the application of Articles 14e, 14f and 17 of the Regulation and Article 12b of the implementing Regulation

Mutualidad General Judicial (General Mutual Insurance Scheme for the Judiciary), Madrid'

- (b) Section 'J. THE NETHERLANDS' is amended as follows:

Point 2 is replaced by the following:

'2. For the purposes of applying Article 14(3) of the implementing Regulation, in respect of auxiliary staff of the European Communities, who are not resident in the Netherlands (for benefits in kind only):

the health insurance fund to which the person concerned is affiliated'

- (c) Section 'O. UNITED KINGDOM' is amended as follows:

- (i) Point 1 is replaced by the following:

'1. For the purposes of applying Articles 14c 14d, (3) and 17 of the Regulation and Articles 6(1), 11(1), 11a(1), 12a, 13(2) and (3), 14(1), (2) and (3), and Articles 80(2), 81, 82(2) and 109 of the implementing Regulation:

Great Britain:

National Insurance Contributions Office of the Inland Revenue, International Services, Newcastle upon Tyne, NE98 1ZZ

Northern Ireland:

Department of Health and Social Services, Northern Ireland Social Security Agency, Network Support Branch, Overseas Benefits Unit, Castle Buildings, Belfast BT4 3SP'

(ii) Point 2 is replaced by the following:

- ‘2. For the purposes of applying Articles 36 and 63 of the Regulation and Articles 8, 38(1), 70(1), 91(2), 102(2), 110 and 113(2) of the implementing Regulation:

Great Britain:

Department of Social Security, Benefits Agency,
Pensions and Overseas Benefits Directorate,
Newcastle upon Tyne, NE98 1BA

Northern Ireland:

Department of Health and Social Services, Northern
Ireland Social Security Agency, Network Support
Branch, Overseas Benefits Unit, Castle Buildings,
Belfast BT4 3SP

COMMISSION REGULATION (EC) No 90/2001**of 17 January 2001****amending Regulation (EC) No 800/1999 laying down common detailed rules for the application of the system of export refunds on agricultural products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Articles 13 and 21 thereof and the corresponding provisions of the other regulations on the common organisation of markets in agricultural products,

Whereas:

(1) In the case of products exported in bulk or in non-standard units for which it is accepted that their exact net mass cannot be known until after the means of transport has been loaded, Article 5(6) of Commission Regulation (EC) No 800/1999 ⁽³⁾, as amended by Regulation (EC) No 1557/2000 ⁽⁴⁾, provides for a reduction in the refund if it is found that the net mass actually loaded is less than a certain percentage of the estimated net mass. To apply this provision, however, account needs to be taken of the constraints inherent in transport by sea or inland waterway. In the case of products exported in bulk, it can happen that the quantities declared are not completely loaded, especially where the person responsible for the means of transport has decided to halt loading for technical reasons or if other exporters have loaded more than anticipated.

(2) As some cuts of pigmeat are not put up in packaging and are not by nature standardised, the category of non-standard units should be extended to include those products.

(3) As regards the concept of the 'place of loading', a great many administrative and commercial circumstances affect the trade in agricultural exports; it is therefore hard to lay down a single rule and the Member States should accordingly be allowed to decide on the most appropriate place for conducting the physical checks of exported agricultural products qualifying for an export refund. To this end, there are particularly good grounds for defining the place of loading differently, depending on whether the goods are loaded in containers or, conversely, in bulk, sacks or cartons, and not subsequently loaded into containers. In duly justified cases, the customs authorities should also be permitted to

accept the lodging of an export declaration for agricultural products qualifying for a refund at a customs office other than the office responsible for the place where the products are loaded.

(4) Provision should also be made for products under the returned-goods system to be reintroduced either via the Member State in which the products originated or via the Member State of first export.

(5) Regulation (EC) No 800/1999 should therefore be amended.

(6) The measures provided for in this Regulation are in accordance with the opinions of all the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 800/1999 is amended as follows:

1. The text of the current third subparagraph of Article 5(6) is replaced by the following:

'No refund shall be granted for quantities exceeding 110 % of the estimated net mass. Where the mass actually loaded is less than 90 % of the estimated net mass, the refund for the net mass actually loaded will be reduced by 10 % of the difference between the refund corresponding to 90 % of the estimated net mass and the refund corresponding to the mass actually loaded. However, where export occurs by sea or navigable inland waterway, if the exporter can supply signed proof from the person responsible for the means of transport that constraints peculiar to this type of transport or alternatively overloading on the part of other exporters have prevented the loading of all his goods, the refund shall be paid for the net mass actually loaded. This subparagraph shall apply if the exporter has used the local clearance procedure provided for in Article 283 of Regulation (EEC) No 2454/93, provided that the customs authorities have authorised the correction of the records in which the exported products were entered.'

2. The text of the current fourth subparagraph of Article 5(6) is replaced by the following:

'The following shall be considered non-standard units: live animals, (half-) carcasses, quarters, fore-ends, legs, shoulders, bellies and loins.'

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 102, 17.4.1999, p. 11.

⁽⁴⁾ OJ L 179, 18.7.2000, p. 6.

3. Article 5(7) is replaced by the following:

'7. All persons exporting products for which they claim a refund shall be required to:

- (a) lodge the export declaration with the competent customs office in the place where the products are to be loaded for export transport;
- (b) inform that customs office at least 24 hours prior to starting the loading operations and indicate the anticipated duration of loading. The competent authorities may stipulate a time limit other than 24 hours.

The following may be considered as the place of loading for the transport of products intended for export:

- in the case of products exported in containers, the place where they are loaded into the containers,
- in the case of products exported in bulk, sacks, cartons, boxes, bottles, etc. and not loaded into containers, the place where the means of transport, in which they will leave the customs territory of the Community, is loaded.

The competent customs office may authorise the loading operations after having accepted the export declaration, before expiry of the time limit referred to in point (b).

The competent customs office must be able to make physical checks and identify the goods for transport to the office of exit from the customs territory of the Community.

If the first subparagraph cannot be applied for administrative or other duly justified reasons, the export declaration may be lodged only with a competent customs office in the

Member State concerned and, where a physical check is carried out in accordance with Regulation (EEC) No 386/90, any goods presented must be fully unloaded. However, the goods do not have to be unloaded completely if the competent authorities can perform a thorough physical check.'

4. The last subparagraph of Article 25(3) is replaced by the following:

'This provision shall apply only where the returned-goods system is used in the Member State in which the export declaration covering the original export was accepted or in the Member State of origin in accordance with Article 15 of Council Directive 97/78/EC (*) laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries.

(*) OJ L 24, 30.1.1998, p. 9.'

Article 2

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

At an exporter's request, Article 1(1) shall apply to those refund case files that have not been closed by the time this Regulation enters into force.

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

Done at Brussels, 17 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 91/2001
of 17 January 2001
fixing the import duties in the rice sector

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 Regulation (EC) No 1667/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation; whereas, however, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.

- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector.
- (4) The import duties are applicable until new duties are fixed and enter into force; whereas they also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 18 January 2001.

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

Done at Brussels, 17 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	264,00	88,06	127,66		198,00
1006 20 13	264,00	88,06	127,66		198,00
1006 20 15	264,00	88,06	127,66		198,00
1006 20 17	222,92	73,68	107,12	0,00	167,19
1006 20 92	264,00	88,06	127,66		198,00
1006 20 94	264,00	88,06	127,66		198,00
1006 20 96	264,00	88,06	127,66		198,00
1006 20 98	222,92	73,68	107,12	0,00	167,19
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 1706/98 (OJ L 215, 1.8.1998, p. 12) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	222,92	416,00	264,00	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	314,11	255,83	239,06	292,46	—
(b) fob price (EUR/tonne)	—	—	—	207,19	260,59	—
(c) Sea freight (EUR/tonne)	—	—	—	31,87	31,87	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 92/2001
of 17 January 2001
fixing the export refunds on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat⁽¹⁾, as last amended by Regulation (EC) No 1365/2000⁽²⁾, and in particular the second paragraph of Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1(1) of that Regulation and prices for these products within the Community may be covered by an export refund.

(2) It follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below.

(3) In the case of products falling within CN code 0210 19 81, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within these codes and of the foreseeable trend of production costs on the world market. It is important that the Community should continue to take part in international trade in the case of certain typical Italian products falling within CN code 0210 19 81.

(4) Because of the conditions of competition in certain third countries, which are traditionally importers of products falling within CN codes 1601 00 and 1602, the refund for these products should be fixed so as to take this situation into account. Steps should be taken to ensure

that the refund is granted only for the net weight of the edible substances, to the exclusion of the net weight of the bones possibly contained in the said preparations.

(5) Article 13 of Regulation (EEC) No 2759/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1(1) of Regulation (EEC) No 2759/75 according to destination.

(6) The refunds should be fixed taking account of the amendments to the refund nomenclature established by Commission Regulation (EEC) No 3846/87⁽³⁾, as last amended by Regulation (EC) No 2849/2000⁽⁴⁾.

(7) Refunds should be granted only on products that are allowed to circulate freely within the Community. Therefore, to be eligible for a refund, products should be required to bear the health mark laid down in Council Directive 64/433/EEC⁽⁵⁾, as last amended by Directive 95/23/EC⁽⁶⁾, Council Directive 94/65/EC⁽⁷⁾ and Council Directive 77/99/EEC⁽⁸⁾, as last amended by Directive 97/76/EC⁽⁹⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund specified in Article 13 of Regulation (EEC) No 2759/75 is granted and the amount of the refund shall be as set out in the Annex hereto.

The products concerned must comply with the relevant provisions on health marks laid down in:

- Chapter XI of Annex I to Directive 64/433/EEC,
- Chapter VI of Annex I to Directive 94/65/EC,
- Chapter VI of Annex B to Directive 77/99/EEC.

Article 2

This Regulation shall enter into force on 18 January 2001.

⁽¹⁾ OJ L 282, 1.11.1975, p. 1.

⁽²⁾ OJ L 156, 29.6.2000, p. 5.

⁽³⁾ OJ L 366, 24.12.1987, p. 1.

⁽⁴⁾ OJ L 335, 30.12.2000, p. 1.

⁽⁵⁾ OJ 121, 29.7.1964, p. 2012/64.

⁽⁶⁾ OJ L 243, 11.10.1995, p. 7.

⁽⁷⁾ OJ L 368, 31.12.1994, p. 10.

⁽⁸⁾ OJ L 26, 31.1.1977, p. 85.

⁽⁹⁾ OJ L 10, 16.1.1998, p. 25.

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

Done at Brussels, 17 January 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 17 January 2001 fixing the export refunds on pigmeat

Product code	Destination	Unit of measurement	Amount of refund
0210 11 31 9110	P05	EUR/100 kg	65,00
0210 11 31 9910	P05	EUR/100 kg	65,00
0210 12 19 9100	P05	EUR/100 kg	14,00
0210 19 81 9100	P05	EUR/100 kg	68,00
0210 19 81 9300	P05	EUR/100 kg	55,00
1601 00 91 9120	P05	EUR/100 kg	20,00
1601 00 99 9110	P05	EUR/100 kg	15,00
1602 41 10 9210	P05	EUR/100 kg	45,00
1602 42 10 9210	P05	EUR/100 kg	24,00
1602 49 19 9120	P05	EUR/100 kg	15,00

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

The numeric destination codes are set out in Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14).

The other destinations are defined as follows:

P05 All destinations except the Czech Republic, the Slovak Republic, Hungary, Poland, Bulgaria, Latvia, Estonia, Lithuania.

COMMISSION REGULATION (EC) No 93/2001**of 17 January 2001****laying down to what extent applications for issue of export licences submitted during January 2001 for beef products which may benefit from special import treatment in a third country may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef sector and repealing Regulation (EEC) No 2377/80 ⁽¹⁾, as last amended by Regulation (EC) No 1659/2000 ⁽²⁾, and in particular Article 12(8) thereof,

No applications for export licences were lodged for the beef referred to in Regulation (EEC) No 2973/79 for the first quarter of 2001.

Whereas:

Article 2

(1) Regulation (EC) No 1445/95 lays down, in Article 12, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79 ⁽³⁾, as last amended by Regulation (EEC) No 3434/87 ⁽⁴⁾.

Applications for licences in respect of the meat referred to in Article 1 may be lodged in accordance with Article 12 of Regulation (EC) No 1445/95 during the first 10 days of the second quarter of 2001 the total quantity available being 2 500 t.

(2) Regulation (EEC) No 2973/79 fixed the quantities of meat which might be exported on special terms for the first quarter of 2001. No applications were submitted for export licences for beef,

Article 3

This Regulation shall enter into force on 18 January 2001.

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

Done at Brussels, 17 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 143, 27.6.1995, p. 35.

⁽²⁾ OJ L 192, 28.7.2000, p. 19.

⁽³⁾ OJ L 336, 29.12.1979, p. 44.

⁽⁴⁾ OJ L 327, 18.11.1987, p. 7.

COMMISSION REGULATION (EC) No 94/2001**of 17 January 2001****fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, as last amended by Commission Regulation (EC) No 1516/96 ⁽²⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽³⁾, as last amended by Commission Regulation (EC) No 2916/95 ⁽⁴⁾, and in particular Article 5(4) thereof,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin ⁽⁵⁾, as last amended by Regulation (EC) No 2916/95, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽⁶⁾, as last amended by Regulation (EC) No 2664/2000 ⁽⁷⁾, fixes detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.

- (2) It results from regular monitoring of the information providing the basis for the verification of the import prices in the poultrymeat and egg sectors and for egg albumin that the representative prices for imports of certain products should be amended taking into account variations of prices according to origin. Therefore, representative prices should be published.

- (3) It is necessary to apply this amendment as soon as possible, given the situation on the market.

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 18 January 2001.

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

Done at Brussels, 17 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 49.

⁽²⁾ OJ L 189, 30.7.1996, p. 99.

⁽³⁾ OJ L 282, 1.11.1975, p. 77.

⁽⁴⁾ OJ L 305, 19.12.1995, p. 49.

⁽⁵⁾ OJ L 282, 1.11.1975, p. 104.

⁽⁶⁾ OJ L 145, 29.6.1995, p. 47.

⁽⁷⁾ OJ L 305, 6.12.2000, p. 7.

ANNEX

to the Commission Regulation of 17 January 2001 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95

'ANNEX I

CN code	Description	Representative price EUR/100 kg	Security referred to in Article 3(3) EUR/100 kg	Origin (¹)
0207 14 10	Boneless cuts of fowl of the species <i>Gallus domesticus</i> , frozen	272,0	8	01
		282,5	5	02
0207 14 70	Other parts of chicken, frozen	258,0	8	01
1602 32 11	Preparations of fowl of the species <i>Gallus domesticus</i> , uncooked	282,1	1	01

(¹) Origin of imports:

01 Brazil

02 Thailand.'

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 December 2000

adopting a multiannual Community programme to stimulate the development and use of European digital content on the global networks and to promote linguistic diversity in the information society

(2001/48/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 157(3) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Having regard to the opinion of the Committee of the Regions ⁽⁴⁾,

Whereas:

- (1) The evolution towards an information and knowledge society should influence the life of every citizen in the European Union by, *inter alia*, affording new means of gaining access to knowledge and new ways of acquiring knowledge.
- (2) The Lisbon Summit stressed the need to bridge the digital divide in the emerging information society and to strengthen social cohesion.
- (3) Digital content plays a predominant role in this evolution. Four million Europeans are currently employed in the content sector. Content production has given rise to rapid job creation in recent years and continues to do so. Most of these jobs are created in small emerging

companies. This will radically change the conditions of access to knowledge or acquisition of it, and thus constitutes an essential asset for economic growth, enterprise and employment, and enhancing the professional, social and cultural development, and the creativity and innovative capacity of the citizens of Europe now and in the future.

- (4) The economic and social potential of the development of digital content extends to the culture, education, training and leisure sectors.
- (5) The structures and business environment of the content industries are changing fast.
- (6) Respect for intellectual property and labelling of works are preconditions for increased distribution and exploitation of digital content on global networks.
- (7) There are numerous barriers to the full development of the European content industries and markets.
- (8) The Bonn ministerial declaration, issued at the conference of 6 to 8 July 1997 on the role of global networks for the information society, devotes special interest to the Internet commercial developments, thus forming the basis for the continuing discussions on Internet content, management issues and electronic commerce.
- (9) On 8 December 1999 the Commission adopted the eEurope initiative which was subsequently welcomed by Member States at the Helsinki European Council of 10 and 11 December 1999.

⁽¹⁾ OJ C 337E, 28.11.2000, p. 31.

⁽²⁾ Opinion delivered on 14.12.2000 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 29.11.2000 (not yet published in the Official Journal).

⁽⁴⁾ Opinion delivered on 14.12.2000 (not yet published in the Official Journal).

- (10) The Council has underlined, in its conclusions adopted on 17 December 1999 ⁽¹⁾ on culture industries and employment in Europe, that progress in communication technology and the information society has substantially increased the number of distribution channels, which has boosted demand for new programme content.
- (11) On 23 and 24 March 2000 the European Council in Lisbon specifically recognised the role of the content industries in creating added value by exploiting and networking European cultural diversity.
- (12) Community actions undertaken concerning the content of information should respect the Union's multilingual and multicultural character and encourage initiatives that facilitate access to digital information in the languages of present and candidate countries.
- (13) The interim evaluations of the INFO2000 programme established by Council Decision 96/339/EC ⁽²⁾ and the multilingual information society initiative (MLIS) established by Council Decision 96/664/EC ⁽³⁾ call for a vigorous follow-up of the actions in the area of digital content and linguistic and cultural diversity.
- (14) Measures should be taken encouraging participation of small and medium-sized enterprises (SMEs) in information society developments.
- (15) The different rates of development on the provision and use of information services as well as of new communication techniques and the related content in the present Member States and in the candidate countries deserve special consideration, having regard to the internal cohesion of the Community and the risks associated with a two-tier information society. The presence of content in different languages promotes equality of access for citizens to the information society and reduces discrimination.
- (16) The Commission has published in January 1999 a Green Paper on public sector information in the information society, launching a European debate on this topic.
- (17) Access to information originating in the public sector must respect the particular obligations of those authorities and the need to protect the confidentiality of personal data as provided for in Directive 95/46/EC of the European Parliament and of the Council ⁽⁴⁾.
- (18) The use of public sector information should respect provisions set by Member States on property rights of digitised material.
- (19) The removal of barriers to access to public sector information should be encouraged, *inter alia*, by encouraging the exchanges of best practices.
- (20) Since the objectives of the proposed actions cannot be sufficiently achieved by the Member States due to the transnational character of the issues at stake and can, therefore, by reason of the European scope and effects of the actions be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary in order to achieve those objectives.
- (21) Any content policy action should be complementary to other ongoing Community initiatives, and be performed in synergy with actions under the fifth framework programme for research and development, the framework programme for culture, the media programmes, with Community education actions, SME actions, with the Structural Funds, with the eEurope action plan and the risk capital action plan.
- (22) Complementarity and synergy with related Community initiatives and programmes should be ensured by the Commission through appropriate coordination mechanisms.
- (23) Progress of this programme should be continuously and systematically monitored with a view to adapting it, where appropriate, to developments in the digital content market. In due course there should be an independent assessment of the progress of the programme so as to provide the background information needed in order to determine the objectives for subsequent content policy actions. This interim assessment report should be submitted in time to allow corrective actions in the second phase of the programme. At the end of this programme, there should be a final assessment of the results obtained and a report to the European Parliament as to the future content policy and success/impact of this programme in achieving the objectives set out in this Decision.
- (24) It may be appropriate to engage in international cooperation activities with international organisations and third countries for the purpose of implementing this programme.
- (25) A financial reference amount, within the meaning of point 34 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission ⁽⁵⁾, is included in this Decision for the entire duration of the programme, without thereby affecting the powers of the budgetary authority as they are defined by the Treaty.

⁽¹⁾ OJ C 8, 12.1.2000, p. 10.

⁽²⁾ OJ L 129, 30.5.1996, p. 24.

⁽³⁾ OJ L 306, 28.11.1996, p. 40.

⁽⁴⁾ OJ L 281, 23.11.1995, p. 31.

⁽⁵⁾ OJ C 172, 18.6.1999, p. 1.

- (26) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾,

HAS ADOPTED THIS DECISION:

Article 1

A multiannual programme 'European digital content for the global networks' (hereinafter referred to as 'eContent') is hereby adopted.

The programme has the following objectives:

- (a) helping to stimulate the use of and access for all to the Internet by increasing the availability of European digital content on the global networks to support the professional, social and cultural development of the citizens of the European Union and facilitating the economic and social integration of nationals of the applicant countries into the information society;
- (b) stimulating access to and use of European digital content potential and especially promoting more effective use of information held by the public sector;
- (c) promoting cultural diversity and multilingualism, especially in the languages of the European Union, in digital content on the global networks and increasing the export opportunities of European content firms, and in particular SMEs, through cultural and linguistic customisation;
- (d) creating favourable conditions for the reduction of market fragmentation and for the marketing, distribution and use of European digital content on the global networks to stimulate economic activity and enhance employment prospects.

Article 2

In order to attain the objectives referred to in Article 1, the following actions shall be undertaken under the guidance of the Commission, in accordance with the action lines set out in Annex I and the means for implementing the programme set out in Annex III:

- (a) improving access to and expanding use of public sector information;
- (b) enhancing content production in a multilingual and multi-cultural environment;
- (c) increasing dynamism of the digital content market.

Article 3

1. The programme shall cover a period of four years from the date of its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

2. The financial reference amount for the implementation of the programme for the period mentioned in paragraph 1 shall be EUR 100 million.

The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.

An indicative breakdown of expenditure is given in Annex II.

Article 4

1. The Commission shall be responsible for the implementation of the programme and its coordination with other Community programmes. The Commission shall draw up a work programme every two years on the basis of this Decision.

2. In the implementation of the programme, the Commission shall, in close cooperation with the Member States, ensure general consistency and complementarity with other relevant Community policies, programmes and actions that impinge upon the development and use of European digital content and the promotion of linguistic diversity in the information society.

3. The Commission shall act in accordance with the procedure referred to in Article 5(2) for the purposes of the following:

- (a) adoption of the work programme;
- (b) determination of the criteria and content of calls for the proposals, in line with the objectives outlined in Article 1;
- (c) assessment of the projects proposed under calls for proposals for Community funding of an estimated amount of Community contribution equal to, or more than EUR 700 000;
- (d) any departure from the rules set out in Annex III;
- (e) acceptance of participation in any project by legal entities from third countries and international organisations other than those mentioned in Article 7(1) and (2).

4. Where the amount of the projects referred to in point 3(c) is less than EUR 700 000, the Commission shall merely inform the committee established by Article 5(1) of the projects and the outcome of their assessment. This threshold can be reviewed in the light of experience at the end of two years from the date of publication of this Decision.

The Commission shall inform the committee of progress with the implementation of the programme as a whole on at least a half yearly basis.

Article 5

1. The Commission shall be assisted by a committee.

2. Where reference is made to this point, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at three months.

Article 6

1. In order to ensure that Community aid is used efficiently, the Commission shall ensure that actions under this Decision are subject to effective prior appraisal, follow-up and subsequent evaluation.
2. During implementation of projects and after their completion the Commission shall evaluate the manner in which they have been carried out and the impact of their implementation in order to assess whether the original objectives have been achieved.
3. The selected beneficiaries shall submit an annual report to the Commission.
4. After two years from the date of publication of this Decision and at the end of the programme, the Commission shall submit to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions an evaluation report on the results obtained in implementing the action lines referred to in Article 2. The Commission may submit, on the basis of those results, proposals for adjusting the orientation of the programme.

Article 7

1. Participation in the programme may be opened to legal entities established in EFTA States which are members of the European Economic Area (EEA) in accordance with the provisions of the Agreement on the EEA.

2. The programme shall be open to participation of applicant countries on the following basis:

- (a) those from central and eastern Europe (CEECs), in accordance with the conditions established in the Europe Agreements, in their additional protocols, and in the decisions of the respective Association Councils;
- (b) Cyprus, Malta and Turkey, in accordance with bilateral agreements to be concluded.

3. Participation may be opened, in accordance with the procedure referred to in Article 5(2), without financial support by the Community from the programme, to legal entities established in third countries and to international organisations, where such participation contributes effectively to the implementation of the programme and taking into account the principle of mutual benefit.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 22 December 2000.

For the Council

The President

C. PIERRET

ANNEX I

ACTION LINES

The action lines are a means to implement a European approach to the development of the digital content industries. They will contribute to the strategic objectives of the eContent programme, that have been defined as follows:

- helping to stimulate the use of and access for all to the Internet by increasing the availability of European digital content on the global networks to support the professional, social and cultural development of the citizens of the European Union and facilitating the economic and social integration of nationals of the applicant countries into the information society,
- stimulating access to and use of European digital content potential, especially promoting more effective use of information held by the public sector,
- promoting cultural diversity and multilingualism, especially in the languages of the European Union, in digital content on the global networks and increasing the export opportunities of European content firms and in particular SMEs through cultural and linguistic customisation,
- creating favourable conditions for the reduction of market fragmentation and for the marketing, distribution and use of European digital content on the global networks to stimulate economic activity and enhance employment prospects, safeguarding cultural diversity, optimising the European heritage and facilitating access to knowledge.

The three action lines of the new programme are strongly intertwined. Thus, linguistic aspects are essential for the cross-border exploitation of public sector information, facilitating access to capital for Internet start-ups is fundamental for the language industries, public sector information is an opportunity to be used by Internet firms in collaboration with public sector bodies, strategic views to be elaborated in close collaboration between the public and the private sectors will help identify emerging priority areas, etc.

The eContent programme aims at supporting projects that fulfil the aims expressed above and present some common features. They should be:

- an instrument against the barriers that prevent, at European level, the establishment and functioning of the single market in the areas they address,
- high risk — high reward projects,
- cross-sectoral and transnational, and
- scalable and act as multipliers,
- user-orientated.

Application of existing technology (state of the art) will be required for the projects.

1. IMPROVING ACCESS TO AND EXPANDING USE OF PUBLIC SECTOR INFORMATION

The Green Paper on public sector information in the information society, published in January 1999, triggered a discussion at European level on the issues of access to and exploitation of public sector information. This discussion has contributed to raising awareness in this field among public and private parties and may be an important basis for improving the conditions of the exploitation in Europe of content with a high added value in educational, cultural, social and professional terms and for the development of new multimedia goods and services, while safeguarding wide access to it. At the same time, experiments of public/private partnerships based on the principle of mutual benefit, started under the INFO2000 programme, should be accelerated and expanded. Furthermore, participation of European Union applicant countries in the initiatives of this action line will facilitate future integration. A better management of information (for example in the field of land registers, cultural heritage, or multilingual access to public sector information) is of vital importance in these countries for creating a transparent legal framework as well as the functioning of the internal market after accession.

1.1. Experiments in concrete projects

The public sector collects and produces vast amounts of information, much of which is of interest to individuals and businesses, and which can be the raw material for value-added information services produced by the content industries. There are however, many barriers for the transformation of this potential into usable products and services. These barriers lead to uncertainties, which in turn result into a lack of investment from both the public and the private sectors, degrading the level of services for users. Projects that can be used as examples of good practices and that will allow to identify practical problems in public/private partnerships, will help to redress this situation. These projects, while safeguarding wide access to information in a multiplicity of languages on the global networks, will foster public-private partnerships, serving as catalysts to further developments in this field.

Preliminary actions have started under the INFO2000 programme, that supported a limited number of pilot and demonstration projects. Given the huge potential of this domain, experiments with public-private partnerships, aimed at the exploitation of public sector information with a European interest, will continue. Within this action line the use of language technology applications will be promoted among the administrations in Member States, and the European Union institutions.

Projects will address the main barriers hampering the development of a single market in public sector information, such as the possible need for common standards (for example in collecting methods), or the need for transparent pricing for public information access and use in the various Member States. This will be achieved in areas of public interest, such as cultural heritage, health or education applications, but also of more commercial interests, such as geographic information, business, environment, or tourism.

Application of different and emerging technologies (e.g. mobile applications) will be encouraged.

Furthermore, there will be room within this action line for projects forging links between the content industries and public sector bodies in the candidate countries, increasing the availability of reliable information of the public sector for business and citizens.

1.2. Establishment of European digital data collections

The pilot-projects as described in point 1.1 usually cover a limited geographical area within Europe. The presence on the global networks of information collected and held by the public sector in the form of consistent datasets shared between a large number of European countries will have to be stimulated. The absence of complete datasets at European level constitute indeed one of the barriers to the exploitation of the content potential. Therefore, in addition to the experimental projects, the establishment of European data collections will be stimulated, through financial support, to work on pan-European metadata for public sector information and through projects collecting information covering a significant number of European Union Member States. This work will be conducted in accordance with Community law provisions regarding data protection.

An example would be a project linking and harmonising the formats of the repositories of the national mapping agencies.

Interest and commitment of public and private parties will be decisive for selecting the type of data and the areas to be covered, as well as the contribution of such projects to the achievement of public interest objectives, *inter alia*, in cultural, educational and social fields.

2. ENHANCING CONTENT PRODUCTION IN A MULTILINGUAL AND MULTICULTURAL ENVIRONMENT

Adequate support for multilingual and cross-cultural information provision and access is a key enabler for the development of a European mass market for on-line products and services, and for a wider deployment of European content in other regions. The technological aspects of this process are well covered within the fifth framework programme. RTD activities, however, do not address the fundamental issue of turning technological advances into enhanced business capabilities and market penetration, including new export opportunities.

The programme will promote and support actions aimed at encouraging cooperation in the European content and language industries, thus helping to improve the competitive positions of both sectors. These actions constitute a natural follow-up to the actions carried out under the precursor MLIS programme, adapted to the needs of an increasingly digital and global environment. Special attention will be given to SMEs and start-ups, user aspects and to less widely spoken European Union languages and the languages of accession countries.

Demonstration and infrastructure projects will be complemented by targeted accompanying actions aimed at documenting best practice, promoting exchanges and increasing awareness, and achieving cross-fertilisation of industrial, professional and national activities in the field.

2.1. Fostering new partnerships and the adoption of multilingual and multicultural strategies

The overall aim of this sub-line is to foster competitiveness and provide improved market opportunities for European content and language businesses, in particular innovative SMEs and start-ups, thus enhancing Europe's multilingual and multicultural presence on the global networks. Participants in these actions may be:

- commercial content players (creators, designers, packagers and distributors) who intend to enhance their offerings (e.g. web portals, mobile services) and penetrate new markets,
- corporate content players who intend to establish or strengthen their presence on the e-commerce scene (e.g. web marketing and retailing).

Such actions are expected to encompass, for example:

- projects addressing the multilingual exploitation of public sector information, in continuity with action line No 1,
- projects connecting the knowledge in the areas of cultural creation, education, marketing and technology.

Private and public-sector content providers and distributors will be stimulated to make their products and services available in a broader range of languages, throughout the design, authoring and publishing chain. IT vendors and telecom operators will be encouraged to provide platforms and delivery channels enabling multilingual information access and delivery of content meeting the cultural requirements of the target communities. The providers of language services will be encouraged to adapt their offerings to match an expanding customer base in the content industries.

It should be noted that the language issues are particularly relevant when taking into account expansion in geographical coverage of the programme in the central and eastern European countries.

2.2. Strengthening the linguistic infrastructure

The availability of an adequate linguistic infrastructure is a prerequisite for the timely and cost-effective creation, customisation and exploitation of multilingual content. It is the structural basis for any sustained internationalisation and localisation effort, especially for less widely spoken languages where market forces often provide insufficient incentives. Strengthening Europe's linguistic infrastructure implies establishing an open framework comprising interoperable multilingual resources encompassing for example multilingual glossaries and ontologies, translation memories and terminology collections, and the associated tools such as computer assisted translation. These resources must be pooled together to yield widely accessible repositories which can then be exploited by content providers and distributors, and by suppliers of language services.

This sub-line shall include broadly-based efforts geared towards:

- language centres: networking of regional, national and subject/discipline specific data centres, coupled with user-friendly search aids, on-line referral and brokerage services, user advice and testing of language tools, framework agreements and technical standards enabling private and public sector stakeholders to share and reuse existing and upcoming resources,
- experimentation with IT tools: integration and field testing of Internet-based software tools in the areas of content localisation management and workflow; collaborative production, use and maintenance of distributed language repositories; and cross-lingual search and gathering of digital content,
- new resources: creation and transnational distribution of new datasets for those languages and subject areas where no suitable resources exist and market forces have provided insufficient incentives to address the issue.

Projects and other actions established under the last point will address as a matter of priority less widely spoken European Union languages and the languages of the accession countries. Specific actions geared towards the languages of major European Union trade partners may be undertaken where justified in terms of Community interest and export potential. In addition, adequate support will be provided for collaborative industrial training, with a view to addressing the current and foreseeable shortage of specialist skills.

3. INCREASING THE DYNAMISM OF THE DIGITAL CONTENT MARKET

Fragmentation in the digital content market and the resulting uncertainties for marketplayers tend to lead to inertia and underinvestment. This has a negative impact on economic growth and employment. Support for the development of a common vision, access to available forms of investment capital and a unified European approach to trade rights on-line for multimedia production are therefore needed to speed up new initiatives and investments and to improve the overall environment for players in the digital content markets.

3.1. Bridging the gap between digital content industries and capital markets

Content industries experience specific difficulties in accessing investment capital necessary to develop new digital content applications and increase their innovative capacity. Corrective actions are needed to improve access to investment capital in order to bring out the full potential and improve business opportunities of European digital content industries in terms of valorisation of the European cultural heritage, business models, innovative applications, mobile multimedia, etc. These actions will complement other Community programmes as well as national initiatives in accordance with the subsidiarity principle.

In order to encourage the exchange of information and best practice, the focus of these actions will be on supporting the dissemination of expertise present in business universities and training centres and in the new economy in matters such as management and administrative skills, as well as deploying distance-learning facilities. Activities will have an experimental character, searching for new ways of bringing together ideas and funds.

3.2. Rights trading between digital content market players

The trading of rights between rightholders, producers of new digital services and products and players from other parts of the value chain is essential to the development of content industries. The effectiveness and efficiency of the multimedia rights clearance have a strong and direct impact on the functioning of the content industries. The integration and interoperation of distributed specialised clearance services at European level was stimulated under INFO2000 through feasibility studies, prototype, standards and pilot system development. Further support is needed to arrive at a unified European rights clearance approach.

The focus of future actions will be on extending multimedia rights clearance pilots, on supporting the creation of multimedia rights clearance centres in Europe and on specific measures to support candidate countries, less advanced sectors and specific public sector applications.

3.3. Developing and sharing a common vision

A vision of future developments shared by both private and public parties will reduce uncertainties and speed up concrete initiatives and investments. Continuous interaction between market players and public parties will be of increasing importance as a key mechanism to foster the evolution of the vision-building process. The regular and consistent observation of the converging content and languages market developments in close contact with market players will constitute the information basis needed to update the vision building process.

The focus of actions will be on defining and collecting relevant statistical data, on identifying and promoting European best practices and on developing and updating a continuous benchmarking with third countries.

The programme execution will be supported by actions aiming at the dissemination of the results (e.g. publications, worldwide websites, conferences showcasing projects) and strategic studies highlighting emerging market phenomena.

ANNEX II

INDICATIVE BREAKDOWN OF EXPENDITURE

1. Improving access to and expanding use of public sector information	40 % to 45 %
2. Enhancing content production in a multilingual and multicultural environment	40 % to 45 %
3. Increasing the dynamism of the digital content market	10 % to 15 %

ANNEX III

THE MEANS FOR IMPLEMENTING THE PROGRAMME

1. The Commission will implement the programme in accordance with the technical content specified in Annex I.
 2. The programme will be executed through indirect actions and wherever possible on a shared-cost basis.
 3. The selection of shared-cost projects will normally be based on the calls for proposals procedure published in the *Official Journal of the European Communities*. The content of the calls for proposals will be defined in close consultation with the relevant experts and according to the procedures referred to in Article 5 of the Decision. The main criterion for supporting projects through calls for proposals will be their potential contribution to achieving the objectives of the programme.
 4. Applications for Community support should provide, where appropriate, a financial plan listing all the components of the funding of the projects, including the financial support requested from the Community, and any other requests for or grants of support from other sources.
 5. The Commission may also implement other more flexible funding schemes than the call for proposals in order to provide incentives for the creation of partnerships, in particular involving SMEs and organisations in less favoured regions, or for other exploratory activities in different segments of the multimedia content market. These schemes might be operated on a permanent basis.
 6. The detailed arrangements for the procedures referred to under point 3 will be implemented after consultation of the committee referred to in Article 4 of this Decision, following the rules of Article 5 of this Decision, in accordance with the Financial Regulations. They will be published in the *Official Journal of the European Communities*.
 7. Projects fully financed by the Commission within the framework of study and services contracts will be implemented through calls for tenders in accordance with the financial provisions in force. Transparency will be achieved by publishing the work programme and circulating it to interested bodies.
 8. For the implementation of the programme the Commission will also undertake preparatory, accompanying and support activities designed to achieve the general objectives of the programme and the specific aims of each action line. This includes activities such as: studies and consultancy in support of the programme; preliminary actions in preparation of future activities; measures aimed at facilitating participation in the programme as well as facilitating access to the results produced under the programme; publications and activities for the dissemination, promotion and exploitation of results: brochures, electronic publications (CD-ROMs, DVD, web presence, etc.), participation at exhibitions, preparation of press-related material, etc.; analysis of possible socioeconomic consequences associated with the programme; and support activities such as spreading the use of digital content standards, and encouraging skills development at European level.
 9. All projects receiving financial support under the programme will be required to display an acknowledgement of the support received on the products.
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