

Official Journal

of the European Communities

ISSN 0378-6978

L 27

Volume 44

30 January 2001

English edition

Legislation

Contents

Acts adopted pursuant to Title V of the Treaty on European Union

2001/78/CFSP:

- ★ **Council Decision of 22 January 2001 setting up the Political and Security Committee** 1

2001/79/CFSP:

- ★ **Council Decision of 22 January 2001 setting up the Military Committee of the European Union** 4

2001/80/CFSP:

- ★ **Council Decision of 22 January 2001 on the establishment of the Military Staff of the European Union** 7

I *Acts whose publication is obligatory*

Commission Regulation (EC) No 178/2001 of 29 January 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables 12

- ★ **Commission Regulation (EC) No 179/2001 of 29 January 2001 determining the aid referred to in Council Regulation (EC) No 1255/1999 for the private storage of butter and cream** 14

- ★ **Commission Regulation (EC) No 180/2001 of 29 January 2001 derogating from Regulation (EC) No 2316/1999 laying down detailed rules for the application of Council Regulation (EC) No 1251/1999 with regard to set-aside as a result of the adverse weather conditions in some Community regions** 15

Commission Regulation (EC) No 181/2001 of 29 January 2001 on the issuing of system B export licences for fruit and vegetables 16

Commission Regulation (EC) No 182/2001 of 29 January 2001 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments 18

Contents (continued)

Commission Regulation (EC) No 183/2001 of 29 January 2001 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands 20

Commission Regulation (EC) No 184/2001 of 29 January 2001 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira 22

Commission Regulation (EC) No 185/2001 of 29 January 2001 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid 24

Commission Regulation (EC) No 186/2001 of 29 January 2001 amending the export refunds on eggs 26

(Acts adopted pursuant to Title V of the Treaty on European Union)

COUNCIL DECISION
of 22 January 2001
setting up the Political and Security Committee
(2001/78/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty on European Union and in particular Article 28(1),

Having regard to the Treaty establishing the European Community and in particular Article 207 thereof,

Recalling Article 25 of the Treaty on European Union,

Whereas:

- (1) The European Council in Helsinki agreed in principle to set up a Political and Security Committee and, on the basis of these conclusions, an interim Political and Security Committee was set up by Council Decision 2000/143/CFSP ⁽¹⁾.
- (2) The European Council in Nice of 7 to 11 December 2000 reached agreement on the establishment of the permanent Political and Security Committee, setting out its role, modalities and functions.
- (3) Following the guidelines of the Nice European Council, this Committee should be made ready to start its work.
- (4) The principle of single representation of Member States to the Union should be fully respected,

Article 1

A Political and Security Committee (PSC) (hereinafter the Committee) shall be established as the standing formation of the Committee referred to in Article 25 of the Treaty.

Article 2

The role, modalities and functions of the Committee are defined in the Annex, which reproduces Annex III to the Presidency's report approved by the Nice European Council.

Article 3

This Decision shall take effect from the date of its adoption.

Article 4

This Decision shall be published in the Official Journal.

Done at Brussels, 22 January 2001.

For the Council

The President

A. LINDH

⁽¹⁾ Council Decision 2000/143/CFSP of 14 February 2000 setting up the Interim Political and Security Committee (OJ L 49, 22.2.2000, p. 1).

ANNEX

POLITICAL AND SECURITY COMMITTEE

The approach adopted at Helsinki makes the PSC the linchpin of the European security and defence policy (ESDP) and of the common foreign and security policy (CFSP): 'The PSC will deal with all aspects of the CFSP, including the CESDP...'. Without prejudice to Article 207 of the Treaty establishing the European Community, the PSC has a central role to play in the definition of and follow-up to the EU's response to a crisis.

The PSC will deal with all the tasks defined in Article 25 of the Treaty on European Union (TEU). It may convene in Political Director formation.

After consulting the Presidency and without prejudice to Article 18 of the TEU, the Secretary-General/High Representative for the CFSP may chair the PSC, especially in the event of a crisis.

1. In particular the PSC will:

- (a) keep track of the international situation in the areas falling within the common foreign and security policy, help define policies by drawing up 'opinions' for the Council, either at the request of the Council or on its own initiative, and monitor implementation of agreed policies, all of this without prejudice to Article 207 of the Treaty establishing the European Community and to the powers of the Presidency and of the Commission;
- (b) examine the areas of GAC draft conclusions in which it is involved;
- (c) provide guidelines for other Committees on matters falling within the CFSP;
- (d) maintain a privileged link with the Secretary-General/High Representative (SG/HR) and the special representatives;
- (e) send guidelines to the Military Committee; receive the opinions and recommendations of the Military Committee. The Chairman of the Military Committee (EUMC), who liaises with the European Union Military Staff (EUMS), takes part, where necessary, in PSC meetings;
- (f) receive information, recommendations and opinions from the Committee for Civilian Aspects of Crisis Management and send it guidelines on matters falling within the CFSP;
- (g) coordinate, supervise and monitor discussions on CFSP issues in various Working Parties, to which it may send guidelines and whose reports it must examine;
- (h) lead the political dialogue in its own capacity and in the forms laid down in the Treaty;
- (i) provide a privileged forum for dialogue on the ESDP with the fifteen and the six as well as with NATO in accordance with arrangements set out in the relevant documents;
- (j) under the auspices of the Council, take responsibility for the political direction of the development of military capabilities, taking into account the type of crisis to which the Union wishes to respond. As part of the development of military capabilities, the PSC will receive the opinion of the Military Committee assisted by the European Military Staff.

2. Furthermore, in the event of a crisis the PSC is the Council body which deals with crisis situations and examines all the options that might be considered as the Union's response within the single institutional framework and without prejudice to the decision-making and implementation procedures of each pillar. Thus the Council, whose preparatory work is carried out by Coreper, and the Commission alone have powers, each within their own areas of competence and in accordance with procedures laid down by the Treaties, to take legally-binding decisions. The Commission exercises its responsibility, including its power of initiative under the Treaties. Coreper exercises the role conferred on it by Article 207 of the Treaty establishing the European Community and by Article 19 of the Council's Rules of Procedure. To that end, it will be informed in good time by the PSC.

In a crisis situation, close coordination between these bodies is especially necessary and will be ensured in particular by:

- (a) the participation, where necessary, of the Chairman of the PSC in Coreper meetings;
- (b) the role of the Foreign Relations Counsellors whose task it is to maintain effective permanent coordination between CFSP discussions and those conducted in other pillars (Annex to the Council conclusions of 11 May 1992).

To prepare the EU's response to a crisis, it is for the PSC to propose to the Council the political objectives to be pursued by the Union and to recommend a cohesive set of options aimed at contributing to the settlement of the crisis. In particular it may draw up an opinion recommending to the Council that it adopt a joint action. Without prejudice to the role of the Commission, it supervises the implementation of the measures adopted and assesses their effects. The Commission informs the PSC of the measures it has adopted or is envisaging. The Member States inform the PSC of the measures they have adopted or are envisaging at the national level.

The PSC exercises 'political control and strategic direction' of the EU's military response to the crisis. To that end, on the basis of the opinions and recommendations of the Military Committee, it evaluates in particular the essential elements (strategic military options including the chain of command, operation concept, operation plan) to be submitted to the Council.

The PSC plays a major role in enhancing consultations, in particular with NATO and the third States involved.

On the basis of the proceedings of the PSC, the Secretary-General/High Representative directs the activities of the Situation Centre. The latter supports the PSC and provides it with intelligence in conditions appropriate to crisis management.

The following arrangements will be put in place to enable the PSC to ensure full 'political control and strategic direction' of a military crisis-management operation:

- (a) with a view to launching an operation the PSC sends the Council a recommendation based on the opinions of the Military Committee in accordance with the usual Council preparation procedures. On that basis the Council decides to launch the operation within the framework of a joint action;
 - (b) in accordance with Articles 18 and 26 of the TEU, the joint action will determine, in particular, the role of the Secretary-General/High Representative in the implementation of the measures falling within the 'political control and strategic direction' exercised by the PSC. For such measures the Secretary-General/High Representative acts with the PSC's assent. Should a new Council decision be deemed appropriate, the simplified written procedure could be used (Article 12(4) of the Council's Rules of Procedure);
 - (c) during the operation, the Council will be kept informed through PSC reports presented by the Secretary-General/High Representative in his capacity as Chairman of the PSC.
-

COUNCIL DECISION
of 22 January 2001
setting up the Military Committee of the European Union
(2001/79/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, in particular Article 28(1) thereof,

Having regard to the Treaty establishing the European Community, in particular Article 207 thereof,

Recalling Article 25 of the Treaty on European Union,

Whereas:

- (1) In the framework of the strengthening of the common foreign and Security Policy (CFSP) and in particular of the common European policy on security and defence provided for in Article 17 of the Treaty on European Union, the European Council meeting in Nice on 7 to 11 December 2000 reached agreement on the establishment of the Military Committee of the European Union, setting out its mission and functions including those of its chairman.
- (2) Following the guidelines of the European Council this Committee should be made ready to start its work,

HAS DECIDED AS FOLLOWS:

Article 1

A Military Committee of the European Union (EUMC) (hereinafter the Committee) composed of the Member States' Chiefs of Defence, represented by their military representatives, is set up.

It will meet at the level of Chiefs of Defence as and when necessary.

Article 2

The mission and functions of the Committee are defined in Annex IV to the Presidency's report approved by the Nice European Council, which is reproduced in the Annex to this Decision.

Article 3

1. The Chairman of the Committee (hereinafter the Chairman) shall be appointed by the Council on the recommendation of the Committee meeting at the level of the Chiefs of Defence.

2. The term of office of the Chairman is three years, unless the Council decides otherwise. His mission and functions are also defined in the above mentioned annex.

Article 4

This Decision shall take effect from the date of its adoption.

Article 5

1. Without prejudice to the provisions of Article 3(1), this Decision shall apply from the date on which the first Chairman is appointed, not later than the date of application of the Decision on the establishment of the Military Staff of the European Union ⁽¹⁾ and in principle before the end of June 2001.

2. The Interim Military Body set up by Decision 2000/144/CFSP ⁽²⁾ will continue to carry out its tasks until the date at which this Decision applies.

Article 6

This Decision shall be published in the Official Journal.

Done at Brussels, 22 January 2001.

For the Council

The President

A. LINDH

⁽¹⁾ Council Decision 2001/80/CFSP (see page 7 of this Official Journal).
⁽²⁾ Council Decision 2000/144/CFSP of 14 February 2000 setting up the Interim Military Body (OJ L 49, 22.2.2000, p. 2).

ANNEX

EUROPEAN UNION MILITARY COMMITTEE (EUMC)**1. Introduction**

At Helsinki, the European Council decided to establish within the Council, new permanent political and military bodies enabling the EU to assume its responsibilities for the full range of conflict prevention and crisis management tasks defined in the EU Treaty, the Petersberg tasks.

As provided in the Helsinki report, the European Union Military Committee (EUMC), 'established within the Council', is composed of the Chiefs of Defence (CHODs) represented by their military representatives (Milreps). The EUMC meets at the level of CHODs as and when necessary. This Committee gives military advice and makes recommendations to the Political and Security Committee (PSC), as well as provides military direction to the European Union Military Staff (EUMS). The Chairman of the EUMC (CEUMC) attends meetings of the Council when decisions with defence implications are to be taken.

The EUMC is the highest military body established within the Council.

For this purpose, the terms of reference of the EUMC are outlined as follows:

2. Mission

The EUMC is responsible for providing the PSC with military advice and recommendations on all military matters within the EU. It exercises military direction of all military activities within the EU framework.

3. Functions

It is the source of military advice based on consensus.

It is the forum for military consultation and cooperation between the EU Member States in the field of conflict prevention and crisis management.

It provides military advice and makes recommendations to the PSC, at the latter's request or on its own initiative, acting within guidelines forwarded by the PSC, particularly with regard to:

- the development of the overall concept of crisis management in its military aspects,
- the military aspects relating to the political control and strategic direction of crisis management operations and situations,
- the risk assessment of potential crises,
- the military dimension of a crisis situation and its implications, in particular during its subsequent management; for this purpose, it receives the output from the Situation Centre,
- the elaboration, the assessment and the review of capability objectives according to agreed procedures,
- the EU's military relationship with non-EU European NATO Members, the other candidates for accession to the EU, other States and other organisations, including NATO,
- the financial estimation for operations and exercises.

(a) In crisis management situations

Upon the PSC's request, it issues an Initiating Directive to the Director General of the EUMS (DGEUMS) to draw up and present strategic military options.

It evaluates the strategic military options developed by the EUMS and forwards them to the PSC together with its evaluation and military advice.

On the basis of the military option selected by the Council, it authorises an Initial Planning Directive for the Operation Commander.

Based upon the EUMS evaluation, it provides advice and recommendation to the PSC:

- on the Concept of Operations (Conops) developed by the Operation Commander,
- on the draft Operation Plan (OPLAN) drawn up by the Operation Commander.

It gives advice to the PSC on the termination option for an operation.

(b) During an operation

The EUMC monitors the proper execution of military operations conducted under the responsibility of the Operation Commander.

The EUMC members sit or are represented in the Committee of Contributors.

4. Chairman of the EUMC (CEUMC)

The EUMC has a permanent Chairman whose responsibilities are described hereafter.

The CEUMC is a Four-star flag officer on appointment, preferably a former Chief of Defence of an EU Member State. He is selected by the CHODs of the Member States according to approved procedures and is appointed by the Council on the recommendation of the EUMC meeting at CHODs level.

His term of office is in principle three years, except in exceptional circumstances.

His authority is derived from the EUMC to which he is responsible. Acting in an international capacity, the CEUMC represents the EUMC at the PSC and the Council, as appropriate.

As the Chairman of the EUMC, he:

- chairs the EUMC meetings at Milreps and CHODs levels,
- is the spokesman of the EUMC and, as such:
 - participates as appropriate in the PSC with the right to contribute to discussions and attends the Council meetings when decisions with defence implications are to be taken, and
 - performs the function of military adviser to the SG/HR on all military matters, in particular, to ensure consistency within the EU Crisis Management Structure,
- conducts the works of the EUMC impartially and in order to reflect consensus,
- acts on behalf of the EUMC in issuing directives and guidance to the DGEUMS,
- acts as the primary point of contact (POC) with the Operation Commander during the EU's military operations,
- liaises with the Presidency in the development and implementation of its work programme.

The CEUMC is supported by his personal staff and assisted by the EUMS, especially regarding the administrative support within the General Secretariat of the Council.

When absent the CEUMC is replaced by one of the following:

- the permanent DCEUMC, if it is so decided to create and fill the post,
- the Presidency representative, or
- the dean.

5. Miscellaneous

The relations to be established between the EUMC and NATO military authorities are defined in the document on the EU/NATO permanent arrangements. The relations between the EUMC and the non-EU European NATO members and other countries, which are candidates for accession to the EU are defined in the document on the relations of the EU with third countries.

The EUMC is supported by a military working group (EUMCWG), by the EUMS and by other departments and services, as appropriate.

COUNCIL DECISION
of 22 January 2001
on the establishment of the Military Staff of the European Union
(2001/80/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, in particular Article 28(1) thereof,

Having regard to the Treaty establishing the European Community, in particular Article 207(2) thereof,

Whereas:

- (1) In the framework of the strengthening of the common foreign and security policy (CFSP) and in particular of the common European policy on security and defence provided for in Article 17 of the Treaty on European Union, the European Council meeting in Nice on 7-11 December 2000 reached agreement on the establishment of the Military Staff of the European Union, setting out its mission and functions.
- (2) Following the guidelines of the European Council the Military Staff should be made ready to start its work,

HAS DECIDED AS FOLLOWS:

Article 1

1. Military personnel will be seconded from Member States to the General Secretariat of the Council in order to form the Military Staff of the European Union (EUMS).
2. The Military Staff will be part of the General Secretariat of the Council.

Article 2

The mission and functions of the Military Staff are defined in Annex V of the Presidency's report approved by the Nice European Council, which is reproduced in the Annex to this Decision.

Article 3

All members of the Military Staff shall be nationals of Member States of the European Union.

Article 4

1. Members of the Military Staff shall be subject to rules which will be established in a Council Decision.
2. Until the entry into force of the Decision mentioned in paragraph 1, Council Decision 2000/178/CFSP of 28 February 2000 on the rules applicable to national experts in the military field on secondment to the General Secretariat of the Council during the interim period ⁽¹⁾ shall remain in force.

Article 5

This Decision shall take effect from the date of its adoption. It shall apply as from a date established by the SG/HR upon consultation of the PSC and of the iMB/Military Committee and in principle before the end of June 2001.

Until the date of application of this Decision, the Director General of the Military Staff (DGEUMS), who will take up its functions as from 1 March 2001 ⁽²⁾, shall act as head of the military experts seconded from Member States to the Council Secretariat ⁽³⁾.

Article 6

This Decision shall be published in the Official Journal.

Done at Brussels, 22 January 2001.

For the Council

The President

A. LINDH

⁽¹⁾ OJ L 57, 2.3.2000, p. 1.

⁽²⁾ Council Decision of 22 December 2000.

⁽³⁾ Council Decision 2000/145/CFSP of 14 February 2000 on the secondment of national experts in the military field to the General Secretariat of the Council during an interim period (OJ L 49, 22.2.2000, p. 3).

ANNEX

EUROPEAN UNION MILITARY STAFF ORGANISATION (EUMS)**1. Introduction**

At Helsinki, the EU Member States decided to establish within the Council, new permanent political and military bodies enabling the EU to assume its responsibilities for the full range of conflict prevention and crisis management tasks defined in the EU Treaty, the Petersberg tasks. As provided in the Helsinki report, the EUMS, 'within the Council structures provides military expertise and support to the CESDP, including the conduct of EU-led military crisis management operations'.

For this purpose, the terms of reference of the European Union Military Staff (EUMS) are defined as follows:

2. Mission

The Military Staff is to perform 'early warning, situation assessment and strategic planning for Petersberg tasks including identification of European national and multinational forces' and to implement policies and decisions as directed by the European Union Military Committee (EUMC).

3. Role and tasks

- It is the source of the EU's military expertise.
- It assures the link between the EUMC on the one hand and the military resources available to the EU on the other, and it provides military expertise to EU bodies as directed by the EUMC.
- It provides an early warning capability. It plans, assesses and makes recommendations regarding the concept of crisis management and the general military strategy and implements the decisions and guidance of the EUMC.
- It supports the EUMC regarding situation assessment and military aspects of strategic planning ⁽¹⁾, over the full range of Petersberg tasks, for all cases of EU-led operations, whether or not the EU draws on NATO assets and capabilities.
- It contributes to the process of elaboration, assessment and review of the capability goals taking into account the need, for those Member States concerned, to ensure coherence with NATO's defence planning process (DPP) and the planning and review process (PARP) of the partnership for peace (PfP) in accordance with agreed procedures.
- It has the responsibility to monitor, assess and make recommendations regarding the forces and capabilities made available to the EU by the Member States, on training, exercises and interoperability.

4. Functions

- It performs three main operational functions: early warning, situation assessment and strategic planning.
- Under the direction of the EUMC it provides military expertise to EU bodies and, in particular, to the Secretary-General/High Representative.
- It monitors potential crises by relying on appropriate national and multinational intelligence capabilities.
- It supplies the Situation Centre with military information and receives its output.
- It carries out the military aspects of strategic advance planning for Petersberg missions.
- It identifies and lists European national and multinational forces for EU-led operations coordinating with NATO.
- It contributes to the development and preparation (including training and exercises) of national and multinational forces made available by the Member States to the EU. The modalities of the relation with NATO are defined in the relevant documents.
- It organises and coordinates the procedures with national and multinational HQs including those NATO HQs available to the EU, ensuring, as far as possible, compatibility with NATO procedures.

⁽¹⁾ Preliminary definitions:

Strategic planning: planning activities that start as soon as a crisis emerges and end when the EU political authorities approve a military strategic option or a set of military strategic options. The strategic process encompasses military situation assessment, definition of a POL/MIL framework and development of military strategic options.

Military strategic option: a possible military action designed to achieve the POL/MIL objectives outlined in the POL/MIL framework. A military strategic option will describe the outline military solution, the required resource and constraints and recommendations on the choice of the operations commander and OHQ.

- It programmes, plans, conducts and evaluates the military aspect of the EU's crisis management procedures, including the exercising of EU/NATO procedures.
- It participates in the financial estimation of operations and exercises.
- It liaises with the national HQs and the multinational HQs of the multinational forces.
- It establishes permanent relations with NATO according to 'EU/NATO Permanent arrangements' and appropriate relations with identified correspondents within the UN and OSCE, subject to an agreement from these organisations.

(a) Additional functions in crisis management situations

- It requests and processes specific information from the intelligence organisations and other relevant information from all available sources.
- It supports the EUMC in its contributions to Initial Planning Guidance and Planning Directives of the Political and Security Committee (PSC).
- It develops and prioritises military strategic options as the basis for the military advice of the EUMC to the PSC by:
 - defining initial broad options;
 - drawing as appropriate on planning support from external sources which will analyse and further develop these options in more detail,
 - evaluating the results of this more detailed work and commissioning any further work that might be necessary,
 - presenting an overall assessment, with an indication of priorities and recommendations as appropriate, to the EUMC.
- It can also contribute to the non-military aspects of the military options.
- It identifies in coordination with national planning staffs and, as appropriate, NATO, the forces that might participate in possible EU-led operations.
- It assists the operation commander in technical exchanges with third countries offering military contributions to an EU-led operation, and in the preparation of the force generation conference.
- It continues to monitor crisis situations.

(b) Additional functions during operations

- The EUMS, acting under the direction of the EUMC, continuously monitors all the military aspects of operations. It conducts strategic analysis in liaison with the designated operation commander to support the EUMC in its advisory role to the PSC in charge of the strategic direction.
- In the light of political and operational developments, it provides new options to the EUMC as a basis for EUMC's military advice to the PSC.

5. Organisation

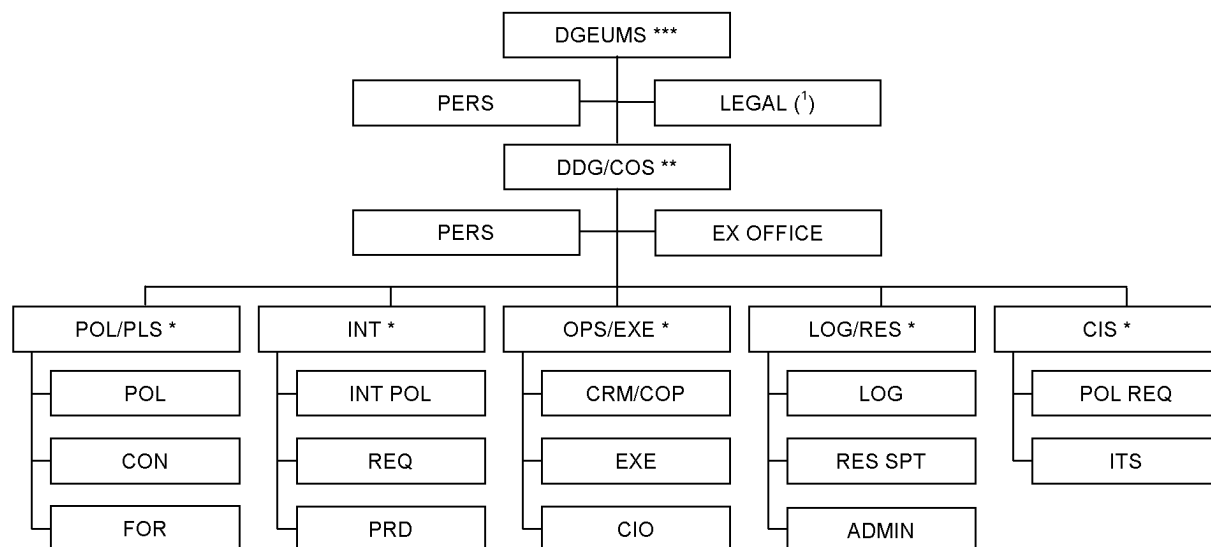
- It works under the military direction of the EUMC to which it reports.
- The EUMS is a Council Secretariat department directly attached to the SG/HR; it is composed of personnel seconded from the Member States acting in an international capacity under the statute to be established by the Council.
- EUMS is headed by the DGEUMS, a three-star flag officer, and works under the direction of the EUMC.
- In order to cope with the full spectrum of Petersberg tasks, whether or not the EU has recourse to NATO resources, the EUMS is organised as in Annex 'A'.
- In crisis management situations or exercises, the EUMS could set up Crisis Action Teams (CAT), drawing upon its own expertise, manpower and infrastructure. In addition, it could, if necessary, draw upon outside manpower for temporary augmentation to be requested from the EU Member States by the EUMC.

6. Relations with third countries

- The relations between the EUMS and the non-EU European NATO members and other countries, which are candidates for accession to the EU will be defined in the document on the relations of the EU with third countries.

ANNEX A

OUTLINE ORGANISATION OF EUMS



(¹) Member of the Council Legal Service.

ABBREVIATIONS**A**

ADMIN Administration Branch

C

CEUMC Chairman of the European Union Military Committee

CIO CIMIC and Information Operations Branch

CIS Communications and Information Systems Division

CMC SPT Support to Chairman of the European Union Military Committee

CON Concepts Branch

CRM/COP Crisis Management/Current Operations Branch

D

DDG/COS Deputy Director General and Chief of Staff of the European Union Military Staff

DGEUMS Director General of the European Union Military Staff

E

EUMC European Union Military Committee

EUMS European Union Military Staff

EXE Exercises Branch

EX OFFICE Executive Office

F

FOR Force Preparedness Branch

I

INT Intelligence Division

INT POL Intelligence Policy Branch

ITS Information Technology and Security Branch

L

LEGAL Legal Adviser

LOG Logistics Branch

LOG/RES Logistics and Resources Division

O

OPS/EXE Operations and Exercises Division

P

PERS Personal Staff

POL Policy Branch

POL/PLS Policy and Plans Division

POL/REQ Policy and Requirements Branch

PRD Production Branch

R

REQ Requirements Branch

RES/SPT Resources Support Branch

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 178/2001
of 29 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 30 January 2001.

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

Done at Brussels, 29 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 29 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	87,7
	204	43,1
	624	64,6
	999	65,1
0707 00 05	052	95,9
	624	193,9
	628	141,3
	999	143,7
0709 90 70	052	121,4
	204	73,8
	624	185,9
	999	127,0
0805 10 10, 0805 10 30, 0805 10 50	052	45,7
	204	56,0
	212	46,1
	624	31,7
	999	44,9
0805 20 10	204	102,6
	624	57,9
	999	80,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	65,3
	204	90,2
	600	75,5
	624	72,2
	662	47,1
	999	70,1
	052	60,4
0805 30 10	600	74,9
	999	67,7
0808 10 20, 0808 10 50, 0808 10 90	400	90,4
	404	84,2
	720	115,5
	728	73,7
	999	91,0
0808 20 50	052	189,0
	388	112,2
	400	86,3
	720	106,1
	999	123,4

⁽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 179/2001
of 29 January 2001
determining the aid referred to in Council Regulation (EC) No 1255/1999 for the private storage of
butter and cream

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 34(2) of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 2099/2000 ⁽⁴⁾, stipulates that, without prejudice to Article 38 of that Regulation, the amount of the aid referred to in Article 6(3) of Regulation (EC) No 1255/1999 for private storage is to be fixed each year.
- (2) Article 29 of Regulation (EC) No 2771/1999 stipulates that entry into store must take place only between 15 March and 15 August of the same year. It is therefore necessary to determine the components of that aid before entry into store for 2001 starts.

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 6(3) of Regulation (EC) No 1255/1999 shall be calculated per tonne of butter or butter equivalent for contracts concluded in 2001 on the following basis:

- (a) EUR 24 for the fixed costs,
- (b) EUR 0,35 for the costs of cold storage of each day of contractual storage, and
- (c) an amount per day of contractual storage, calculated on the basis of 91 % of the intervention price for butter in force on the day the contractual storage begins and on the basis of an annual interest rate of 4,5 %.

Article 2

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

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

Done at Brussels, 29 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 249, 4.10.2000, p. 20.

COMMISSION REGULATION (EC) No 180/2001**of 29 January 2001****derogating from Regulation (EC) No 2316/1999 laying down detailed rules for the application of Council Regulation (EC) No 1251/1999 with regard to set-aside as a result of the adverse weather conditions in some Community regions**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1251/1999 of 17 May 1999 establishing a support system for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 1672/2000 ⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) Eligibility for the area aid under the general scheme referred to in Article 2(3) of Regulation (EC) No 1251/1999 is subject to an obligation to set land aside.
- (2) The detailed rules of application fixed by Commission Regulation (EC) No 2316/1999 ⁽³⁾, as last amended by Regulation (EC) No 2860/2000 ⁽⁴⁾, stipulate that the set-aside period must begin no later than 15 January and that no agricultural production is authorised on the land set aside.
- (3) As a result of adverse weather conditions the producers in various regions of some Member States cannot harvest their crops, especially of potatoes, sugar beet, fodder beet, carrots and parsnips, before 15 January 2001, on lands to be set aside in the 2001/02 marketing year. Under the circumstances, and as an exceptional measure, where growers so request they should be authorised to harvest their crops no later than 28 February 2001 without this affecting recognition of the lands in question as properly set aside, provided that

they prove that the applicable conditions have been complied with.

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

HAS ADOPTED THIS REGULATION:

Article 1

Where a producer, upon application to the competent authority of the Member State concerned, can prove that:

- harvesting could not take place before 15 January 2001 as a result of adverse weather conditions,
- harvesting, where done, was done no later than 28 February 2001, or no later than 31 March 2001 in the case of potatoes and beet,
- all the other conditions applying to set-aside land have been complied with,

the lands in question shall be considered, notwithstanding Article 19(2) and (3) of Regulation (EC) No 2316/1999, as properly set aside for the 2001/02 marketing year.

Article 2

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

It shall apply from 15 January 2001.

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

Done at Brussels, 29 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 1.

⁽²⁾ OJ L 193, 29.7.2000, p. 13.

⁽³⁾ OJ L 280, 30.10.1999, p. 43.

⁽⁴⁾ OJ L 332, 28.12.2000, p. 63.

COMMISSION REGULATION (EC) No 181/2001
of 29 January 2001
on the issuing of system B export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 298/2000 ⁽²⁾, and in particular Article 5(6) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2432/2000 ⁽³⁾ fixed the indicative quantities laid down for the issue of export licences other than those requested in the context of food aid.
- (2) In the light of information now available to the Commission, the indicative quantities have been exceeded in the case of shelled almonds, oranges, lemons, table grapes and apples.
- (3) Those overruns are without prejudice to compliance with the limits resulting from the agreements concluded in accordance with Article 300 of the Treaty. The rate of

refund for all products covered by licences applied for under system B from 16 November 2000 to 16 January 2001 should be the indicative rate,

HAS ADOPTED THIS REGULATION:

Article 1

The percentages for the issuing of system B export licences, as referred to in Article 5 of Regulation (EC) No 2190/96, and applied for between 16 November 2000 and 16 January 2001, by which the quantities applied for and the rates of refund applicable must be multiplied, are as fixed in the Annex hereto.

The above subparagraph does not apply to licences applied for in connection with food-aid operations as provided for in Article 10(4) of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations.

Article 2

This Regulation shall enter into force on 30 January 2001.

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

Done at Brussels, 29 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 34, 9.2.2000, p. 16.

⁽³⁾ OJ L 279, 1.11.2000, p. 30.

ANNEX

to the Commission Regulation of 29 January 2001 on the issuing of system B export licences for fruit and vegetables

Percentages for the issuing of licences and rates of refund applicable to system B licences applied for between 16 November 2000 and 16 January 2001

Product	Percentage for the issuing of licences	Rate of refund (EUR/t net)
Tomatoes	100 %	18,0
Shelled almonds	100 %	45,0
Hazelnuts in shell	100 %	53,0
Shelled hazelnuts	—	—
Walnuts in shell	100 %	66,0
Oranges	100 %	45,0
Lemons	100 %	45,0
Table grapes	100 %	23,0
Apples	100 %	36,0

COMMISSION REGULATION (EC) No 182/2001
of 29 January 2001
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products
from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 2(6) thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 2836/2000 ⁽⁴⁾, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community

and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 February 2001.

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

Done at Brussels, 29 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 43, 19.2.1992, p. 23.

⁽⁴⁾ OJ L 328, 23.12.2000, p. 29.

ANNEX

to the Commission Regulation of 29 January 2001 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(EUR/t)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	21,00	21,00	21,00	25,00
Barley (1003 00 90)	21,00	21,00	21,00	25,00
Maize (1005 90 00)	36,00	36,00	36,00	39,00
Durum wheat (1001 10 00)	21,00	21,00	21,00	25,00
Oats (1004 00 00)	39,00	39,00	—	—

COMMISSION REGULATION (EC) No 183/2001
of 29 January 2001
amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals
products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 2835/2000 ⁽⁴⁾, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the

world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 February 2001.

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

Done at Brussels, 29 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 185, 4.7.1992, p. 26.

⁽⁴⁾ OJ L 328, 23.12.2000, p. 27.

ANNEX

to the Commission Regulation of 29 January 2001 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

		(EUR/t)
Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	17,00
Barley	(1003 00 90)	17,00
Maize	(1005 90 00)	33,00
Durum wheat	(1001 10 00)	17,00
Oats	(1004 00 00)	36,00

COMMISSION REGULATION (EC) No 184/2001
of 29 January 2001
amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals
products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EC) No 2834/2000 ⁽⁴⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and

Madeira should be set at the amounts given in the Annex.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 February 2001.

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

Done at Brussels, 29 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 185, 4.7.1992, p. 28.

⁽⁴⁾ OJ L 328, 23.12.2000, p. 25.

ANNEX

to the Commission Regulation of 29 January 2001 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

(EUR/t)

Product (CN code)		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	17,00	17,00
Barley	(1003 00 90)	17,00	17,00
Maize	(1005 90 00)	33,00	33,00
Durum wheat	(1001 10 00)	17,00	17,00

COMMISSION REGULATION (EC) No 185/2001**of 29 January 2001****fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid**

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 Commission Regulation (EC) No 1666/2000 ⁽²⁾, and in particular the third subparagraph of Article 13(2) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1667/2000 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section.
- (2) In order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid

actions, the level of the refunds granted for these actions should be determined.

- (3) The general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.
- (4) The specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 February 2001.

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

Done at Brussels, 29 January 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 288, 25.10.1974, p. 1.

ANNEX

to the Commission Regulation of 29 January 2001 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(EUR/t)

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	7,50
1002 00 00 9000	39,00
1003 00 90 9000	0,00
1004 00 00 9400	33,00
1005 90 00 9000	30,00
1006 30 92 9100	233,00
1006 30 92 9900	233,00
1006 30 94 9100	233,00
1006 30 94 9900	233,00
1006 30 96 9100	233,00
1006 30 96 9900	233,00
1006 30 98 9100	233,00
1006 30 98 9900	233,00
1006 30 65 9900	233,00
1006 40 00 9000	—
1007 00 90 9000	30,00
1101 00 15 9100	10,25
1101 00 15 9130	10,25
1102 20 10 9200	41,13
1102 20 10 9400	35,26
1102 30 00 9000	—
1102 90 10 9100	0,00
1103 11 10 9200	0,00
1103 11 90 9200	0,00
1103 13 10 9100	52,88
1103 14 00 9000	—
1104 12 90 9100	76,84
1104 21 50 9100	0,00

NB: The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), amended.

COMMISSION REGULATION (EC) No 186/2001
of 29 January 2001
amending the export refunds on eggs

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 8(3) thereof,

Whereas:

- (1) The export refunds on eggs were fixed by Commission Regulation (EC) No 2501/2000 ⁽³⁾.
- (2) In line with negotiating instructions issued by the Council on 30 March 1999, the Commission and the Republic of Lithuania completed talks on 5 June 2000 on a supplementary Protocol to its Europe Agreement containing new concessions on agricultural products.

One of these concessions has the effect of ending refunds for products falling within CN codes 0407 00 30 and 0408 91 80 which are exported to Lithuania,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1) of Regulation (EEC) No 2771/75, exported in the natural state, as fixed in the Annex to Regulation (EC) No 2501/2000 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 30 January 2001.

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

Done at Brussels, 29 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 288, 15.11.2000, p. 20.

ANNEX

to the Commission Regulation of 29 January 2001 amending the export refunds on eggs

Product code	Destination	Unit of measurement	Amount of refund
0407 00 11 9000	A02	EUR/100 pcs	2,60
0407 00 19 9000	A02	EUR/100 pcs	1,20
0407 00 30 9000	E01	EUR/100 kg	9,00
	E03	EUR/100 kg	11,00
	E05	EUR/100 kg	4,50
0408 11 80 9100	E04	EUR/100 kg	55,00
0408 19 81 9100	E04	EUR/100 kg	25,00
0408 19 89 9100	E04	EUR/100 kg	25,00
0408 91 80 9100	E06	EUR/100 kg	37,00
0408 99 80 9100	E04	EUR/100 kg	9,00

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:

E01 Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, Yemen, Hong Kong SAR and Russia

E03 South Korea, Japan, Malaysia, Thailand, Taiwan, the Philippines and Egypt

E04 all destinations except Switzerland and Estonia

E05 all destinations except Switzerland, Lithuania and those of E01 and E03

E06 all destinations except Switzerland, Estonia and Lithuania.