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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1266/2001
of 27 June 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 28 June 2001.

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

Done at Brussels, 27 June 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 27 June 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	73,7
	999	73,7
0707 00 05	052	71,6
	999	71,6
0709 90 70	052	81,2
	999	81,2
0805 30 10	388	63,4
	528	65,8
	999	64,6
0808 10 20, 0808 10 50, 0808 10 90	388	88,7
	400	93,8
	404	115,4
	508	90,8
	512	90,2
	524	69,8
	528	81,3
	720	111,6
	800	216,0
	804	100,7
	999	105,8
	999	198,9
0809 10 00	052	198,9
	999	198,9
0809 20 95	052	329,3
	064	209,5
	068	172,6
	400	292,1
	616	289,0
	999	258,5
0809 40 05	624	238,5
	999	238,5

⁽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 1267/2001**of 27 June 2001****fixing the maximum export refund for white sugar for the 45th 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 45th 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 45th 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 38,730 EUR/100 kg.

Article 2

This Regulation shall enter into force on 28 June 2001.

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

Done at Brussels, 27 June 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 1268/2001**of 27 June 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 28 June 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, 27 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 27 June 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⁾	10,22	—	0
1703 90 00 ⁽¹⁾	13,17	—	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 1269/2001
of 27 June 2001
repealing Regulation (EC) No 608/2001 prohibiting fishing for Northern prawn by vessels flying
the flag of Sweden

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 608/2001 ⁽³⁾ prohibits fishing for Northern prawn in Norwegian waters south of 62° 00'N by vessels flying the flag of Sweden or registered in Sweden.
- (2) On 8 June 2001 the Swedish authorities informed the Commission that they had re-evaluated the stock of Northern prawn in Norwegian waters south of

62° 00'N, and that it had not been exhausted. Fishing for Norwegian prawn in Norwegian waters south of 62° 00'N by vessels flying the flag of Sweden or registered in Sweden should therefore be authorised. Regulation (EC) No 608/2001 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 608/2001 is hereby repealed.

Article 2

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, 27 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 90, 30.3.2001, p. 3.

COMMISSION REGULATION (EC) No 1270/2001
of 27 June 2001
amending Regulation (EC) No 1324/96 establishing the supply balance for the Azores and Madeira
in rice sector products

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) Common detailed rules for the implementation of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira are laid down in Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾.
- (2) For the purposes of applying Article 2 of Regulation (EEC) No 1600/92, the forecast supply balance for the Azores and Madeira should be drawn up for rice sector products on the basis of the islands' requirements. The Annex to Commission Regulation (EC) No 1324/96 ⁽⁵⁾,

as last amended by Regulation (EC) No 1360/2000 ⁽⁶⁾, should accordingly be replaced by the Annex hereto.

- (3) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements in force, the supply balance should be established for the period 1 July to 31 December 2001.
- (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

The Annex to Regulation (EC) No 1324/96 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 27 June 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 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 171, 10.7.1996, p. 3.

⁽⁶⁾ OJ L 155, 28.6.2000, p. 43.

ANNEX

**SUPPLY BALANCE FOR RICE FOR THE AZORES AND MADEIRA FOR THE MARKETING PERIOD 1 JULY
2001 TO 31 DECEMBER 2001***(tonnes)*

Product (CN code)	Azores	Madeira
Milled rice 1006 30	1 250	2 500

COMMISSION REGULATION (EC) No 1271/2001
of 27 June 2001
amending Regulation (EC) No 1443/98 establishing the supply balance for the Canary Islands in rice
sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Common detailed rules for the implementation of the specific arrangements for the supply of certain agricultural products to the Canary Islands are laid down in Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾.
- (2) For the purposes of applying Article 2 of Regulation (EEC) No 1601/92, the forecast supply balance for the Canary Islands should be established for rice sector products. That balance must be established on the basis of the requirements of the region of the region. The Annex to Commission Regulation (EC) No 1443/98 ⁽⁵⁾,

as last amended by Regulation (EC) No 1359/2000 ⁽⁶⁾, should accordingly be replaced by the Annex hereto.

- (3) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements in force, the supply balance should be established for the period 1 July to 31 December 2001.
- (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

The Annex to Regulation (EC) No 1443/98 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 27 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 296, 17.11.1994, p. 23.

⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.

⁽⁵⁾ OJ L 191, 7.7.1998, p. 43.

⁽⁶⁾ OJ L 155, 28.6.2000, p. 41.

ANNEX

**SUPPLY BALANCE FOR RICE FOR THE CANARY ISLANDS FOR THE MARKETING PERIOD 1 JULY 2001 TO
31 DECEMBER 2001***(tonnes)*

Product (CN code)		Canary Islands
Milled rice	1006 30	6 500
Broken rice	1006 40	1 300

COMMISSION REGULATION (EC) No 1272/2001
of 27 June 2001
setting the intervention threshold for apples for the 2001/02 marketing year

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 911/2001 ⁽²⁾, and in particular Article 27(1) and (2) thereof,

Whereas:

- (1) Article 27(1) of Regulation (EC) No 2200/96 provides that an intervention threshold is to be set where the market in a product listed in Annex II thereto is suffering or at risk of suffering from widespread structural imbalances giving or liable to give rise to too large a volume of withdrawals.
- (2) An intervention threshold for apples was set for the 2000/01 marketing year in Commission Regulation (EC) No 1511/2000 ⁽³⁾. Since the conditions laid down in the abovementioned Article 27 continue to be met for that product, an intervention threshold for apples should be set for the 2001/02 marketing year.
- (3) The intervention threshold for apples should be set by reference to a percentage of average production intended for consumption fresh in the last five marketing years for which data are available. The period to be taken into account for assessing any overrun in the threshold for this product should also be determined.
- (4) Pursuant to the abovementioned Article 27, any overrun in the intervention threshold will result in a reduction in the Community withdrawal compensation in the

marketing year following that in which the threshold is exceeded. The consequences of any such overrun should be determined and a reduction set in proportion to its size in terms of total production.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The intervention threshold for apples for the 2001/02 marketing year shall be 495 700 tonnes.
2. Any overrun in the intervention threshold shall be assessed on the basis of withdrawals in the period 1 June 2001 to 31 May 2002.

Article 2

If the quantity of apples withdrawn in the period set in Article 1(2) exceeds the threshold laid down in Article 1(1), the Community withdrawal compensation set for the following marketing year pursuant to Article 26 of Regulation (EC) No 2200/96 shall be reduced in proportion to the size of the overrun compared with the production used to calculate the relevant threshold.

Article 3

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, 27 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 129, 11.5.2001, p. 3.

⁽³⁾ OJ L 174, 13.7.2000, p. 16.

COMMISSION REGULATION (EC) No 1273/2001
of 27 June 2001
amending Regulation (EC) No 1555/96 on rules of application for additional import duties 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 911/2001 ⁽²⁾, and in particular Article 33(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1555/96 ⁽³⁾, as last amended by Regulation (EC) No 1100/2001 ⁽⁴⁾, provides for surveillance of imports of the products listed in the Annex thereto. That surveillance is to be carried out in accordance with the rules on the surveillance of preferential imports laid down in Article 308d of Commission Regulation (EEC) No 2454/93 ⁽⁵⁾, as last amended by Regulation (EC) No 993/2001 ⁽⁶⁾.
- (2) For the purposes of Article 5(4) of the Agreement on Agriculture ⁽⁷⁾ concluded during the Uruguay Round of multilateral trade negotiations and in the light of the

latest data available for 1997, 1998 and 1999, the trigger levels for additional duties on pears and table grapes should be amended.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1555/96 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 2001.

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

Done at Brussels, 27 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 129, 11.5.2001, p. 3.

⁽³⁾ OJ L 193, 3.8.1996, p. 1.

⁽⁴⁾ OJ L 150, 6.6.2001, p. 39.

⁽⁵⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁶⁾ OJ L 141, 28.5.2001, p. 1.

⁽⁷⁾ OJ L 336, 23.12.1994, p. 22.

ANNEX

‘ANNEX

Without prejudice to the rules for the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation. Where “ex” appears before the CN code, the scope of the additional duties is determined both by the scope of the CN code and the corresponding trigger period.

Serial No	CN code	Description	Trigger period	Trigger level (tonnes)
78.0015	ex 0702 00 00	Tomatoes	— 1 October to 31 March	718 828
78.0020			— 1 April to 30 September	1 174 823
78.0065	ex 0707 00 05	Cucumbers	— 1 May to 31 October	11 881
78.0075			— 1 November to 30 April	6 621
78.0085	ex 0709 10 00	Artichokes	— 1 November to 30 June	661
78.0100	0709 90 70	Courgettes	— 1 January to 31 December	9 867
78.0110	ex 0805 10 10 ex 0805 10 30 ex 0805 10 50	Oranges	— 1 December to 31 May	372 855
78.0120	ex 0805 20 10	Clementines	— 1 November to end of February	289 518
78.0130	ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	— 1 November to end of February	117 200
78.0155	ex 0805 30 10	Lemons	— 1 June to 31 December	289 508
78.0160			— 1 January to 31 May	14 586
78.0170	ex 0806 10 10	Table grapes	— 21 July to 20 November	205 769
78.0175	ex 0808 10 20 ex 0808 10 50 ex 0808 10 90	Apples	— 1 January to 31 August	1 052 182
78.0180			— 1 September to 31 December	588 285
78.0220	ex 0808 20 50	Pears	— 1 January to 30 April	269 828
78.0235			— 1 July to 31 December	91 447
78.0250	ex 0809 10 00	Apricots	— 1 June to 31 July	178 499
78.0265	ex 0809 20 95	Cherries, other than sour cherries	— 21 May to 10 August	153 116
78.0270	ex 0809 30	Peaches, including nectarines	— 11 June to 30 September	255 305
78.0280	ex 0809 40 05	Plums	— 11 June to 30 September	54 177

COMMISSION REGULATION (EC) No 1274/2001**of 27 June 2001****amending Annex I to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, as last amended by Commission Regulation (EC) No 807/2001 ⁽²⁾, and in particular Articles 6, 7 and 8 thereof,

Whereas:

- (1) In accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals.
- (2) Maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs.
- (3) In establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue).
- (4) For the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney. However, the liver and kidney are frequently removed from carcasses moving in inter-

national trade, and maximum residue limits should therefore also always be established for muscle or fat tissues.

- (5) In the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey.
- (6) Meloxicam and tilmicosin should be inserted into Annex I to Regulation (EEC) No 2377/90.
- (7) An adequate period should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive 81/851/EEC ⁽³⁾, as last amended by Commission Directive 2000/37/EC ⁽⁴⁾, to take account of the provisions of this Regulation.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2377/90 is hereby amended as set out in the Annex hereto.

Article 2

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

It shall apply from the 60th day following its publication.

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

Done at Brussels, 27 June 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 1.

⁽²⁾ OJ L 118, 27.4.2001, p. 6.

⁽³⁾ OJ L 317, 6.11.1981, p. 1.

⁽⁴⁾ OJ L 139, 10.6.2000, p. 25.

ANNEX

A. Annex I to Regulation (EEC) No 2377/90 is amended as follows:

1. Anti-infectious agents

1.2. Antibiotics

1.2.4. Macrolides

Pharmacologically active substance	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Tilmicosin	Tilmicosin	Turkey	75 µg/kg 75 µg/kg 1 000 µg/kg 250 µg/kg	Muscle Skin and fat Liver Kidney'	

4. Anti-inflammatory agents

4.1. Nonsteroidal anti-inflammatory agents

4.1.4. Oxicam derivatives

Pharmacologically active substance	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Meloxicam	Meloxicam	Porcine	20 µg/kg 65 µg/kg 65 µg/kg	Muscle Liver Kidney'	

COMMISSION REGULATION (EC) No 1275/2001**of 27 June 2001****fixing the production aid for tinned pineapple and the minimum price to be paid to pineapple producers for the 2001/02 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 525/77 of 14 March 1977 establishing a system of production aid for tinned pineapple ⁽¹⁾, as last amended by Regulation (EEC) No 1699/85 ⁽²⁾, and in particular Article 8 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2077/85 ⁽³⁾, as last amended by Regulation (EC) No 1631/2000 ⁽⁴⁾, lays down detailed rules for applying the system of production aid established by Regulation (EEC) No 525/77 and in particular specifies the products on which the aid is payable.
- (2) The minimum price and the production aid for tinned pineapple should be fixed for the 2001/02 marketing year in accordance with Articles 4 and 5 of Regulation (EEC) No 525/77.
- (3) Article 1(1)(a) and (b) of Regulation (EEC) No 2077/85 defines two types of tinned pineapple on which the aid is payable. On the basis of the Commission's information, Community production of tinned pineapple as defined in Article 1(1)(a) of that Regulation will be nil for the 2001/02 marketing year. As a consequence, aid

should accordingly be fixed solely for tinned pineapple covered by Article 1(1)(b) of that Regulation.

- (4) The Management Committee for Processed Fruit and Vegetables has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the 2001/02 marketing year:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 525/77 to be paid to pineapple producers shall be EUR 414,13 per tonne net ex-producer's plant;
- (b) the production aid for tinned pineapple referred to in Article 5 of that Regulation shall be EUR 2 400,67 per tonne net for products referred to in Article 1(1)(b) of Regulation (EEC) No 2077/85.

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 June 2001.

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

Done at Brussels, 27 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 73, 21.3.1977, p. 46.

⁽²⁾ OJ L 163, 22.6.1985, p. 12.

⁽³⁾ OJ L 196, 26.7.1985, p. 28.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 25.

COUNCIL DIRECTIVE 2001/44/EC

of 15 June 2001

amending Directive 76/308/EEC on mutual assistance for the recovery of claims resulting from operations forming part of the system of financing the European Agricultural Guidance and Guarantee Fund, and of agricultural levies and customs duties and in respect of value added tax and certain excise duties

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 93 and 94 thereof,

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

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

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

Whereas:

- (1) The existing arrangements for mutual assistance for recovery set out in Directive 76/308/EEC ⁽⁴⁾ should be modified to meet the threat to the financial interests of the Community and the Member States and to the internal market posed by the development of fraud.
- (2) In the context of the internal market, Community and national financial interests, which are increasingly threatened by fraud, must be protected so as to safeguard better the competitiveness and fiscal neutrality of the internal market.
- (3) In order to safeguard better the financial interests of the Member States and the neutrality of the internal market, claims relating to certain taxes on income and capital and taxes on insurance premiums should be added to the scope of the mutual assistance provided for by Directive 76/308/EEC.
- (4) In order to permit more efficient and effective recovery of claims in respect of which a request for recovery has been made, the instrument permitting enforcement of the claim should, in principle, be treated as an instrument of the Member State in which the requested authority is situated.
- (5) The use of mutual assistance for recovery cannot, save in exceptional circumstances, be based on financial benefits or an interest in the results obtained, but Member States should be able to agree the reimbursement arrangements when recovery poses a specific problem.
- (6) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down

the procedures for the exercise of implementing powers conferred on the Commission ⁽⁵⁾.

- (7) Directive 76/308/EEC should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 76/308/EEC is hereby amended as follows:

1. The title shall be replaced by the following:

'Council Directive 76/308/EEC of 15 March 1976 on mutual assistance for the recovery of claims relating to certain levies, duties, taxes and other measures.'

2. Article 2 shall be replaced by the following:

Article 2

This Directive shall apply to all claims relating to:

- (a) refunds, interventions and other measures forming part of the system of total or partial financing of the European Agricultural Guidance and Guarantee Fund (EAGGF), including sums to be collected in connection with these actions;
- (b) levies and other duties provided for under the common organisation of the market for the sugar sector;
- (c) import duties;
- (d) export duties;
- (e) value added tax;
- (f) excise duties on:
 - manufactured tobacco,
 - alcohol and alcoholic beverages,
 - mineral oils;
- (g) taxes on income and capital;
- (h) taxes on insurance premiums;
- (i) interest, administrative penalties and fines, and costs incidental to the claims referred to in points (a) to (h), with the exclusion of any sanction of a criminal nature as determined by the laws in force in the Member State in which the requested authority is situated.'

⁽¹⁾ OJ C 269, 28.8.1998, p. 16 and

OJ C 179, 24.6.1999, p. 6.

⁽²⁾ OJ C 150, 28.5.1999, p. 621 and opinion delivered on 16.5.2001 (not yet published in the Official Journal).

⁽³⁾ OJ C 101, 12.4.1999, p. 26.

⁽⁴⁾ OJ L 73, 19.3.1976, p. 18. Directive as last amended by the 1994 Act of Accession.

⁽⁵⁾ OJ L 184, 17.7.1999, p. 23.

3. In Article 3, the following indents shall be added:

- “import duties” means customs duties and charges having equivalent effect on imports, and import charges laid down within the framework of the common agricultural policy or in that of specific arrangements applicable to certain goods resulting from the processing of agricultural products,
- “export duties” means customs duties and charges having equivalent effect on exports, and export charges laid down within the framework of the common agricultural policy or in that of specific arrangements applicable to certain goods resulting from the processing of agricultural products,
- “taxes on income and capital” means those enumerated in Article 1(3) of Directive 77/799/EEC (*), read in conjunction with Article 1(4) of that Directive,
- “taxes on insurance premiums” means:

in Austria:	(i) Versicherungssteuer (ii) Feuerschutzsteuer
in Belgium:	(i) Taxe annuelle sur les contrats d'assurance (ii) Jaarlijkse taks op de verzekeringscontracten
in Germany:	(i) Versicherungssteuer (ii) Feuerschutzsteuer
in Denmark:	(i) Afgift af lystfartøjsforsikringer (ii) Afgift af ansvarsforsikringer for motorkøretøjer m.v. (iii) Stempelafgift af forsikringspræmier
in Spain:	Impuesto sobre la prima de seguros
in Greece:	(i) Φόρος κύκλου εργασιών (Φ.Κ.Ε) (ii) Τέλη Χαρτοσήμου
in France:	Taxe sur les conventions d'assurances
in Finland:	(i) Eräistä vakuutusmaksuista suoritettava vero/skatt på vissa försäkringspremier (ii) Palosuojelumaksu/brandskyddsavgift
in Italy:	Imposte sulle assicurazioni private ed i contratti vitalizi di cui alla legge 29.10.1967 No 1216
in Ireland:	levy on insurance premiums
in Luxembourg:	(i) Impôt sur les assurances (ii) Impôt dans l'intérêt du service d'incendie

in the Netherlands: Assurantiebelasting

in Portugal: Imposto de selo sobre os prémios de seguros

in Sweden: none

in the United Kingdom: insurance premium tax (IPT).

This Directive shall also apply to claims relating to identical or analogous taxes which supplement or replace the taxes on insurance premiums referred to in the sixth indent. The competent authorities of the Member States shall communicate to each other and to the Commission the dates of entry into force of such taxes.

(*) Council Directive 77/799/EEC of 19 December 1977 concerning mutual assistance by the competent authorities of the Member States in the field of direct taxation (OJ L 336, 27.12.1977, p. 15). Directive as last amended by the 1994 Act of Accession.'

4. In Article 4(2), the words 'the name and address' shall be replaced by: 'the name, address and any other relevant information relating to the identification to which the applicant authority normally has access'.

5. In Article 5(2) the words 'the name and address' shall be replaced by: 'the name, address and any other relevant information relating to the identification to which the applicant authority normally has access'.

6. Articles 7, 8, 9 and 10 shall be replaced by the following:

'Article 7

1. The request for recovery of a claim which the applicant authority addresses to the requested authority must be accompanied by an official or certified copy of the instrument permitting its enforcement, issued in the Member State in which the applicant authority is situated and, if appropriate, by the original or a certified copy of other documents necessary for recovery.

2. The applicant authority may not make a request for recovery unless:

- (a) the claim and/or the instrument permitting its enforcement are not contested in the Member State in which it is situated, except in cases where the second subparagraph of Article 12(2) is applied,
- (b) it has, in the Member State in which it is situated, applied appropriate recovery procedures available to it on the basis of the instrument referred to in paragraph 1, and the measures taken will not result in the payment in full of the claim.

3. The request for recovery shall indicate:

- (a) the name, address and any other relevant information relating to the identification of the person concerned and/or to the third party holding his or her assets;

- (b) the name, address and any other relevant information relating to the identification of the applicant authority;
- (c) a reference to the instrument permitting its enforcement issued in the Member State in which the applicant authority is situated;
- (d) the nature and the amount of the claim, including the principal, the interest, and any other penalties, fines and costs due indicated in the currencies of the Member States in which both authorities are situated;
- (e) the date of notification of the instrument to the addressee by the applicant authority and/or by the requested authority;
- (f) the date from which and the period during which enforcement is possible under the laws in force in the Member State in which the applicant authority is situated;
- (g) any other relevant information.

4. The request for recovery shall also contain a declaration by the applicant authority confirming that the conditions set out in paragraph 2 have been fulfilled.

5. As soon as any relevant information relating to the matter which gave rise to the request for recovery comes to the knowledge of the applicant authority it shall forward it to the requested authority.

Article 8

1. The instrument permitting enforcement of the claim shall be directly recognised and automatically treated as an instrument permitting enforcement of a claim of the Member State in which the requested authority is situated.

2. Notwithstanding the first paragraph, the instrument permitting enforcement of the claim may, where appropriate and in accordance with the provisions in force in the Member State in which the requested authority is situated, be accepted as, recognised as, supplemented with, or replaced by an instrument authorising enforcement in the territory of that Member State.

Within three months of the date of receipt of the request for recovery, Member States shall endeavour to complete such acceptance, recognition, supplementing or replacement, except in cases where the third subparagraph is applied. They may not be refused if the instrument permitting enforcement is properly drawn up. The requested authority shall inform the applicant authority of the grounds for exceeding the period of three months.

If any of these formalities should give rise to contestation in connection with the claim and/or the instrument permitting enforcement issued by the applicant authority, Article 12 shall apply.

Article 9

1. Claims shall be recovered in the currency of the Member State in which the requested authority is situated. The entire amount of the claim that is recovered

by the requested authority shall be remitted by the requested authority to the applicant authority.

2. The requested authority may, where the laws, regulations or administrative provisions in force in the Member State in which it is situated so permit, and after consultations with the applicant authority, allow the debtor time to pay or authorise payment by instalment. Any interest charged by the requested authority in respect of such extra time to pay shall also be remitted to the Member State in which the applicant authority is situated.

From the date on which the instrument permitting enforcement of recovery of the claim has been directly recognised or accepted, recognised, supplemented or replaced in accordance with Article 8, interest will be charged for late payment under the laws, regulations and administrative provisions in force in the Member State in which the requested authority is situated and shall also be remitted to the Member State in which the applicant authority is situated.

Article 10

Notwithstanding Article 6(2), the claims to be recovered shall not necessarily benefit from the privileges accorded to similar claims arising in the Member State in which the requested authority is situated.'

7. Article 12(2) shall be amended as follows:

- (a) The following shall be added to the first sentence: 'unless the applicant authority requests otherwise in accordance with the second subparagraph';
- (b) the following subparagraph shall be added:

'Notwithstanding the first subparagraph of paragraph 2, the applicant authority may in accordance with the law, regulations and administrative practices in force in the Member State in which it is situated, request the requested authority to recover a contested claim, in so far as the relevant laws, regulations and administrative practices in force in the Member State in which the requested authority is situated allow such action. If the result of contestation is subsequently favourable to the debtor, the applicant authority shall be liable for the reimbursement of any sums recovered, together with any compensation due, in accordance with the laws in force in the Member State in which the requested authority is situated.'

8. In Article 14, the first paragraph, shall be replaced by the following:

'The requested authority shall not be obliged:

- (a) to grant the assistance provided for in Articles 6 to 13 if recovery of the claim would, because of the situation of the debtor, create serious economic or social difficulties in the Member State in which that authority is situated, in so far as the laws, regulations and administrative practices in force in the Member State in which the requested authority is situated allow such action for similar national claims;

- (b) to grant the assistance provided for in Articles 4 to 13, if the initial request under Article 4, 5 or 6 applies to claims more than five years old, dating from the moment the instrument permitting the recovery is established in accordance with the laws, regulations or administrative practices in force in the Member State in which the applicant authority is situated, to the date of the request. However, in cases where the claim or the instrument is contested, the time limit begins from the moment at which the applicant State establishes that the claim or the enforcement order permitting recovery may no longer be contested.'
9. In Article 17, the words 'and relevant documents' shall be replaced by: 'the instrument permitting the enforcement and other relevant documents'.
10. Article 18 shall be replaced by the following:
- 'Article 18*
1. The requested authority shall recover from the person concerned and retain any costs linked to recovery which it incurs, in accordance with the laws and regulations of the Member State in which it is situated that apply to similar claims.
2. Member States shall renounce all claims on each other for the refund of costs resulting from mutual assistance which they grant each other pursuant to this Directive.
3. Where recovery poses a specific problem, concerns a very large amount in costs or relates to the fight against organised crime, the applicant and requested authorities may agree reimbursement arrangements specific to the cases in question.
4. The Member State in which the applicant authority is situated shall remain liable to the Member State in which the requested authority is situated for any costs and any losses incurred as a result of actions held to be unfounded, as far as either the substance of the claim or the validity of the instrument issued by the applicant authority are concerned.'
11. Article 20 shall be replaced by the following:
- 'Article 20*
1. The Commission shall be assisted by a recovery committee (hereinafter referred to as "the Committee"), composed of representatives of the Member States and chaired by the representative of the Commission.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.
- The period referred to in Article 5(6) of Decision 1999/468/EC shall be set at three months.
3. The Committee shall adopt its own rules of procedure.'
12. Article 22 shall be replaced by the following:
- 'Article 22*
- The detailed rules for implementing Articles 4(2) and (4), 5(2) and (3) and Articles 7, 8, 9, 11, 12(1) and (2), 14, 18(3) and 25 and for determining the means by which communications between the authorities may be transmitted, the rules on conversion, transfer of sums recovered, and the fixing of a minimum amount for claims which may give rise to a request for assistance, shall be adopted in accordance with the procedure laid down in Article 20(2).'
13. The following paragraph shall be added to Article 25:
- 'Each Member State shall inform the Commission annually of the number of requests for information, notification and recovery sent and received each year, the amount of the claims involved and the amounts recovered. The Commission shall report biennially to the European Parliament and the Council on the use made of these arrangements and on the results achieved.'
- Article 2*
1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 30 June 2002. They shall forthwith inform the Commission thereof.
- When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.
2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive together with a table showing how the provisions of this Directive correspond to the national provisions adopted.
- Article 3*
- This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.
- Article 4*
- This Directive is addressed to the Member States.
- Done at Göteborg, 15 June 2001.
- For the Council*
The President
B. RINGHOLM

COMMISSION DIRECTIVE 2001/47/EC

of 25 June 2001

amending Annex I to Council Directive 91/414/EEC concerning the placing of plant protection products on the market to include *Paecilomyces fumosoroseus* (Apopka strain 97, PFR 97 or CG 170, ATCC20874) as an active substance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, as last amended by Commission Directive 2001/28/EC ⁽²⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) In accordance with Article 6(2) of Directive 91/414/EEC (hereinafter referred to as 'the Directive') Belgium received on 18 May 1994 an application from Thermo Trilogy Corporation, ('the applicant') for the inclusion of the active substance *Paecilomyces fumosoroseus* (Apopka strain 97, PFR 97 or CG 170, ATCC20874) in Annex I to the Directive.
- (2) In accordance with the provisions of Article 6(3) of the Directive, the Commission confirmed in its Decision 97/164/EC ⁽³⁾ that the dossier submitted for *Paecilomyces fumosoroseus* (Apopka strain 97, PFR 97 or CG 170, ATCC20874) could be considered as satisfying, in principle, the data and information requirements of Annex II and, for a plant protection product containing this active substance, of Annex III to the Directive.
- (3) In accordance with Article 5(1) of the Directive, an active substance should be included in Annex I for a period not exceeding 10 years if it may be expected that neither the use of, or residues from, plant protection products containing the active substance will have any harmful effects on human or animal health or on groundwater or any unacceptable influence on the environment.
- (4) For *Paecilomyces fumosoroseus* (Apopka strain 97, PFR 97 or CG 170, ATCC20874), the effects on human health and the environment have been assessed, in accordance with the provisions of Article 6(2) and (4) of the Directive, for the uses proposed by the applicant. Belgium acting as nominated rapporteur Member State submitted a draft assessment report concerning the substance to the Commission on 9 December 1997.
- (5) The draft assessment report has been reviewed by the Member States and the Commission within the Standing Committee on Plant Health. This review was finalised on 27 April 2001 in the format of the Commission review report for *Paecilomyces fumosoroseus* (Apopka strain 97,

PFR 97 or CG 170, ATCC20874). If this review report has to be updated to take account of technical and scientific developments, the conditions for the inclusion of DPX KE 459 *Paecilomyces fumosoroseus* (Apopka strain 97, PFR 97 or CG 170, ATCC20874) in Annex I to the Directive will also need to be amended in accordance with the Directive.

- (6) The dossier and the information from the review of *Paecilomyces fumosoroseus* (Apopka strain 97, PFR 97 or CG 170, ATCC20874) were also submitted to the Scientific Committee on Plants for opinion on 16 December 1999. This Committee has given its opinion on 30 November 2000 ⁽⁴⁾.
- (7) It has appeared from the various examinations made that plant protection products containing the active substance concerned may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a), (b) and (3) of the Directive, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to include the active substance concerned in Annex I, in order to ensure that in all Member States the authorisations of plant protection products containing the active substance concerned can be granted in accordance with the provisions of the said Directive.
- (8) After inclusion, a reasonable period is necessary to permit Member States to implement the provisions of the Directive on plant protection products containing *Paecilomyces fumosoroseus* (Apopka strain 97, PFR 97 or CG 170, ATCC20874) and in particular to review, existing provisional authorisations or to grant, by the end of this period at the latest, new authorisations in accordance with the provisions of the Directive. A longer period may also be required for plant protection products containing *Paecilomyces fumosoroseus* (Apopka strain 97, PFR 97 or CG 170, ATCC20874) and other active substances included in Annex I.
- (9) As the uniform principles have still to be adopted for micro-organisms, it is appropriate that the Member States should apply the general provisions of Article 4 of the Directive when granting authorisations. It is also appropriate to provide Member States a reasonable period of time to re-evaluate authorisations granted in the light of the uniform principles after their adoption.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 113, 24.4.2001, p. 5.

⁽³⁾ OJ L 64, 5.3.1997, p. 17.

⁽⁴⁾ Opinion of the Scientific Committee on Plants regarding the evaluation *Paecilomyces fumosoroseus* in the context of Council Directive 91/414/EEC concerning the placing of plant protection products on the market. SCP/PAECIL/002 final dated 11 December 2000.

- (10) It is appropriate to provide that the finalised review report (except for confidential information in the meaning of Article 14 of the Directive) is kept available or made available by the Member States for consultation by any interested parties.
- (11) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health delivered on 27 April 2001,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The table in Annex I to Directive 91/414/EEC shall be amended to include the entry in respect of *Paecilomyces fumosoroseus* (Apopka strain 97, PFR 97 or CG 170, ATCC20874) set out in the Annex hereto.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive, at the latest by 31 December 2001. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. However, with regard to the review of existing provisional authorisations granted in the light of the review report, the provisional authorisations shall be withdrawn and where appropriate, replaced by a full authorisation by 30 November 2002.

3. However, with regard to the application of the uniform principles, Member States shall re-examine authorisations granted as soon as possible after their adoption and at the latest within a period of 12 months from the date of adoption of such principles.

4. However, for plant protection products containing *Paecilomyces fumosoroseus* (Apopka strain 97, PFR 97 or CG 170, ATCC20874) together with another active substance which is in Annex I to Directive 91/414/EEC, the period referred to in paragraph 1 is extended to the extent that a longer implementation period is provided for by the provisions laid down in the Directive amending Annex I to Directive 91/414/EEC to include that other substance in the Annex.

5. Member States shall keep available the review report for *Paecilomyces fumosoroseus* (Apopka strain 97, PFR 97 or CG 170, ATCC20874) (except for confidential information within the meaning of Article 14 of the Directive) for consultation by any interested parties or shall make it available to them on specific request.

Article 3

This Directive shall enter into force on 1 July 2001.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 25 June 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX

ENTRY TO BE INSERTED IN THE TABLE IN ANNEX I TO DIRECTIVE 91/414/EEC

No	Common name, and identification	IUPAC name	Purity	Entry into force	Expiration of inclusion	Specific provisions
18	<i>Paecilomyces fumosoroseus</i> Apopka strain 97, PFR 97 or CG 170, ATCC20874	Not applicable	The absence of secondary metabolites should be checked in each fermentation broth by HPLC	1 July 2001	30 June 2011	Only uses as an insecticide may be authorised Each fermentation broth should be checked by HPLC to ensure that no secondary metabolites are present Date of Standing Committee on Plant Health at which the review report was finalised: 27 April 2001

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 4/2001 OF THE ACP-EC COMMITTEE OF AMBASSADORS
of 24 April 2001
concerning the Rules of Procedure of the Joint ACP-EC Ministerial Trade Committee
(2001/484/EC)

THE ACP-EC COMMITTEE OF AMBASSADORS,

Having regard to the Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States, of the one part, and, the European Community and its Member States of the other part, signed in Cotonou on 23 June 2000, hereinafter referred to as 'the Agreement', and in particular Article 38(3) thereof,

Whereas:

- (1) In accordance with Decision No 1/2000 ⁽¹⁾ of the ACP-EC Council of Ministers, the relevant parts of the Agreement provisionally entered into force on 2 August 2000.
- (2) Article 38(1) of the Agreement sets up a Joint Ministerial Trade Committee.
- (3) By Decision of 22 June 2000, the ACP-EC Council of Ministers delegated its powers as regards the adoption of the Rules of Procedure of that Committee to the ACP-EC Committee of Ambassadors,

HAS DECIDED AS FOLLOWS:

Article 1

Composition

1. The Joint Ministerial Trade Committee, hereafter referred to as 'the Trade Committee', shall be composed, on the one hand, of a minister from each Member State of the European Community and a member of the Commission of the European Communities and, on the other hand, of 18 ministers from the ACP States. In the event of Community enlargement, the number of ministers of ACP States shall be reviewed.
2. Each party shall communicate the names of its representatives to the Secretariat of the Trade Committee.
3. The Trade Committee may decide to set up a number of smaller groups, composed of an equal number of ACP and EC members of the Committee including a member of the

Commission, in order to draw up recommendations on the specific areas referred to in Article 12(1).

Article 2

Chairmanship

The Trade Committee shall be chaired alternately, for a period of six months, by the member of the Commission of the European Communities on behalf of the European Community, and by a representative of the ACP States. The first Chairman shall be a representative of the ACP States.

Article 3

Meetings

1. The Trade Committee shall meet at least once a year or more frequently at the request of either party.
2. The Trade Committee shall meet either where the meetings of the Council of the European Union are usually held or at the seat of the General Secretariat of the ACP Group of States, or in a city of one of the ACP States, in accordance with the decision taken by the Trade Committee.
3. The meetings of the Trade Committee shall be convened by its Chairman.
4. The proceedings of the Trade Committee shall be valid only if a majority of the representatives of the Member States of the European Community, a member of the Commission of the European Communities and a majority of the representatives of the ACP States who are Committee members are present.

Article 4

Representation

1. The members of the Trade Committee may be represented if they are prevented from attending a meeting.

⁽¹⁾ OJ L 195, 1.8.2000, p. 46.

2. A member wishing to be so represented must notify the Chairman of the name of his representative before the meeting.

3. The representative of a member of the Trade Committee shall exercise all the rights of that member.

Article 5

Delegations

1. The members of the Trade Committee may be accompanied by officials responsible for trade matters.

2. Before each meeting, the Chairman shall be informed of the intended composition of the delegation of each party.

3. The Trade Committee may, by agreement between the parties, invite non-members to attend its meetings.

4. Representatives of regional or sub-regional organisations of the ACP engaged in an economic integration process may attend the meeting as observers, subject to prior approval by the Trade Committee.

Article 6

Secretariat

The Secretariat of the ACP-EC Council of Ministers shall act as Secretariat of the Trade Committee.

Article 7

Documents

The Secretariat of the ACP-EC Council of Ministers shall be responsible for the establishment of all the documents necessary for the meetings of the Trade Committee.

When the deliberations of the Trade Committee are based on written documents, such documents shall be numbered and circulated as documents of the Trade Committee by its Secretariat.

Article 8

Correspondence

1. All correspondence addressed to the Trade Committee or to the Chairman thereof shall be forwarded to the Secretariat of the Trade Committee.

2. The Secretariat shall see to it that correspondence is forwarded to its addressees, and, in the case of documents referred to in Article 7, to other members of the Trade Committee. Correspondence circulated shall be sent to the Secretariat General of the Commission of the European Communities, the Permanent Representations of the Member States of the European Union and the diplomatic missions of the representatives of the ACP States.

Article 9

Publicity

Unless otherwise decided, Trade Committee meetings shall not be public.

Article 10

Agenda for meetings

1. The Chairman shall draw up a provisional agenda for each meeting. The Secretariat of the Trade Committee shall forward it to the addressees not later than 15 days before the beginning of the meeting.

2. The provisional agenda shall include the items in respect of which the Chairman has received a request for inclusion in the agenda from either party not later than 21 days before the beginning of the meeting. The ACP-EC Sub-Committee on Trade Cooperation may also present a request that items be included on the agenda. In this case, the Co-Chairmen of the said Sub-Committee shall be invited to take part in the meeting.

3. In agreement with the parties, the time limits laid down may be shortened in order to take account of the requirements of a particular case.

4. The agenda shall be adopted by the Trade Committee at the beginning of each meeting.

Article 11

Minutes

1. Draft minutes of each meeting shall be drawn up as soon as possible jointly by the Secretariat.

2. As a general rule, the minutes shall show, in respect of each item on the agenda:

- (a) the documentation submitted to the Trade Committee;
- (b) statements the entry of which has been requested by a member of the Trade Committee;
- (c) the recommendations made, the statements agreed upon and the conclusions adopted on specific items.

3. The minutes shall include a list of members of the Trade Committee or their representatives who took part in the meeting.

4. The draft minutes shall be submitted to the Trade Committee for approval at its next meeting. The draft minutes may also be agreed in writing by the two parties. When the minutes have been approved, two equally authentic copies thereof shall be signed by the Secretariat and filed by the parties. A copy of the minutes shall be forwarded to each of the addressees referred to in Article 8.

Article 12

Recommendations

1. The Trade Committee shall make recommendations on all trade issues, including issues relating to multilateral trade negotiations, economic partnership agreements, cooperation in international fora and commodity issues, by mutual agreement between the parties.

2. Between meetings, the Trade Committee may make recommendations by written procedure if both parties so agree. A written procedure shall consist of an exchange of notes between the two co-secretaries of the Secretariat, acting in agreement with the parties.

3. Recommendations of the Trade Committee shall be entitled 'recommendation', followed by a serial number, the date of their adoption and a description of their subject.

4. Recommendations of the Trade Committee shall be authenticated by the Secretariat and by the Chairman.

5. Recommendations shall be forwarded to each of the addressees referred to in Article 8 as documents of the Trade Committee.

6. The Trade Committee shall make appropriate periodic reports to the ACP-EC Council of Ministers.

Article 13

Languages

Unless decided otherwise, the Trade Committee shall conduct its deliberations on the basis of documents drafted in Danish,

Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish.

Article 14

Expenses

Paragraph 1 of Protocol 1 to the Agreement, on the operating expenditure of the Joint Institutions, shall also apply to costs incurred by the Trade Committee.

Done at Brussels, 24 April 2001.

For the ACP-CE Committee of Ambassadors

The President

Z. NGAVIRUE

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 993/2001 of 4 May 2001 amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code

(Official Journal of the European Communities L 141 of 28 May 2001)

On page 62, in Annex 69, for CN code ex 1001 90 99, common wheat, numerical order 8, 9, 10 and 11:
for:

(1)		(2)	(3)	(4)	(5)
'ex 1001 90 99	Common wheat	8	ex 1101 00 15 (100)	(a) Common wheat flour having by weight on the dry product an ash content not exceeding 0,60 %	(*)
			ex 2302 30 10	(b) Bran	22,50
			ex 2302 30 90	(c) Sharps	2,50
		9	ex 1101 00 15 (130)	(a) Common wheat flour having by weight on the dry product an ash content exceeding 0,60 % but not exceeding 0,90 %	(*)
			ex 2302 30 10	(b) Bran	20,00
		10	1101 00 15 (150)	(a) Common wheat flour having by weight on the dry product an ash content exceeding 0,90 % but not exceeding 1,10 %	(*)
			ex 2302 30 10	(b) Bran	13,25
		11	1101 00 15 (170)	(a) Common wheat flour having by weight on the dry product an ash content exceeding 1,10 % but not exceeding 1,65 %	(*)
			ex 2302 30 10	(b) Bran	6,25'

read:

(1)		(2)	(3)	(4)	(5)
'ex 1001 90 99	Common wheat	8	ex 1101 00 15 (100)	(a) Common wheat flour having by weight on the dry product an ash content not exceeding 0,60 %	73,00
			ex 2302 30 10	(b) Bran	22,50
			ex 2302 30 90	(c) Sharps	2,50
		9	ex 1101 00 15 (130)	(a) Common wheat flour having by weight on the dry product an ash content exceeding 0,60 % but not exceeding 0,90 %	78,13
			ex 2302 30 10	(b) Bran	20,00
		10	1101 00 15 (150)	(a) Common wheat flour having by weight on the dry product an ash content exceeding 0,90 % but not exceeding 1,10 %	84,75
			ex 2302 30 10	(b) Bran	13,25
		11	1101 00 15 (170)	(a) Common wheat flour having by weight on the dry product an ash content exceeding 1,10 % but not exceeding 1,65 %	91,75
			ex 2302 30 10	(b) Bran	6,25'