

Official Journal

of the European Communities

ISSN 0378-6978

L 65

Volume 44

7 March 2001

English edition

Legislation

Contents

I Acts whose publication is obligatory

- Commission Regulation (EC) No 453/2001 of 6 March 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables 1
- Commission Regulation (EC) No 454/2001 of 6 March 2001 opening tendering procedures for the sale of wine alcohol exclusively for use in third countries in the fuel sector ... 3
- ★ **Commission Regulation (EC) No 455/2001 of 6 March 2001 amending Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis** 9
- ★ **Commission Regulation (EC) No 456/2001 of 6 March 2001 establishing measures for the recovery of the stock of cod to the west of Scotland (ICES Division VIa) and associated conditions for the control of activities of fishing vessels** 13
- Commission Regulation (EC) No 457/2001 of 6 March 2001 amending representative prices and additional duties for the import of certain products in the sugar sector 17
- ★ **Council Regulation (EC) No 458/2001 of 6 March 2001 amending Regulation (EC) No 1334/2000 with regard to the list of controlled dual-use items and technology when exported** 19

Corrigenda

- ★ **Corrigendum to Council Regulation (EC) No 416/2001 of 28 February 2001 amending Regulation (EC) No 2820/98 applying a multiannual scheme of generalised tariff preferences for the period 1 July 1999 to 31 December 2001 so as to extend duty-free access without any quantitative restrictions to products originating in the least developed countries (OJ L 60 of 1.3.2001)** 20

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 453/2001
of 6 March 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 7 March 2001.

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

Done at Brussels, 6 March 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 6 March 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	117,9
	204	59,3
	212	94,4
	624	120,7
	999	98,1
0707 00 05	052	120,7
	999	120,7
0709 90 70	052	111,1
	204	118,2
	999	114,7
0805 10 10, 0805 10 30, 0805 10 50	052	67,9
	204	46,5
	212	52,7
	600	48,1
	624	53,9
	999	53,8
0805 30 10	600	63,1
	999	63,1
0808 10 20, 0808 10 50, 0808 10 90	388	107,5
	400	86,7
	404	80,1
	508	89,9
	512	99,8
	528	100,9
	720	119,1
	728	104,0
	999	98,5
	388	72,0
0808 20 50	400	96,3
	512	78,2
	528	79,9
	720	54,6
	999	76,2

⁽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 454/2001**of 6 March 2001****opening tendering procedures for the sale of wine alcohol exclusively for use in third countries in the fuel sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, as amended by Regulation (EC) No 2826/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms ⁽³⁾, as last amended by Regulation (EC) No 2786/2000 ⁽⁴⁾, and in particular Article 86 thereof,

Whereas:

- (1) Regulation (EC) No 1623/2000 lays down, *inter alia*, the detailed rules for disposing of stocks of alcohol arising from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 held by intervention agencies.
- (2) Tendering procedures should be opened for the sale of wine alcohol for export to the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country, with a view to reducing stocks of wine alcohol of Community origin and giving the third countries listed in this Article greater continuity of supply. The wine alcohol of Community origin in storage in the Member States consists of quantities produced from distillation under Articles 35, 36 and 39 of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽⁵⁾, as last amended by Regulation (EC) No 1677/1999 ⁽⁶⁾, as well as Articles 27 and 28 of Regulation (EC) No 1493/1999.

- (3) Since the adoption of Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽⁷⁾, the prices offered in tenders and securities must be expressed in euro and payments must be made in euro.

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

Three tendering procedures Nos 295/2001 EC, 296/2001 EC and 297/2001 EC are hereby opened for the sale of a total volume of 250 000 hectolitres of alcohol exclusively for use in the fuel sector in third countries. The alcohol concerned was produced from distillation under Articles 35, 36 and 39 of Regulation (EEC) No 822/87 as well as Articles 27 and 28 of Regulation (EC) No 1493/1999 and is held by the French, Spanish and Portuguese intervention agencies.

Tendering procedures Nos 295/2001 EC and 296/2001 EC shall each cover a volume of 100 000 hectolitres of alcohol at 100 % vol., and the tendering procedure No 297/2001 EC shall cover a volume of 50 000 hectolitres of alcohol at 100 % vol.

Article 2

The alcohol put up for sale for export from the European Community shall be imported into one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 and must be used in accordance with that Article.

Article 3

The place of storage, the vat numbers, the volume of alcohol in each vat, the alcoholic strength and the characteristics of the alcohol, certain specific conditions, as well as the address of the Commission department responsible for receiving tenders shall be as set out in Annex I to this Regulation.

Article 4

The sale shall be conducted in accordance with Articles 87, 88, 89, 90, 91, 95, 96, 100, 101 and 102 of Regulation (EC) No 1623/2000 and Article 2 of Regulation (EC) No 2799/98.

Article 5

The minimum price which may be offered shall be EUR 7,5 per hectolitre of alcohol at 100 % vol for tendering procedure No 295/2001 EC and EUR 7,5 per hectolitre of alcohol at 100 % vol for tendering procedure No 296/2001 EC and EUR 7,5 per hectolitre of alcohol at 100 % vol for tendering procedure No 297/2001 EC.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 194, 31.7.2000, p. 45.

⁽⁴⁾ OJ L 323, 20.12.2000, p. 4.

⁽⁵⁾ OJ L 84, 27.3.1987, p. 1.

⁽⁶⁾ OJ L 199, 30.7.1999, p. 8.

⁽⁷⁾ OJ L 349, 24.12.1998, p. 1.

Article 6

1. Physical removal of the alcohol from the storehouses of each of the intervention agencies concerned must be completed no later than 10 August 2001.

2. The alcohol awarded under the tendering procedures referred to in Article 1 of this Regulation must be exported no later than 10 September 2001.

Article 7

To be eligible for consideration, tenders shall entail presentation of the undertakings and documents listed in Annex II to this Regulation and must comply with Articles 88 and 97 of Regulation (EC) No 1623/2000.

Article 8

The formalities for sampling shall be as set out in Articles 91 and 98 of Regulation (EC) No 1623/2000.

Article 9

The export security shall be EUR 3 per hectolitre of alcohol at 100 % vol.

Article 10

The Commission department referred to in Article 91(5) of Regulation (EC) No 1623/2000 shall be that indicated in Annex III to this Regulation.

Article 11

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

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

Done at Brussels, 6 March 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

TENDERING PROCEDURE No 295/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY**I. Place of storage, volume and characteristics of the alcohol put up for sale**

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % volume	Regulation (EEC) No 822/87 Article	Type of alcohol
FRANCE	Onivins-Longuefuye	20	22 050	39	raw + 92 %
	F-53200 Longuefuye	5	19 205	35	raw + 92 %
	Onivins-Port La Nouvelle	8	11 500	35	raw + 92 %
	Av. Adolphe-Turrel BP 62 F-11210 Port-La-Nouvelle	1	47 245	35	raw + 92 %
	Total		100 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

- Tenders shall relate to 100 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 295/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/E/2 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12 noon Brussels time on 15 March 2001.
- Tenders must indicate the name and address of the tenderer and:
 - the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 295/2001 EC,
 - the price offered, expressed in euro per hectolitre of alcohol at 100 % vol,
 - all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).
 Securities shall be for EUR 400 000.

TENDERING PROCEDURE No 296/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THIRD COUNTRIES IN THE FUEL SECTOR

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol.	Regulation (EEC) No 822/87 and (EC) No 1493/1999 Article	Type of alcohol
SPAIN	Tarancón	A-3	23 683	27 + 28	raw
		A-3	768	35 + 36	raw
		B-5	24 787	35 + 36	raw
		A-6	22 296	35 + 36	raw
		A-5	24 846	35 + 36	raw
		B-4	3 620	35 + 36	raw
	Total		100 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

- Tenders shall relate to 100 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 296/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/E/2 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12 noon Brussels time on 15 March 2001.
- Tenders must indicate the name and address of the tenderer and:
 - the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 296/2001 EC,
 - the price offered, expressed in euro per hectolitre of alcohol at 100 % vol,
 - all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - FEGA, Beneficencia 8, E-28004 Madrid (tel. (34) 913 47 65 00; telex 23427 FEGA; fax (34) 915 21 98 32)
 Securities shall be for EUR 400 000.

TENDERING PROCEDURE No 297/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THIRD COUNTRIES IN THE FUEL SECTOR

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol.	Regulation (EEC) No 822/87 Article	Type of alcohol
PORTUGAL	Mealhada	M 2	5 725,42	35	raw
		M 3	8 077,05	35	raw
	Carregado	Inox 1	1 336,30	35	raw
		Inox 2	1 317,54	35	raw
		Inox 3	2 283,26	35	raw
		Inox 4	4 661,70	35	raw
		Inox 5	4 038,40	35	raw
	Bombarral	Inox 147	22 560,33	35	raw
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

1. Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

- either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
- or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 297/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/E/2 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon Brussels time on 15 March 2001.

5. Tenders must indicate the name and address of the tenderer and:

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e 297/2001 EC,
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol,
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency.

- IVV R, Mouzinho da Silveira 5, P-1200 Lisboa (tel. (351) 213 56 33 21; telex 18508 IVV P; fax (351) 213 52 08 76).

Securities shall be for EUR 200 000.

ANNEX II

List of undertakings and documents to be supplied by tenderers when submitting their tenders:

1. Proof that the tendering security has been lodged with each intervention agency.
2. Indication of the place of final use of the alcohol and an undertaking by the tenderer to comply with that destination.
3. Proof, dated after the entry into force of this Regulation, that the tenderer has binding commitments to an operator in the fuel sector in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000. The operator concerned must undertake to dehydrate the awarded alcohol in one of those countries and to export it exclusively for use in the fuel sector.
4. Tenders must also give the name and address of the tenderer, the reference of the notice of invitation to tender and the price offered, expressed in euro per hectolitre of alcohol at 100 % vol.
5. An undertaking from the tenderer to comply with all the rules relating to the tendering procedure in question.
6. A statement by the tenderer waiving all claims in respect of the quality and characteristics of any alcohol awarded, agreeing to submit to any checks made on the destination and use of the alcohol and accepting responsibility for providing evidence that the alcohol is used as specified in this notice of invitation to tender.

ANNEX III

The only numbers to be used in Brussels are:

DG AGRI/E/2 (for the attention of Mr Chiappone or Mr Innamorati):

- | | |
|---------|--|
| — telex | 22037 AGREC B,
22070 AGREC B (Greek characters) |
| — fax | (32-2) 295 92 52. |
-

**COMMISSION REGULATION (EC) No 455/2001
of 6 March 2001**

**amending Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and
on the relevant methods of analysis**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 35a thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2568/91 ⁽³⁾, as last amended by Regulation (EC) No 379/1999 ⁽⁴⁾, provides for analyses, interpretation of the results of which is influenced by the samples.
- (2) The sampling and preparation of test samples are harmonised, by using international standards EN ISO 661 and EN ISO 5555. However, in the case of oils put up in small packages, application of these standards involves disproportionate cost and effort. For small packages of this type, a different sampling method exists which improves the probability of detecting fraud while keeping down the number of analyses required. It is therefore preferable to use this method.
- (3) Analyses of the quality of oil put up in small packages must be performed before the date of minimum durability of products which have been kept in certain storage conditions.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2568/91 is amended as follows:

1. Article 2(3) is replaced by the following:

‘3. When the national authorities or their representatives verify the characteristics of the oil as provided for in paragraph 1, samples shall be taken in accordance with inter-

national standards EN ISO 661 on the preparation of test samples and EN ISO 5555 on sampling. However, notwithstanding point 6.8 of standard EN ISO 5555, in the case of batches of such oils in immediate packaging not exceeding 100 litres, the sample shall be taken in accordance with Annex Ia to this Regulation.

Without prejudice to standard EN ISO 5555 and Chapter 6 of standard EN ISO 661, the samples taken shall immediately be put in a dark place and sent to the laboratory for analysis no later than five working days after they have been taken.

4. For the purposes of the verification provided for in paragraph 3, the analyses referred to in Annexes II, III, IX and XII and, where applicable, any counter-analyses required under national law, shall be carried out before the minimum durability date. Where sampling is done more than four months before the minimum durability date, the analyses shall be carried out no later than the fourth month after the month in which the sample was taken. No time limit shall apply to the other analyses provided for in that Regulation.

Unless the sample was taken less than one month before the minimum durability date, if the results of the analyses do not match the characteristics of the category of olive oil or olive-residue oil declared, the party concerned shall be notified no later than one month before the end of the period laid down in the first subparagraph.’

2. The following title is inserted in the summary of the Annexes to Regulation (EEC) No 2568/91:

‘ANNEX Ia

Sampling of batches of olive oil or olive-residue oil in immediate packaging not exceeding 100 litres.’

3. Annex Ia is inserted after Annex I.

Article 2

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

It shall apply from 1 July 2001.

⁽¹⁾ OJ 172, 30.9.1966, p. 3025/66.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 248, 5.9.1991, p. 1.

⁽⁴⁾ OJ L 46, 20.2.1999, p. 15.

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

Done at Brussels, 6 March 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

'ANNEX Ia

Sampling of batches of olive oil or olive-residue oil in immediate packaging not exceeding 100 litres

This method of sampling applies to batches of olive oil or olive-residue oil not exceeding 125 000 litres, put up in immediate packaging not exceeding 100 litres.

If the batch in question exceeds 125 000 litres, it is to be subdivided into sub-batches of approximately 125 000 litres. The method shall then be applied to each sub-batch so constituted.

1. Content of primary samples

Primary samples must comprise the following:

- (a) where the immediate packaging has a capacity of 6 litres or more, the oil from one immediate pack, divided into at least 6 containers of 1 litre each, of which:
 - 1 container is for the analyses referred to in Annexes II, III, IX and XII,
 - 1 container is for the other analyses, and
 - the remaining containers are for any counter-analyses;
- (b) where the immediate packaging has a capacity of 2 litres or more but less than 6 litres, the oil from 4 immediate packs, of which:
 - 1 immediate pack for the analyses referred to in Annexes II, III, IX and XII,
 - one third of another pack is for the other analyses, and
 - the remainder of the oil is for any counter-analyses;
- (c) where the immediate packaging has a capacity of 0,75 litres or more but less than 2 litres, the oil from 6 immediate packs, of which:
 - 1 immediate pack is for the analyses referred to in Annexes II, III, IX and XII,
 - another pack is for the other analyses, and
 - the remainder of the oil is for any counter-analyses;
- (d) where the immediate packaging has a capacity of less than 0,75 litres, oil from a minimum number of packs with a total capacity of more than 4,5 litres, broken down as follows:
 - the oil from the minimum number of packs whose total capacity exceeds 0,75 litres is for the analyses referred to in Annexes II, III, IX and XII,
 - the same quantity again is reserved for the other analyses, and
 - the remainder of the oil is for any counter-analyses.

2. Number of primary samples to be taken

The minimum number of primary samples to be taken will be determined by the size of the batch in accordance with the following table:

Size of batch (litres) less than	Minimum number of primary samples
7 500	2
25 000	3
75 000	4
125 000	5

The immediate packs selected to form a primary sample must be adjacent to each other in the batch.

In cases of doubt, Member States shall increase the number of primary samples to be taken.

3. Analyses and results

Where possible the oil must be kept in the original containers up to the time of analysis.

- (a) Each of the primary samples taken is to be subdivided into laboratory samples, in accordance with point 2.5 of standard EN ISO 5555, and analysed as follows:
- determination of free fatty acids, as referred to in the first indent of Article 2(1),
 - determination of the peroxide value, as referred to in the second indent of Article 2(1),
 - spectrophotometric analysis, as referred to in the eighth indent of Article 2(1),
 - determination of the fatty acid composition, as referred to in the ninth indent of Article 2(1).

- (b) Where one of the results of the analyses referred to in (a) for at least one of the primary samples taken from the same batch does not comply with the characteristics of the category of oil declared, the whole of the batch concerned must be declared not to comply.

Where all the results of the analyses referred to in (a) for each of the primary samples taken from the same batch are uniform, given the repeatability characteristics of the methods concerned, and comply with the characteristics of the category of oil declared, one of the primary samples from that batch is to be subject to further analysis.

- (c) Where one of the results of the analyses referred to in the second paragraph of point (b) does not comply with the characteristics of the category of oil declared, the whole of the batch concerned is to be declared not to comply.

Where all the results of the analyses referred to in the second paragraph of point (b) comply with the characteristics of the category of oil declared, the whole batch is to be declared to comply.'

COMMISSION REGULATION (EC) No 456/2001

of 6 March 2001

establishing measures for the recovery of the stock of cod to the west of Scotland (ICES Division VIa) and associated conditions for the control of activities of fishing vessels

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, as last amended by Regulation (EC) No 1181/98 ⁽²⁾ and in particular Article 15(1) thereof,

Whereas:

- (1) In November 2000, the International Council for the Exploration of the Sea indicated that the stock of cod to the west of Scotland (ICES Division VIa) is at serious risk of collapse.
- (2) At the Council meeting of 14 and 15 December 2000, the Commission and the Council noted the urgent requirement to establish a recovery plan for cod to the west of Scotland.
- (3) The immediate requirement is to allow as many cod as possible to spawn before the end of April 2001 when the spawning season finishes.
- (4) Therefore, the establishment of areas to the west of Scotland closed to fishing in this time period is urgently required.
- (5) However, fishing with gears appropriate for the capture of pelagic fish, molluscs and crustaceans to the west of Scotland creates no peril for the cod stock. Fisheries for these species within the closed areas should, therefore, be permitted.
- (6) To confirm that fishing for pelagic fish and crustaceans creates no peril for cod, observers should be placed on board vessels which fish for these species within the closed areas.
- (7) To further ensure compliance with the required conditions for fishing by fishing vessels operating within or passing through the closed areas, additional measures to control the activities of such fishing vessels are required,

HAS ADOPTED THIS REGULATION:

Article 1

1. Until 30 April 2001 it shall be prohibited to conduct any fishing activity within the following three areas:

- (a) the area enclosed by sequentially joining with straight lines the following geographical coordinates:

59° 05' N, 06° 45' W,

59° 30' N, 06° 00' W,

59° 40' N, 05° 00' W,

60° 00' N, 04° 00' W,

59° 30' N, 04° 00' W,

59° 05' N, 06° 45' W, and

- (b) that part of ICES statistical rectangle 39E4 which lies to the east of the peninsula of Kintyre and to the north of a straight line between 55° 18' 18" N, 05° 38' 50" W and 55° 00' 30" N, 05° 09' 24" W; and

- (c) that part of ICES statistical rectangle 39E4 which lies to the north of a straight line between 55° 17' 57" N, 05° 47' 54" W and 55° 00' 00" N, 05° 21' 00" W and to the south of a straight line between 55° 18' 18" N, 05° 38' 50" W and 55° 00' 30" N, 05° 09' 24" W.

For indicative purposes, a map of the abovementioned areas is provided in the Annex.

2. (a) Paragraph 1 shall not apply to vessels which fish with:

- (i) purse seines or similar encircling gears; or

- (ii) trawls provided that:

- the mesh size of such trawls lies in the range 32 mm to 69 mm for fishing for pelagic fish, and

- all such trawls retained on board are of the permitted mesh size range.

- (b) The prohibition laid down in paragraph 1(b) shall not apply to vessels which fish with:

- (i) dredges for fishing for scallops; or

- (ii) pots or creels; or

- (iii) trawls provided that:

- the mesh size of such trawls lies in the range 70 to 79 mm or 80 to 99 mm for fishing for Norway lobsters, and

- all such trawls retained on board are of only one of the permitted mesh size ranges, and

⁽¹⁾ OJ L 389, 31.12.1992, p. 1.

⁽²⁾ OJ L 164, 9.6.1998, p. 1.

- the catches retained on board are landed only if their percentage composition complies with the conditions laid down with respect to towed gears of mesh size range 70 mm to 79 mm in Annex I of Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms ⁽¹⁾.

(c) The prohibition laid down in paragraph 1(c) shall not apply to vessels which fish with:

- (i) dredges for fishing for scallops; or
- (ii) pots or creels.

3. Whenever a vessel is operating under the conditions laid down in paragraph 2, it is prohibited to carry on board any other type of fishing gear whenever:

- purse seines or similar encircling gears, or
- trawls, or
- pots or creels, or
- dredges,

are carried.

4. Vessels operating in the area defined in paragraph 1(a) under the conditions laid down in paragraph 2(a) shall be equipped with a functioning vessel monitoring system in conformity with conditions laid down in Article 3 of Council Regulation (EEC) No 2847/93 ⁽²⁾ establishing a control system applicable to the common fisheries policy.

Article 2

Until 30 April 2001 it is prohibited for any vessel to immerse, wholly or partially, or to otherwise deploy:

- in the geographical area defined in Article 1(1)(a), fishing gears which are not in conformity with the conditions laid down in Article 1(2)(a), or
- in the geographical area defined in Article 1(1)(b), fishing gears which are not in conformity with the conditions laid down in Article 1(2)(b), or
- in the geographical area defined in Article 1(1)(c), fishing gears which are not in conformity with the conditions laid down in Article 1(2)(c).

Article 3

1. The authorities of Member States shall ensure that observers shall be on board Community fishing vessels flying their flag:

- for the duration of at least 20 voyages undertaken in the area defined in Article 1(1)(a) and carried out under the conditions laid down in Article 1(2)(a)(ii),

- for the duration of at least 20 voyages undertaken in the area defined in Article 1(1)(b) under the conditions laid down in Article 1(2)(b)(iii).

To this end, each Member State shall establish a sampling plan and transmit it to the Commission for approval.

2. The observers shall record for each operation of the fishing gear, the mesh size of the trawl and the geographical location of the operation and shall implement an appropriately designed sampling procedure to estimate:

- (a) the total quantity by weight of pelagic fish, of Norway lobsters and of all other marine organisms except cod caught by each operation of the fishing gear;
- (b) the total quantity by weight of cod caught by each operation of the fishing gear;
- (c) the length to the nearest centimetre below the absolute length of the cod caught by each operation of the fishing gear;
- (d) the total quantity of pelagic fish, of Norway lobsters and of all other marine organisms except cod landed;
- (e) the total quantity of cod landed;
- (f) the length to the nearest centimetre below the absolute length of the cod landed.

3. The master of a Community vessel designated to receive an observer on board shall make every reasonable effort to facilitate the arrival of the observer and shall provide the observer with appropriate facilities for accommodation and work.

Article 4

1. The authorities of Member States shall ensure that, on at least 50 occasions, the landings of vessels which have operated with no observer on board:

- in the area defined in Article 1(1)(a) under the conditions laid down in Article 1(2)(a)(ii), and
- in the area defined in Article 1(1)(b) under the conditions laid down in Article 1(2)(b)(iii),

shall be sampled immediately after landing.

To this end, each Member State shall establish a sampling plan and submit it to the Commission for approval.

2. The sampling shall be designed to provide estimates of:

- (a) the total quantity of pelagic fish, of Norway lobsters and of all other marine organisms except cod landed;
- (b) the total quantity of cod landed;
- (c) the length to the nearest centimetre below the absolute length of the cod landed.

⁽¹⁾ OJ L 125, 26.4.1998, p. 1.

⁽²⁾ OJ L 261, 20.10.1993, p. 1.

Article 5

Member States shall send to the Commission by 1 June at the latest, a comprehensive report of the activities and findings of the observers assigned to Community vessels flying their flag and of their sampling of landings.

Article 6

1. Each Member State shall transmit to the Commission, at the latest 10 working days after the date of entry into force of this Regulation, a list of Community fishing vessels flying their flag authorised to engage in fishing activities within the areas and time period referred to in Article 1(1). The list shall indicate, for each vessel, the internal fleet register number as attributed in conformity with Article 5 of Commission Regulation (EC) No 2090/98 ⁽¹⁾ concerning the fishing vessel register of the Community. The Commission shall send the lists to the authorities responsible for controlling the provisions of the present Regulation. Subsequent changes to the lists shall immediately be transmitted to the Commission which will immediately inform the responsible authorities.

2. Masters of fishing vessels engaging in fishing activities under the conditions laid out in Article 1(2)(a) and who have fished or who intend to fish in the area defined in Article

1(1)(a), shall transmit a report by fax, radio station, telex or telephone to:

- the flag State, and
- where appropriate, the coastal State responsible for monitoring activities in waters in which the fishing activity takes place.

The report shall include:

- the quantities in kilograms live-weight of each species of marine organisms retained on board immediately prior to each entry into the area,
- the quantities in kilograms live-weight of each species of marine organisms caught in the area and retained on board immediately prior to each departure from the area;
- name of the vessel,
- code (entry 'IN', exit 'OUT'),
- date, time, geographical location,
- name of the master.

Article 7

This Regulation shall enter into force on the 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, 6 March 2001.

For the Commission

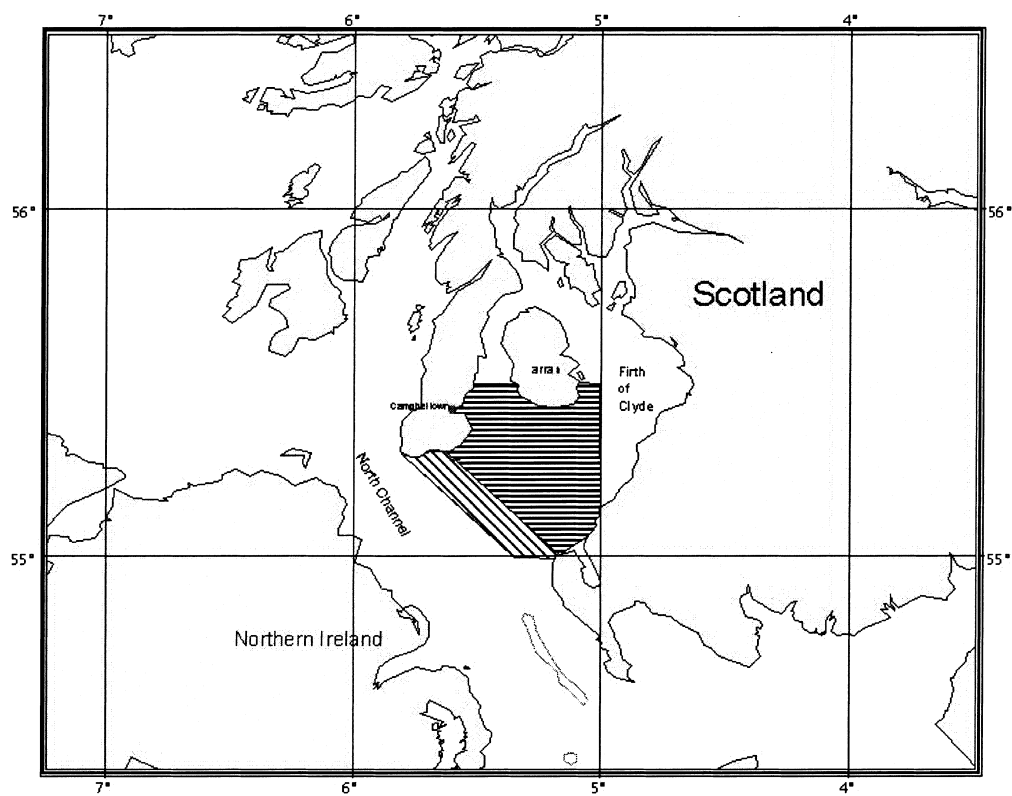
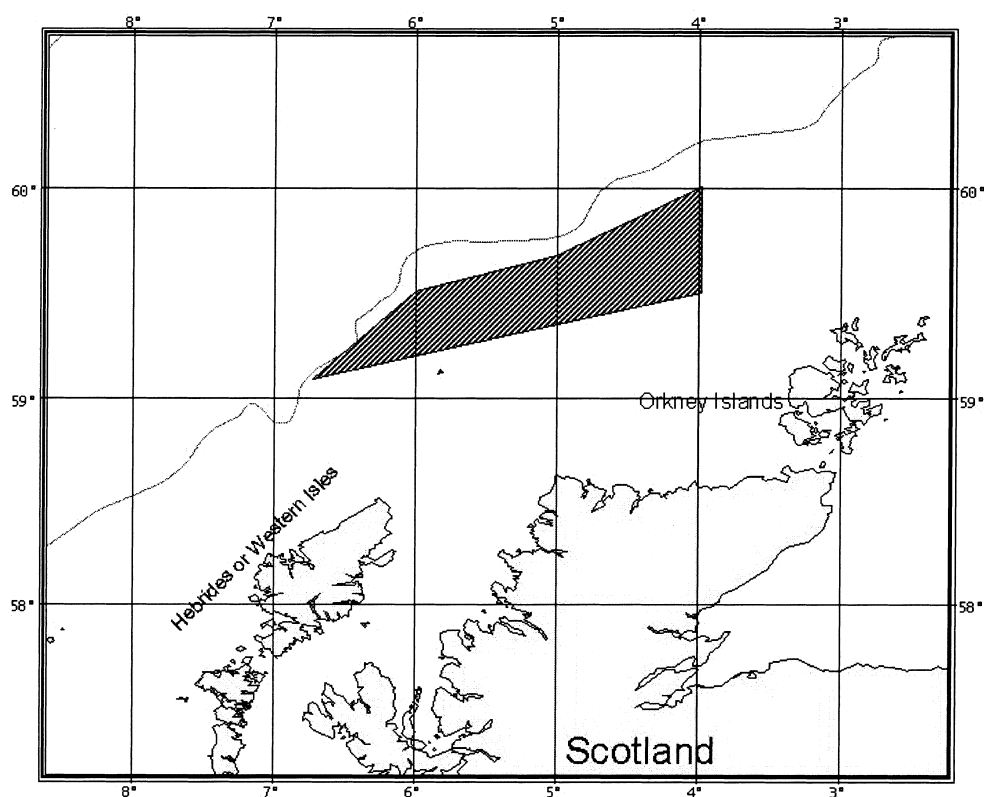
Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 266, 1.10.1998, p. 27.

ANNEX

Cod closure areas



**COMMISSION REGULATION (EC) No 457/2001
of 6 March 2001**

**amending representative prices and additional duties for the import of certain products in the
sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 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⁾,

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

Whereas:

- (1) The amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation

(EC) No 1411/2000 ⁽⁵⁾, as last amended by Regulation (EC) No 424/2001 ⁽⁶⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 7 March 2001.

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

Done at Brussels, 6 March 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 141, 24.6.1995, p. 16.

⁽⁴⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁵⁾ OJ L 161, 1.7.2000, p. 22.

⁽⁶⁾ OJ L 62, 2.3.2001, p. 16.

ANNEX

to the Commission Regulation of 6 March 2001 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	24,57	4,01
1701 11 90 ⁽¹⁾	24,57	9,25
1701 12 10 ⁽¹⁾	24,57	3,82
1701 12 90 ⁽¹⁾	24,57	8,82
1701 91 00 ⁽²⁾	24,40	13,33
1701 99 10 ⁽²⁾	24,40	8,51
1701 99 90 ⁽²⁾	24,40	8,51
1702 90 99 ⁽³⁾	0,24	0,40

⁽¹⁾ For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10.4.1968, p. 3).

⁽²⁾ For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21.4.1972, p. 1).

⁽³⁾ By 1 % sucrose content.

COUNCIL REGULATION (EC) No 458/2001**of 6 March 2001****amending Regulation (EC) No 1334/2000 with regard to the list of controlled dual-use items and technology when exported**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Under Council Regulation (EC) No 1334/2000 of 22 June 2000 setting up a Community regime for the control of exports of dual-use items and technology⁽¹⁾, dual-use items (including software and technology) should be subject to effective control when they are exported from the Community.
- (2) In order to enable the Member States and the Community to comply with their international commitments, Annex I of Regulation (EC) No 1334/2000 establishes the common list of dual-use items and technology referred to in Article 3 of that Regulation, that implements internationally agreed dual-use controls, including the Wassenaar Arrangement, the Missile Technology Control Regime (MTCR), the Nuclear Suppliers Group (NSG), the Australia Group and the Chemical Weapons Convention (CWC).
- (3) Article 11 of Regulation (EC) No 1334/2000 establishes that Annex I is to be updated in conformity with the relevant obligations and commitments, and any modification thereof, that each Member State has accepted as a member of the international non-proliferation regimes and export control arrangements, or by ratification of relevant international treaties.
- (4) The Participating States in the Wassenaar Arrangement decided on 1 December 2000 to modify control parameters in Categories 3, 4 and 5-Part 2, which are included in Annex I of Regulation (EC) No 1334/2000. These amendments represent significant liberalisation of control parameters, that should be implemented at

Community level within a reasonable time scale in order to facilitate exports for which export controls are no longer considered necessary at multilateral level.

- (5) Regulation (EC) No 1334/2000 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I of Regulation (EC) No 1334/2000 is hereby amended as follows:

1. Category 3 — Electronics, entry 3A001.a.3.a., '3 500' shall be replaced by '6 500'.
2. Category 4 — Computers, entry 4A003.b., '6 500' shall be replaced by '28 000'.
3. Category 4 — Computers, entry 4A003.d., '3 000 000' shall be replaced by '200 000 000'.
4. Category 4 — Computers, entry 4A003.g., '80 Mbyte/s' shall be replaced by '1.25 Gbyte/s'.
5. Category 5-Part 2 — Information Security, Note 3: Cryptography Note shall be amended as follows:
 - (a) paragraph d. shall be deleted.
 - (b) — paragraph e. shall be renumbered as paragraph d., — the terms 'described in paragraphs a. to d. above' shall be replaced by 'described in paragraphs a. to c. above'.

Article 2

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

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

Done at Brussels, 6 March 2001.

For the Council

The President

I. THALÉN

⁽¹⁾ OJ L 159, 30.6.2000, p. 1. Regulation as amended by Regulation (EC) No 2889/2000 (OJ L 336, 30.12.2000, p. 14).

CORRIGENDA

Corrigendum to Council Regulation (EC) No 416/2001 of 28 February 2001 amending Regulation (EC) No 2820/98 applying a multiannual scheme of generalised tariff preferences for the period 1 July 1999 to 31 December 2001 so as to extend duty-free access without any quantitative restrictions to products originating in the least developed countries

(Official Journal of the European Communities L 60 of 1 March 2001)

On the second page of the cover and on page 43 in the title and on page 45 in the closing formula:

for: '28 February 2001',

read: '26 February 2001'.
