

Official Journal

of the European Communities

ISSN 0378-6978

L 122

Volume 44

3 May 2001

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 858/2001 of 2 May 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
Commission Regulation (EC) No 859/2001 of 2 May 2001 fixing the export refunds on white sugar and raw sugar exported in its unaltered state	3
Commission Regulation (EC) No 860/2001 of 2 May 2001 fixing the representative prices and the additional import duties for molasses in the sugar sector	5
Commission Regulation (EC) No 861/2001 of 2 May 2001 fixing the maximum export refund for white sugar for the 37th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1531/2000	7
Commission Regulation (EC) No 862/2001 of 2 May 2001 fixing export refunds on fruit and vegetables	8
Commission Regulation (EC) No 863/2001 of 2 May 2001 amending Regulation (EC) No 242/2001 on the issuing of a standing invitation to tender for the resale on the internal market of common wheat held by the Belgian intervention agency	11
Commission Regulation (EC) No 864/2001 of 2 May 2001 opening an invitation to tender for the resale on the internal market of approximately 1 022 tonnes of rice held by the Italian intervention agency	12
★ Commission Regulation (EC) No 865/2001 of 2 May 2001 amending Regulation (EEC) No 2257/92 laying down detailed rules for implementing the specific arrangements for supplying Madeira with certain vegetable oils and establishing the provisional supply balance	14
Commission Regulation (EC) No 866/2001 of 2 May 2001 amending representative prices and additional duties for the import of certain products in the sugar sector	16

Commission Regulation (EC) No 867/2001 of 2 May 2001 fixing the export refunds on olive oil	18
Commission Regulation (EC) No 868/2001 of 2 May 2001 amending the import duties in the cereals sector	20
II Acts whose publication is not obligatory	
Commission	
2001/340/ECSC:	
★ Commission Decision of 13 February 2001 authorising the United Kingdom to grant aid to the coal industry, covering the period from 17 April 2000 to 31 December 2000 ⁽¹⁾ (notified under document number C(2001) 401)	23
2001/341/EC:	
★ Commission Decision of 19 April 2001 on financial aid from the Community for the operation of certain Community reference laboratories in the field of veterinary public health (biological hazards) (notified under document number C(2001) 1091) ...	26
2001/342/EC:	
★ Commission Decision of 19 April 2001 concerning a request for exemption submitted by the Netherlands pursuant to Article 8(2)(c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (notified under document number C(2001) 1092)	28
2001/343/EC:	
★ Commission Decision of 19 April 2001 concerning a request for exemption submitted by Italy pursuant to Article 8(2)(c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (notified under document number C(2001) 1093)	29
2001/344/EC:	
★ Commission Decision of 19 April 2001 concerning a request for exemption submitted by Luxembourg pursuant to Article 8(2)(c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (notified under document number C(2001) 1096)	30
2001/345/EC:	
★ Commission Decision of 2 May 2001 amending Decision 2001/304/EC on marking and use of certain animal products in relation to Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom ⁽¹⁾ (notified under document number C(2001) 1208)	31

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 858/2001
of 2 May 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 3 May 2001.

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

Done at Brussels, 2 May 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 2 May 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	109,0
	204	77,5
	212	110,1
	999	98,9
0707 00 05	052	76,1
	628	135,4
	999	105,8
0709 90 70	052	82,6
	999	82,6
0805 10 10, 0805 10 30, 0805 10 50	052	66,0
	204	48,9
	212	58,1
	220	51,9
	600	67,1
	624	60,8
	999	58,8
0808 10 20, 0808 10 50, 0808 10 90	388	89,0
	400	89,6
	404	89,4
	508	80,2
	512	93,6
	524	90,2
	528	81,0
	720	124,4
	804	106,5
	999	93,8

⁽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 859/2001**of 2 May 2001****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 18 of Regulation (EC) No 2038/1999 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 2038/1999 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 19 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account.
- (3) The refund on raw sugar must be fixed in respect of the standard quality; the latter is defined in Article 1 of Council Regulation (EC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽³⁾, as amended by Regulation (EC) No 3290/94 ⁽⁴⁾; furthermore, this refund should be fixed in accordance with Article 19(4) of Regulation (EC) No 2038/1999; candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995

laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽⁵⁾; the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination.
- (5) In special cases, the amount of the refund may be fixed by other legal instruments.
- (6) The refund must be fixed every two weeks; whereas it may be altered in the intervening period.
- (7) It follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 3 May 2001.

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

Done at Brussels, 2 May 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 89, 10.4.1968, p. 3.

⁽⁴⁾ OJ L 349, 31.12.1994, p. 105.

⁽⁵⁾ OJ L 214, 8.9.1995, p. 16.

ANNEX

to the Commission Regulation of 2 May 2001 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	37,92 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	34,46 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	37,92 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	34,46 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4122
1701 99 10 9100	A00	EUR/100 kg	41,22
1701 99 10 9910	A00	EUR/100 kg	39,85
1701 99 10 9950	A00	EUR/100 kg	39,85
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4122

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

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

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

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

COMMISSION REGULATION (EC) No 860/2001**of 2 May 2001****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 3 May 2001.

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 2 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 2 May 2001 fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	9,58	—	0
1703 90 00 ⁽¹⁾	11,94	—	0

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

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

COMMISSION REGULATION (EC) No 861/2001**of 2 May 2001****fixing the maximum export refund for white sugar for the 37th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1531/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

- (3) Following an examination of the tenders submitted in response to the 37th partial invitation to tender, the provisions set out in Article 1 should be adopted.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the 37th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1531/2000 the maximum amount of the export refund is fixed at 42,893 EUR/100 kg.

Article 2

This Regulation shall enter into force on 3 May 2001.

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

Done at Brussels, 2 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 175, 14.7.2000, p. 69.

COMMISSION REGULATION (EC) No 862/2001
of 2 May 2001
fixing export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 718/2001 ⁽²⁾, and in particular Article 35(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2190/96 ⁽³⁾, as last amended by Regulation (EC) No 298/2000 ⁽⁴⁾, lays down detailed rules on export refunds on fruit and vegetables.
- (2) Article 35(1) of Regulation (EC) No 2200/96, provides that, to the extent necessary for economically significant quantities of the products listed in that Article to be exported, the difference between the international market prices for those products and their prices in the Community may be covered by export refunds.
- (3) Article 35(4) of Regulation (EC) No 2200/96 provides that refunds must be fixed in the light of the existing situation or the outlook for fruit and vegetable prices on the Community market and supplies available on the one hand, and prices on the international market on the other hand. Account must also be taken of the costs referred to in Article 35(4)(b) of that Regulation and of the economic aspect of the exports planned.
- (4) Pursuant to Article 35(1) of Regulation (EC) No 2200/96, refunds are to be set with due regard to the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (5) In accordance with Article 35(5) of Regulation (EC) No 2200/96, prices on the Community market are to be established in the light of the most favourable prices from the export standpoint. International trade prices are to be established in the light of the prices referred to in the second subparagraph of that paragraph.
- (6) The international trade situation or the special requirements of certain markets may call for the refund on a given product to vary according to its destination.
- (7) Tomatoes, lemons and apples of classes Extra, I and II of the common quality standards, shelled almonds and shelled hazelnuts can currently be exported in economically significant quantities.
- (8) The application of the abovementioned rules to the present and forecast market situation, and in particular to fruit and vegetable prices in the Community and international trade, gives the refund rates set out in the Annex hereto.
- (9) Pursuant to Article 35(2) of Regulation (EC) No 2200/96, the resources available should be used as efficiently as possible while avoiding discrimination between traders. Therefore, care should be taken not to disturb the trade flows previously induced by the refund arrangements. For those reasons and because of the seasonal nature of exports of fruit and vegetables, quotas should be fixed for each product.
- (10) Commission Regulation (EEC) No 3846/87 ⁽⁵⁾, as last amended by Regulation (EC) No 2849/2000 ⁽⁶⁾, establishes an agricultural product nomenclature for export refunds.
- (11) Commission Regulation (EEC) No 1291/2000 ⁽⁷⁾, lays down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products.
- (12) Owing to the market situation, in order to make the most efficient use of the resources available and given the structure of Community exports, the most appropriate method should be selected for export refunds on certain products and certain destinations and consequently refunds under the A 1 and A 2 licence arrangements referred to in Article 1 of Regulation (EC) No 2190/96 should not be fixed simultaneously for the export period in question.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 100, 11.4.2001, p. 12.

⁽³⁾ OJ L 292, 15.11.1996, p. 12.

⁽⁴⁾ OJ L 34, 9.2.2000, p. 16.

⁽⁵⁾ OJ L 366, 24.12.1987, p. 1.

⁽⁶⁾ OJ L 335, 30.12.2000, p. 1.

⁽⁷⁾ OJ L 152, 24.6.2000, p. 1.

- (13) The quantities laid down for the various products should be distributed in accordance with the different systems for the grant of the refund, taking account in particular of their perishability.
- (14) The measures provided for in this Regulation are in accordance with the Management Committee for Fresh Fruit and Vegetables,
2. Quantities covered by licences issued for food aid as referred to in Article 16 of Regulation (EC) No 1291/2000 shall not count against the eligible quantities covered by the Annex.
3. Without prejudice to the application of Article 4(5) of Regulation (EC) No 2190/96, the term of validity of A 1 and A 2 licences shall be two months.

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds on fruit and vegetables shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 May 2001.

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

Done at Brussels, 2 May 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to Commission Regulation of 2 May 2001 fixing the export refunds on fruit and vegetables

Product code	Destination	System Application periods					
		A 1 7.5 to 23.6.2001		A 2 18 to 19.6.2001		B 14.5 to 13.6.2001	
		Refund amount (EUR/t net weight)	Scheduled quantity (t)	Indicative refund amount (EUR/t net weight)	Scheduled quantity (t)	Indicative refund amount (EUR/t net weight)	Scheduled quantity (t)
0702 00 00 9100	F08	18		18	6 846	18	13 807
0802 12 90 9000	A00	45	329			45	370
0802 22 00 9000	A00	103	519			103	1 909
0805 30 10 9100	A00	35		35	8 031	35	5 819
0808 10 20 9100 0808 10 50 9100 0808 10 90 9100	F09	25		25	3 920	25	1 890

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:

F08 All destinations except Slovakia, Latvia, Lithuania and Bulgaria.

F09 Norway, Iceland, Greenland, Faeroe Islands, Poland, Hungary, Romania, Albania, Bosnia and Herzegovina, Croatia, Slovenia, Former Yugoslav Republic of Macedonia, Federal Republic of Yugoslavia (Serbia and Montenegro), Malta, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, destinations referred to in Article 36 of Commission Regulation (EC) No 800/1999, African countries and territories except South Africa, countries of the Arabian Peninsula (Saudi Arabia, Bahrain, Qatar, Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qalwain, Ras al Khaimah, Fujairah), Kuwait, Yemen), Syria, Iran, Jordan, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador and Colombia.

COMMISSION REGULATION (EC) No 863/2001**of 2 May 2001****amending Regulation (EC) No 242/2001 on the issuing of a standing invitation to tender for the resale on the internal market of common wheat held by the Belgian intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 1630/2000 ⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by the intervention agencies.
- (2) Commission Regulation (EC) No 242/2001 ⁽⁵⁾ opened a standing invitation to tender for the resale on the internal market of 113 000 tonnes of common wheat held by the Belgian intervention agency.

- (3) The last partial invitation to tender pursuant to Regulation (EC) No 242/2001 should be postponed.

- (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

Article 2(2) of Regulation (EC) No 242/2001 is replaced by the following:

‘2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 25 June 2001.’

Article 2

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

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

Done at Brussels, 2 May 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 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

⁽⁵⁾ OJ L 35, 6.2.2001, p. 9.

COMMISSION REGULATION (EC) No 864/2001**of 2 May 2001****opening an invitation to tender for the resale on the internal market of approximately 1 022 tonnes of rice held by the Italian intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1667/2000 ⁽²⁾, and in particular the final indent of Article 8(b) thereof,

Whereas:

- (1) Approximately 1 022 tonnes of paddy rice held by the Italian intervention agency should be placed on sale on the Community market. The sale should be carried out in accordance with Commission Regulation (EEC) No 75/91 of 11 January 1991 laying down the procedures and conditions for the disposal of paddy rice held by intervention agencies ⁽³⁾.
- (2) As a result of the product's deterioration due to natural disasters, a minimum selling price should be determined for each lot put up for sale, taking account of its specific characteristics, in accordance with Article 2(3)(b) of Commission Regulation (EEC) No 3597/90 of 12 December 1990 on the accounting rules for intervention measures involving the buying in, storage and sale of agricultural products by intervention agencies ⁽⁴⁾, as last amended by Regulation (EC) No 1392/97 ⁽⁵⁾. However, in view of the deterioration in Lot No 4, no minimum price should be fixed for that lot and it should be awarded to the highest bidder.
- (3) 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 Italian intervention agency shall open, on the conditions laid down in Regulation (EEC) No 75/91, an invitation to tender for the resale on the internal market of approximately 1 022 tonnes of rice held by that agency.

Article 2

Notwithstanding Article 3(2) of Regulation (EEC) No 75/91, tenders must relate to an entire lot.

Article 3

1. The closing date for the initial submission of tenders shall be 16 May 2001; for the final submission of tenders it shall be 13 June 2001.
2. Tenders must be submitted to the Italian intervention agency:

Ente nazionale risi
Piazza Pio XI 1
I-20123 Milano

Tel. (02) 885 51 11
Fax (02) 86 13 72.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 9, 12.1.1991, p. 15.

⁽⁴⁾ OJ L 350, 14.12.1990, p. 43.

⁽⁵⁾ OJ L 190, 19.7.1997, p. 22.

3. The products are stored in the following warehouses:

Corso Dante, 24 — Balzola (AL)

Via Roma, 128 — Casalvolone (NO).

Article 4

The following minimum selling prices shall be respected:

— Lot No 1: Store Casalvolone: No 9	Price EUR 186/t	237,77 tonnes
— Lot No 2: Store Casalvolone: No 14 Store Balzola: Nos 44, 86	Price EUR 212/t	329,48 tonnes
— Lot No 3: Store Casalvolone: No 7	Price EUR 243/t	99,48 tonnes
— Lot No 4: Store Balzola: Nos 64, 74, 52.	to the highest bidder	355,28 tonnes

Article 5

By Tuesday of the week following the closing date for the submission of tenders, the Italian intervention agency shall notify the Commission of the quantities and prices of the lots sold.

Article 6

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, 2 May 2001.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 865/2001**of 2 May 2001****amending Regulation (EEC) No 2257/92 laying down detailed rules for implementing the specific arrangements for supplying Madeira with certain vegetable oils and establishing the provisional supply balance**

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 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Pursuant to Article 2 of Regulation (EEC) No 1600/92, Commission Regulation (EEC) No 2257/92 ⁽³⁾, as last amended by Regulation (EC) No 1343/2000 ⁽⁴⁾, establishes the forecast supply balance for certain vegetable oils for Madeira for the 2000/01 marketing year.
- (2) For the 2000/01 marketing year the forecast balance for the supply to Madeira of vegetable oils (other than olive oil) is assessed at 1 500 tonnes. The information supplied by the Portuguese authorities indicates that this quantity will be insufficient to cover the requirements of

Madeira's processing industry. It should therefore be increased to 1 900 tonnes. The Annex to Regulation (EEC) No 2257/92 should therefore be amended.

- (3) 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

The Annex to Regulation (EEC) No 2257/92 is replaced by the Annex hereto.

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 1 July 2000.

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

Done at Brussels, 2 May 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 219, 4.8.1992, p. 44.

⁽⁴⁾ OJ L 154, 27.6.2000, p. 16.

ANNEX

Forecast supply balance for Madeira for certain vegetable oils for the period 1 July 2000 to 30 June 2001

(tonnes)		
CN code	Description	Quantity
1507 to 1516 (excluding 1509 and 1510)	Vegetable oil (excluding olive oil)	1 900

COMMISSION REGULATION (EC) No 866/2001**of 2 May 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 855/2001 ⁽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 3 May 2001.

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

Done at Brussels, 2 May 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 121, 1.5.2001, p. 28.

ANNEX

to the Commission Regulation of 2 May 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⁾	27,40	3,07
1701 11 90 ⁽¹⁾	27,40	7,83
1701 12 10 ⁽¹⁾	27,40	2,93
1701 12 90 ⁽¹⁾	27,40	7,40
1701 91 00 ⁽²⁾	28,66	10,90
1701 99 10 ⁽²⁾	28,66	6,38
1701 99 90 ⁽²⁾	28,66	6,38
1702 90 99 ⁽³⁾	0,29	0,36

⁽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.

COMMISSION REGULATION (EC) No 867/2001
of 2 May 2001
fixing the export refunds on olive oil

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 3(3) thereof,

Whereas:

- (1) Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries.
- (2) The detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72 ⁽³⁾, as last amended by Regulation (EEC) No 2962/77 ⁽⁴⁾.
- (3) Article 3(3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community.
- (4) In accordance with Article 3(4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market. However, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period. The amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take

account of export costs for the products on the world market.

- (5) In accordance with Article 3(3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender. The tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations.
- (6) The second indent of Article 3(3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The refund must be fixed at least once every month. It may, if necessary, be altered in the intervening period.
- (8) It follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto.
- (9) The Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(2)(c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 May 2001.

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

Done at Brussels, 2 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ 172, 30.9.1966, p. 3025/66.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 78, 31.3.1972, p. 1.

⁽⁴⁾ OJ L 348, 30.12.1977, p. 53.

ANNEX

to the Commission Regulation of 2 May 2001 fixing the export refunds on olive oil

Product code	Destination	Unit of measurement	Amount of refund
1509 10 90 9100	A00	EUR/100 kg	0,00
1509 10 90 9900	A00	EUR/100 kg	0,00
1509 90 00 9100	A00	EUR/100 kg	0,00
1509 90 00 9900	A00	EUR/100 kg	0,00
1510 00 90 9100	A00	EUR/100 kg	0,00
1510 00 90 9900	A00	EUR/100 kg	0,00

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).

COMMISSION REGULATION (EC) No 868/2001
of 2 May 2001
amending the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 2235/2000 ⁽⁴⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 845/2001 ⁽⁵⁾.

- (2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 845/2001,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 845/2001 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 3 May 2001.

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

Done at Brussels, 2 May 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 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 256, 10.10.2000, p. 13.

⁽⁵⁾ OJ L 121, 1.5.2001, p. 8.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00	0,00
	medium quality ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	3,53	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	3,53	0,00
	medium quality	16,76	6,76
	low quality	56,06	46,06
1002 00 00	Rye	56,54	46,54
1003 00 10	Barley, seed	56,54	46,54
1003 00 90	Barley, other ⁽³⁾	56,54	46,54
1005 10 90	Maize seed other than hybrid	73,86	63,86
1005 90 00	Maize other than seed ⁽³⁾	73,86	63,86
1007 00 90	Grain sorghum other than hybrids for sowing	56,54	46,54

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements for durum wheat of medium quality, referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic Coasts of the Iberian Peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 24 or 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 30 April to 1 May 2001)

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	134,84	136,71	109,98	89,15	196,04 (**)	186,04 (**)	104,50 (**)
Gulf premium (EUR/t)	—	18,27	6,13	9,16	—	—	—
Great Lakes premium (EUR/t)	23,44	—	—	—	—	—	—

(*) A discount of 10 EUR/t (Article 4(1) of Regulation (EC) No 1249/96).

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: 20,00 EUR/t; Great Lakes — Rotterdam: 30,70 EUR/t.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 February 2001

authorising the United Kingdom to grant aid to the coal industry, covering the period from 17 April 2000 to 31 December 2000

(notified under document number C(2001) 401)

(Only the English text is authentic)

(Text with EEA relevance)

(2001/340/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Decision No 3632/93/ECSC of 28 December 1993 establishing Community rules for State aid to the coal industry ⁽¹⁾, and in particular Article 9 thereof,

Whereas:

and the specific criteria set out in Article 3 of Decision No 3632/93/ECSC and must be compatible with the proper functioning of the common market. In addition, in its assessment the Commission must check, in accordance with Article 9(6) of Decision No 3632/93/ECSC, whether the measures are in conformity with the restructuring plan of the the United Kingdom coal industry which was approved by Commission Decision C(2000)3709 final of 15 November 2000, approving the modernisation, rationalisation and restructuring plan for the United Kingdom coal industry, covering the period from 17 April 2000 to 23 July 2002 (hereinafter referred to as 'the restructuring plan') ⁽²⁾.

I

- (1) By letters of 24 November and 14 December 2000, the United Kingdom notified to the Commission, in accordance with Article 9(1) of Decision No 3632/93/ECSC, financial aid which it proposed to grant the coal industry for the year 2000, and more precisely for the period from 17 April 2000 to 31 December 2000. Following a request from the Commission of 15 January 2001, the United Kingdom notified additional information on 16 January 2001.
- (2) In the light of the information submitted by the United Kingdom, the financial measure it envisages is aid amounting to GBP 59,078 million to cover operating losses for the period from 17 April 2000 to 31 December 2000 at six production units.
- (3) That financial measure is covered by Article 1 of Decision No 3632/93/ECSC, and the Commission must therefore take a decision on it pursuant to Article 9(4) of that Decision. The Commission's approval is subject to the general objectives and criteria laid down in Article 2

II

- (4) The sum of GBP 59,078 million which the United Kingdom is proposing to grant to the coal industry in accordance with Article 3 of Decision No 3632/93/ECSC is intended to cover the difference between the production cost and the selling price of coal freely agreed between the contracting parties in the light of the prevailing conditions on the world market for coal of similar quality from non-member countries.
- (5) The proposed aid is intended for the following units:
 - GBP 13,560 million for the Maltby production unit of RJB Mining Plc,
 - GBP 3,207 million for the Rossington production unit of RJB Mining Plc,

⁽¹⁾ OJ L 329, 30.12.1993, p. 12.

⁽²⁾ OJ L 43, 14.2.2001, p. 27.

- GBP 14,722 million for the Harworth production unit of RJB Mining Plc,
 - GBP 23,187 million for the Selby production unit of RJB Mining Plc,
 - GBP 3,932 million for the Hatfield production unit of Hatfield Coal Company Ltd,
 - GBP 0,470 million for the Blenkinsopp production unit of Blenkinsopp Collieries Ltd.
- (6) The proposed aid is intended to allow those production units to improve their economic viability by reducing their production costs. In accordance with the restructuring plan adopted by the United Kingdom, the effort made towards reducing production costs should be evaluated over a reference period of three consecutive years. This method should ensure that the development of production costs is not evaluated by reference to a period of activity that is not representative of the operating conditions of the production units concerned. In order to prevent any discrimination among coal producers, the units must fix the reference period themselves, between 1 January 1994 and 31 December 2000.
- (7) According to the restructuring plan, the production units have prospects for improving their economic viability if it can be considered that their production costs will not exceed a threshold of GBP 1,15/GJ ⁽¹⁾ in 2002. This cost level should enable the companies concerned to continue operating without the need for any financial support beyond 2002.
- (8) It appears from the data communicated by the United Kingdom authorities that the development of production costs between the reference period determined in accordance with recital 6 and the year 2002 is as follows, at constant 1999 prices: Maltby [...] ^(*); Rossington [...]; Harworth [...]; Selby [...]; Hatfield [...]; Blenkinsopp [...].
- (9) Moreover, the production costs, at constant 1999 prices, should in 2002 be at a level equal to or below the threshold of GBP 1,15 per GJ referred to in recital 7. Only the production costs at [...] unit will be slightly above this threshold, with GBP 1,16 per GJ in 2002. However, the [...] unit will reach the cost level of GBP 1,15 per GJ from 2003.
- (10) Moreover, according to estimates made for the period up to 2004, the production units should continue to improve their economic viability through new reductions in production costs. In this regard, the Commission notes that the costs of several production units should by 2004 reach a level very close to [...] per GJ.
- (11) At the request of the United Kingdom authorities, a technical report was drawn up by an independent expert to assess whether the modernisation, rationalisation and restructuring measures envisaged for the various production units would enable them to improve their economic viability and, specifically, to achieve the objectives set out in recital 7. In drawing up this report, the expert took into account the geological and technical conditions in which the units operate and the quality of the coal which they produce. The report concluded that the various measures envisaged are consistent and realistic with a view to achieving the estimated production costs worked out for each of the production units referred to in recital 5.
- (12) For these reasons, the United Kingdom considers that the modernisation, rationalisation and restructuring measures of the various production units will lead to an improvement of their economic viability. The units should be able to reach the threshold of GBP 1,15 per GJ production cost, enabling them to continue their activities beyond 2002 without any further public subsidy.
- III
- (13) In accordance with Article 3(2) of Decision No 3632/93/ECSC, the aid which the United Kingdom proposes to grant is intended to improve the economic viability of the production units concerned by reducing their production costs.
- (14) The Commission considers the reductions in production costs as indicated in recital 8 to be significant. In order to assess the extent of these reductions, the Commission has taken account of the difference between average production cost calculated for the reference period (see recital 6) and the target cost for 2002, determined at GBP 1,15 per GJ. While the reduction in costs calculated for [...] is below the average of the other production units, the absolute cost level of [...] in 1998 was only slightly higher (less than [...] per tce) than the selling price of coal extracted in this unit.
- (15) The sums of aid should help to improve the viability of the production units to enable them to continue their activities beyond 2002 without further public subsidy. In accordance with the restructuring plan approved by the Commission in its Decision C(2000) 3709 final, the production costs of the [...] units should in 2002 not exceed the threshold of GBP 1,15 per GJ referred to in recital 7. The extent to which this threshold is exceeded by the [...] unit, whose production costs in 2000 are GBP 1,16 per GJ, is negligible and cannot have any real effects in terms of competitiveness. In fact, the production cost will be reduced to GBP 1,15 per GJ from 2003.
- (16) In accordance with Article 3(1)(i) of Decision No 3632/93/ECSC, the aid per tonne as notified does not exceed, for each production unit, the difference between production costs and foreseeable revenues, as calculated on the basis of the financial information for the period covered by the aid, that is from 17 April 2000 to 31 December 2000.

⁽¹⁾ 1 tonne coal equivalent (tce) = 29,302 gigajoules (GJ).

^(*) Confidential information.

- (17) The modernisation, rationalisation and restructuring measures implemented by each production unit, and in particular the temporary nature of the financial support necessary to achieve these measures, will allow the aid to be degressive, in accordance with Article 2(1)(i) of Decision No 3632/93/ECSC.
- (18) The Commission notes that for each production unit an auditor has stated that the financial data notified by the United Kingdom accurately depict the company's accounts. The auditor also stated that the forecasts had been drawn up using the accounting standards that were in use before the period covered by the aid.
- (19) In the light of the foregoing and on the basis of the information provided by the United Kingdom, the aid proposed for the period from 17 April 2000 to 31 December 2000 for the production units referred to in recital 5 is compatible with Decision No 3632/93/ECSC, and in particular with Articles 2 and 3 of that Decision.

IV

- (20) The United Kingdom must ensure that the proposed aid does not cause any distortion of competition and does not discriminate between coal producers, purchasers or consumers in the Community.
- (21) In accordance with Article 3(1)(iii) of Decision No 3632/93/ECSC and with the relevant provisions of Commission Decision C(2000) 3709 final, the United Kingdom is required to take all the necessary measures to ensure that the amount of the aid granted to each production unit will not cause delivered prices for Community coal to be lower than those for coal of a similar quality from non-member countries.
- (22) Moreover, in accordance with Article 2(2) of Decision No 3632/93/ECSC, the aid must be entered in the United Kingdom's national, regional or local public budgets and must comply with strictly equivalent mechanisms.
- (23) In accordance with Article 3(1)(ii) and Article 9(2) and (3) of Decision No 3632/93/ECSC, the Commission is to check that the aid authorised is used only for the purposes stipulated in Article 3 of that Decision. At the latest by 30 September 2001, the United Kingdom must notify the amounts of aid actually paid during the year 2000 and declare any corrections made to the amounts originally notified. Any information required to ascertain that the criteria laid down in Article 3 of Decision No 3632/93/ECSC have been complied with must be provided along with this annual breakdown.
- (24) The United Kingdom should justify any deviations from the restructuring plan and from the economic and financial forecasts notified to the Commission on 24 November and 14 December 2000. In particular, should it turn out that the conditions laid down in Article 3(2)

of Decision No 3632/93/ECSC cannot be satisfied, the United Kingdom is responsible for proposing the requisite corrective measures to the Commission.

- (25) The restructuring plan provides that the total amount of aid that could be granted by the United Kingdom to the coal industry in the period from 17 April 2000 to 23 July 2002 may not exceed GBP 110 million. By its Decision C(2000)4056 final of 13 December 2000 ⁽¹⁾, the Commission has already authorised the grant of aid to the Longannet production unit amounting to GBP 17,462 million, covering the period from 17 April 2000 to 31 December 2000. The Commission notes that the aid authorised by Decision C(2000)4056 final, aggregated with that covered by the present Decision, does not exceed the maximum sum of GBP 110 million laid down in the restructuring plan,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is authorised, subject to Article 3 of Decision No 3632/93/ECSC, to grant operating aid amounting to GBP 59,078 million for the Maltby, Rossington, Harworth, Selby, Hatfield and Blenkinsopp production units for the period from 17 April 2000 to 31 December 2000.

Article 2

The United Kingdom shall ensure that the authorised aid is used only for the purposes declared and that any expenditure relating to any of the items covered by this Decision that is cancelled, overestimated or misused, is reimbursed.

Article 3

By 30 September 2001 at the latest, the United Kingdom shall communicate to the Commission, in addition to the information referred to in Article 9 of Decision No 3632/93/ECSC, the amounts of aid actually paid during the 2000 financial year.

Article 4

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 13 February 2001.

For the Commission

Loyola DE PALACIO

Vice-President

⁽¹⁾ Not yet published in the Official Journal.

COMMISSION DECISION

of 19 April 2001

on financial aid from the Community for the operation of certain Community reference laboratories in the field of veterinary public health (biological hazards)*(notified under document number C(2001) 1091)***(Only the Spanish, German, English, French and Dutch texts are authentic)**

(2001/341/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 2001/12/EC ⁽²⁾, and in particular Article 28(2) thereof,

Whereas:

(1) Community financial aid should be granted to the Community reference laboratories designated by the Community to assist them in carrying out the functions and duties laid down by the following Directives and Decisions:

- Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat-treated milk and milk-based products ⁽³⁾, as last amended by Directive 96/23/EC ⁽⁴⁾,
- Council Directive 92/117/EEC of 17 December 1992 concerning measures for protection against certain zoonoses and specified zoonotic agents in animals and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications ⁽⁵⁾, as last amended by Directive 1999/72/EC ⁽⁶⁾,
- Council Decision 93/383/EEC of 14 June 1993 on reference laboratories for the monitoring of marine biotoxins ⁽⁷⁾, as last amended by Decision 1999/312/EC ⁽⁸⁾,
- Council Decision 1999/313/EC of 29 April 1999 on reference laboratories for monitoring bacteriological and viral contamination of bivalve molluscs ⁽⁹⁾.

(2) The work programmes and corresponding budget estimates submitted by the Community reference laboratories for 2001 have been assessed by the Commission.

(3) Community assistance must be conditional on those functions and duties being carried out by the laboratory concerned.

(4) For budgetary reasons, Community assistance is granted for a period of one year.

(5) Article 1(2) of Commission Decision 2000/692/EC of 25 October 2000 on financial aid from the Community for the operation of certain Community reference laboratories in the field of veterinary public health (biological hazards) ⁽¹⁰⁾, sets the financial assistance to France for the functions and duties to be carried out by the Laboratoire de l'Agence Française de Sécurité Sanitaire des Aliments, for the analysis and testing of milk and milk products at a maximum of EUR 95 000 for the period 1 January 2000 to 31 December 2000. Article 1(3) of the same Decision provides that, depending on the results of an appraisal then under way, that amount may be revised. The results of this appraisal were favourable and the amount of financial aid for the period 1 January 2000 to 31 December 2000 must be brought into line with the laboratory's expenditure during that period.

(6) As provided for in Article 3(2) of Regulation (EC) No 1258/1999, the veterinary and plant health measures undertaken in accordance with Community rules are financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund. For financial control purposes, Articles 8 and 9 of Regulation (EC) No 1258/1999 apply.

(7) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. The Community hereby grants additional financial assistance to France for the functions and duties which had to be carried out in the period 1 January 2000 to 31 December

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 3, 6.1.2001, p. 27.

⁽³⁾ OJ L 268, 14.9.1992, p. 1.

⁽⁴⁾ OJ L 125, 23.5.1996, p. 10.

⁽⁵⁾ OJ L 62, 15.3.1993, p. 38.

⁽⁶⁾ OJ L 210, 10.8.1999, p. 12.

⁽⁷⁾ OJ L 166, 8.7.1993, p. 31.

⁽⁸⁾ OJ L 120, 8.5.1999, p. 37.

⁽⁹⁾ OJ L 120, 8.5.1999, p. 40.

⁽¹⁰⁾ OJ L 286, 11.11.2000, p. 38.

2000 by the Laboratoire d'Etudes et de Recherches sur l'Hygiène et la Qualité des Aliments, of the Agence Française de Sécurité Sanitaire des Aliments (formerly the Laboratoire Central d'Hygiène Alimentaire), Maisons-Alfort, France, for the analysis and testing of milk and milk products referred to in Chapter II of Annex D to Directive 92/46/EEC.

2. The Community hereby grants financial assistance to France for the functions and duties to be carried out in the period 1 January 2001 to 31 December 2001 by the Laboratoire d'Etudes et de Recherches sur l'Hygiène et la Qualité des Aliments, for the analysis and testing of milk and milk products referred to in Chapter II of Annex D to Directive 92/46/EEC.

3. The financial assistance is hereby set at EUR 20 000 for the period 1 January 2000 to 31 December 2000 (additional financial assistance) and at a maximum of EUR 135 000 for the period 1 January 2001 to 31 December 2001.

Article 2

1. The Community hereby grants financial assistance to Germany for the functions and duties to be carried out by the Bundesinstitut für gesundheitlichen Verbraucherschutz und Veterinärmedizin (formerly the Institut für Veterinärmedizin), Berlin, Germany, for the epidemiology of zoonoses referred to in Chapter 2 of Annex IV to Directive 92/117/EEC.

2. The Community's financial assistance is hereby set at EUR 140 000 for the period 1 January 2001 to 31 December 2001.

Article 3

1. The Community hereby grants financial assistance to the Netherlands for the functions and duties to be carried out by the Rijksinstituut voor Volksgezondheid en Milieuhygiëne, Bilthoven, Netherlands, in respect of salmonella referred to in Chapter 2 of Annex IV to Directive 92/117/EEC.

2. The Community's financial assistance is hereby set at a maximum of EUR 135 000 for the period 1 January 2001 to 31 December 2001.

Article 4

1. The Community hereby grants financial assistance to Spain for the functions and duties to be carried out by the Laboratorio de biotoxinas marinas del Área de Sanidad, Vigo,

Spain, for the control of marine biotoxins referred to in Article 5 of Decision 93/383/EEC.

2. The Community's financial assistance is hereby set at EUR 140 000 for the period 1 January 2001 to 31 December 2001.

Article 5

1. The Community hereby grants financial assistance to the United Kingdom for the functions and duties to be carried out by the laboratory of the Centre for Environment, Fisheries and Aquaculture Science, Weymouth, United Kingdom, for the monitoring of bacteriological and viral contamination of bivalve molluscs referred to in Article 4 of Decision 1999/313/EC.

2. The Community's financial assistance is hereby set at a maximum of EUR 95 000 for the period 1 January 2001 to 31 December 2001.

Article 6

The Community's financial assistance shall be paid as follows:

- (a) an advance of 70 % of the amount of the assistance may be paid on application by the recipient Member States;
- (b) the balance shall be paid on presentation by the recipient Member State of supporting documents and a technical report, which must be supplied no later than three months after the end of the period for which financial assistance has been granted.

The financial assistance is granted on condition that the work programme submitted by the Community reference laboratory for the period concerned is actually carried out.

Article 7

This Decision is addressed to the Federal Republic of Germany, the Kingdom of Spain, the French Republic, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 19 April 2001.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION

of 19 April 2001

concerning a request for exemption submitted by the Netherlands pursuant to Article 8(2)(c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(notified under document number C(2001) 1092)

(Only the Dutch text is authentic)

(2001/342/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Directive 2000/40/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 8(2)(c) thereof,

Whereas:

- (1) The request for exemption submitted by the Netherlands on 8 January 2001, which reached the Commission on 10 January 2001, contained the information required by Article 8(2)(c) of Directive 70/156/EEC. The request concerns the installation of liquefied petroleum gas (LPG) equipment on three types of M1 class vehicles.
- (2) The reasons given in the request, according to which such equipment does not meet the requirements of the Directives concerned, in particular Council Directive 70/221/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to liquid fuel tanks and rear protective devices for motor vehicles and their trailers ⁽³⁾, as last amended by Directive 2000/8/EC of the European Parliament and of the Council of 20 March 2000 ⁽⁴⁾, are well-founded.
- (3) The tests performed to ascertain the safety of the installed LPG fuel system and tank according to UN-ECE Regulation 67.01 have demonstrated an acceptable level of safety and security.

- (4) In order to assure themselves of the safety of vehicles in service, Member States may periodically carry out leak-tightness tests at a pressure of at least the service pressure.
- (5) The Community Directives concerned will be amended in order to permit the production of vehicles powered by LPG.
- (6) The measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by the Netherlands for an exemption concerning the production and placing on the market of three types of M1 class vehicles powered by liquefied petroleum gas is approved.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 19 April 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 42, 23.2.1970, p. 1.

⁽²⁾ OJ L 203, 10.8.2000, p. 9.

⁽³⁾ OJ L 76, 6.4.1970, p. 23.

⁽⁴⁾ OJ L 106, 3.5.2000, p. 7.

COMMISSION DECISION

of 19 April 2001

concerning a request for exemption submitted by Italy pursuant to Article 8(2)(c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(notified under document number C(2001) 1093)

(Only the Italian text is authentic)

(2001/343/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Directive 2000/40/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 8(2)(c) thereof,

Whereas:

- (1) The request for exemption submitted by Italy on 18 December 2000, which reached the Commission on 21 December 2000, contained the information required by Article 8(2)(c) of Directive 70/156/EEC. The request concerns the on-board diagnostics (OBD) requirements for two class M1 types of compressed natural gas fuelled vehicle.
- (2) The reasons given in the request, according to which such vehicle types meet the requirements of Annex IV to Directive 70/156/EEC, apart from Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles ⁽³⁾, as last amended by Commission Directive 1999/102/EC ⁽⁴⁾, are well founded.
- (3) Article 2(3) of Directive 98/69/EC of the European Parliament and of the Council ⁽⁵⁾, specifies that the requirements of the latter Directive take effect on 1 January 2001 for new vehicles in category M accompanied by a certificate of conformity.
- (4) OBD however is at a less developed stage for vehicles equipped with positive-ignition engines which run permanently or part-time on compressed natural gas (CNG) and cannot therefore be required on new vehicles

in category M accompanied by a certificate of conformity before 2004.

- (5) The validity of the approvals granted pursuant to this Decision should not be extended beyond the date of entry into application of the requirements of Directive 2001/1/EC of the European Parliament and of the Council ⁽⁶⁾ with regard to new vehicles in category M accompanied by a certificate of conformity.
- (6) The measures provided for by this Decision are in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Italy for an exemption concerning the production and placing on the market of two class M1 types of vehicle powered by compressed natural gas, with regard to their OBD requirements, is hereby approved.

Article 2

The validity of the approvals granted in accordance with this Decision shall take effect on 1 January 2001 and shall expire on 31 December 2003.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 19 April 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 42, 23.2.1970, p. 1.

⁽²⁾ OJ L 203, 10.8.2000, p. 9.

⁽³⁾ OJ L 76, 6.4.1970, p. 23.

⁽⁴⁾ OJ L 334, 28.12.1999, p. 43.

⁽⁵⁾ OJ L 350, 28.12.1998, p. 1.

⁽⁶⁾ OJ L 35, 6.2.2001, p. 34.

COMMISSION DECISION

of 19 April 2001

concerning a request for exemption submitted by Luxembourg pursuant to Article 8(2)(c) of Council Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

(notified under document number C(2001) 1096)

(Only the French text is authentic)

(2001/344/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽¹⁾, as last amended by Directive 2000/40/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 8(2)(c) thereof,

Whereas:

- (1) The request for exemption submitted by Luxembourg on 21 July 2000, which reached the Commission on 27 July 2000, contained the information required by Article 8(2)(c) of Directive 70/156/EEC. The request concerns the installation of liquefied petroleum gas (LPG) equipment on three types of M1 class vehicles.
- (2) The reasons given in the request, according to which such equipment does not meet the requirements of the Directives concerned, in particular Council Directive 70/220/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from positive-ignition engines of motor vehicles ⁽³⁾, as last amended by Commission Directive 1999/102/EC ⁽⁴⁾, and Council Directive 70/221/EEC of 20 March 1970 on the approximation of the laws of the Member States relating to liquid fuel tanks and rear protective devices for motor vehicles and their trailers ⁽⁵⁾, as last amended by Directive 2000/8/EC of the European Parliament and of the Council ⁽⁶⁾, are well founded.
- (3) The tests performed in accordance with the abovementioned Directives were conducted using both petrol and liquefied petroleum gas, and the relevant limit values were respected with both types of fuel. The recorded

emissions of pollutants were lower with liquefied petroleum gas and equivalent environmental protection is thus ensured.

- (4) In order to assure themselves of the safety of vehicles in service, Member States may periodically carry out leak-tightness tests at a pressure of at least the service pressure.
- (5) The Community Directives concerned will be amended in order to permit the production of vehicles powered by liquefied petroleum gas.
- (6) The measure provided for by this Decision is in accordance with the opinion of the Committee on Adaptation to Technical Progress set up by Directive 70/156/EEC,

HAS ADOPTED THIS DECISION:

Article 1

The request submitted by Luxembourg for an exemption concerning the production and placing on the market of three types of M1 class vehicles powered by liquefied petroleum gas is hereby approved.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 19 April 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 42, 23.2.1970, p. 1.

⁽²⁾ OJ L 203, 10.8.2000, p. 9.

⁽³⁾ OJ L 76, 6.4.1970, p. 1.

⁽⁴⁾ OJ L 334, 28.12.1999, p. 43.

⁽⁵⁾ OJ L 76, 6.4.1970, p. 23.

⁽⁶⁾ OJ L 106, 3.5.2000, p. 7.

COMMISSION DECISION

of 2 May 2001

amending Decision 2001/304/EC on marking and use of certain animal products in relation to Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom

(notified under document number C(2001) 1208)

(Text with EEA relevance)

(2001/345/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular Article 10 thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 9 thereof,

Having regard to Council Directive 64/433/EEC of 26 June 1964 on health conditions for the production and marketing of fresh meat ⁽⁴⁾, as last amended by Directive 95/23/EC ⁽⁵⁾, and in particular Article 6(1)(f) thereof,

Having regard to Council Directive 77/99/EEC of 21 December 1976 on health problems affecting the production and marketing of meat products and certain other products of animal origin ⁽⁶⁾, as last amended by Council Directive 97/76/EC ⁽⁷⁾, and in particular Article 3(A)(7), second indent thereof,

Whereas:

- (1) Following the reports of outbreaks of foot-and-mouth disease in the United Kingdom, the Commission adopted Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom ⁽⁸⁾, as last amended by Decision 2001/318/EC ⁽⁹⁾.
- (2) Decision 2001/172/EC prohibits, with the exception of meat obtained from animals slaughtered before 1 February 2001, dispatch of fresh meat obtained from

animals of the bovine, ovine, caprine and porcine species and other biungulates originating in Great Britain and meat products produced from such meat, except after certain treatment.

- (3) The Commission therefore adopted Decision 2001/304/EC ⁽¹⁰⁾ on marking and use of certain animal products in relation to Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom.
- (4) The requirements for the production and placing on the market of minced meat and meat preparations are laid down in Council Directive 94/65/EC ⁽¹¹⁾.
- (5) For the sake of clarity some minor amendments are necessary.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 of Commission Decision 2001/304/EC is amended as follows:

1. In paragraph 1 the word 'meat' is inserted between the words 'and' and 'processed'.
2. A fifth and sixth paragraph is added as follows:
 - '5. By derogation from paragraph 1, fresh meat originating from outside the United Kingdom and handled in accordance with Article 2(2)(c) of Decision 2001/172/EC may be marked with the health mark provided for in Chapter XI of Annex I to Directive 64/433/EEC and in Chapter III of Annex I to Directive 91/495/EEC respectively and dispatched from Great Britain in accordance with the provisions in Article 2(3) of Decision 2001/172/EC.

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 395, 30.12.1989, p. 13.

⁽⁴⁾ OJ L 121, 29.7.1964, p. 2012/64. Directive updated by Directive 91/497/EEC (OJ L 268, 24.9.1991, p. 69)

⁽⁵⁾ OJ L 243, 11.10.1995, p. 7.

⁽⁶⁾ OJ L 26, 31.1.1977, p. 85. Directive updated by Directive 92/5/EEC (OJ L 57, 2.3.1992, p. 1).

⁽⁷⁾ OJ L 10, 16.1.1998, p. 25.

⁽⁸⁾ OJ L 62, 2.3.2001, p. 22.

⁽⁹⁾ OJ L 109, 19.4.2001, p. 75.

⁽¹⁰⁾ OJ L 104, 13.4.2001, p. 6.

⁽¹¹⁾ OJ L 368, 31.12.1994, p. 10.

6. Fresh meat referred to in paragraphs 1 to 5 shall include minced meat and meat preparations in accordance with Council Directive 94/65/EC laying down the requirements for the production and placing on the market of minced meat and meat preparations.'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 May 2001.

For the Commission

David BYRNE

Member of the Commission
