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Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1366/2001 of 5 July 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
Commission Regulation (EC) No 1367/2001 of 5 July 2001 on the issuing of export licences for wine-sector products	3
★ Commission Regulation (EC) No 1368/2001 of 5 July 2001 prohibiting fishing for blue whiting by vessels flying the flag of the Netherlands	4
Commission Regulation (EC) No 1369/2001 of 5 July 2001 opening tendering procedures for the sale of wine alcohol exclusively for use in third countries in the fuel sector ...	5
★ Commission Regulation (EC) No 1370/2001 of 5 July 2001 amending Regulation (EC) No 174/1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products	18
Commission Regulation (EC) No 1371/2001 of 5 July 2001 correcting the import duties in the cereals sector	19
Commission Regulation (EC) No 1372/2001 of 5 July 2001 concerning the issue of import licences for certain preserved mushrooms	22
Commission Regulation (EC) No 1373/2001 of 5 July 2001 amending Regulation (EC) No 713/2001 on the purchase of beef under Regulation (EC) No 690/2001	23
Commission Regulation (EC) No 1374/2001 of 5 July 2001 fixing the maximum export refund on rye in connection with the invitation to tender issued in Regulation (EC) No 1005/2001	25
Commission Regulation (EC) No 1375/2001 of 5 July 2001 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 943/2001	26
Commission Regulation (EC) No 1376/2001 of 5 July 2001 fixing production refunds on cereals and rice	27

Council

2001/504/EC:

- ★ **Decision No 5/2001 of the Association Council between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part, of 25 April 2001 adopting the necessary rules for the implementation of Article 64(1)(i), (1)(ii) and (2) of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part** 28

2001/505/EC:

- ★ **Council Decision of 26 June 2001 on the accession of the European Community to United Nations Economic Commission for Europe Regulation No 105 on the approval of vehicles intended for the carriage of dangerous goods with regard to their specific constructional features** 33

2001/506/EC:

- ★ **Council Decision of 26 June 2001 on the accession of the European Community to United Nations Economic Commission for Europe Regulation No 104 on the approval of retro-reflecting markings for heavy and long vehicles and their trailers** 34

2001/507/EC:

- ★ **Council Decision of 26 June 2001 on the accession of the European Community to Regulation 109 of the United Nations Economic Commission for Europe concerning the approval for the production of retreaded pneumatic tyres for commercial vehicles and their trailers** 35

2001/508/EC:

- ★ **Council Decision of 26 June 2001 on the accession of the European Community to the United Nations Economic Commission for Europe Regulation No 106 concerning the approval of pneumatic tyres for agricultural vehicles and their trailers** 36

2001/509/EC:

- ★ **Council Decision of 26 June 2001 on the accession of the European Community to Regulation 108 of the United Nations Economic Commission for Europe concerning the approval for the production of retreaded pneumatic tyres for motor vehicles and their trailers** 37

2001/510/EC:

- ★ **Council Decision of 25 June 2001 concluding consultations with Côte d'Ivoire under Article 96 of the ACP-EC Partnership Agreement** 38

2001/511/EC:

- ★ **Council Decision of 27 June 2001 on further exceptional financial assistance to Kosovo** 42

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1366/2001
of 5 July 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 6 July 2001.

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

Done at Brussels, 5 July 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 5 July 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	77,5
	091	39,6
	092	39,6
	999	52,2
0707 00 05	052	81,2
	999	81,2
0709 90 70	052	83,4
	999	83,4
0805 30 10	388	72,2
	528	74,6
	999	73,4
0808 10 20, 0808 10 50, 0808 10 90	388	94,2
	400	111,0
	508	104,0
	512	89,3
	524	61,7
	528	80,1
	720	146,2
	800	214,6
	804	106,2
	999	111,9
0808 20 50	388	91,5
	512	84,0
	528	74,3
	800	74,8
	804	137,4
	999	92,4
0809 10 00	052	195,0
	999	172,6
	999	183,8
0809 20 95	052	335,9
	064	209,5
	400	289,4
	999	278,3
0809 40 05	052	102,0
	064	170,3
	624	229,2
	999	167,2

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

COMMISSION REGULATION (EC) No 1367/2001
of 5 July 2001
on the issuing of export licences for wine-sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 883/2001 of 24 April 2001, laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 as regards trade with third countries in products in the wine sector ⁽¹⁾, and in particular Article 7 and Article 9(3) thereof,

Whereas:

- (1) Article 63(7) of Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽²⁾ limits the grant of export refunds for wine-sector products to the volumes and expenditure contained in the Agreement on Agriculture concluded during the Uruguay Round multilateral trade negotiations.
- (2) Article 9 of Regulation (EC) No 883/2001 lays down the conditions under which the Commission may take specific measures to prevent an overrun of the quantity laid down or the budget available under the said Agreement.
- (3) On the basis of information on export licence applications available to the Commission on 4 July 2001, the quantity still available for the period until 31 August 2001, for zones (1) Africa and (3) eastern Europe, referred to in Article 9(5) of Regulation (EC) No 883/

2001, could be exceeded unless the issue of export licences with advance fixing of the refund is restricted. Therefore, a single percentage for the acceptance of applications submitted from 1 to 3 July 2001 should be applied and the submission of applications and the issue of licences suspended for the zones until 16 September 2001,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export licences with advance fixing of the refund for wine-sector products for which applications are submitted from 1 to 3 July 2001 under Regulation (EC) No 883/2001 shall be issued for 40,66 % of the quantities requested for zone (1) Africa and for 41,61 % of the quantities requested for zone (3) eastern Europe.

2. The issue of export licences for wine-sector products referred to in paragraph 1 for which applications are submitted from 4 July 2001 and the submission of export licence applications from 6 July 2001 for zones (1) Africa and (3) eastern Europe shall be suspended until 16 September 2001.

Article 2

This Regulation shall enter into force on 6 July 2001.

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

Done at Brussels, 5 July 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 128, 10.5.2001, p. 1.

⁽²⁾ OJ L 179, 14.7.1999, p. 1.

COMMISSION REGULATION (EC) No 1368/2001
of 5 July 2001
prohibiting fishing for blue whiting by vessels flying the flag of the Netherlands

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) Council Regulation (EC) No 2848/2000 of 15 December 2000 fixing for 2001 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, lays down quotas for blue whiting for 2001.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of blue whiting in the waters of ICES Zones Vb (EC waters), VI, VII, XII and XIV by vessels flying the flag of the Netherlands or registered in the Netherlands

have exhausted the quota allocated for 2001. The Netherlands have prohibited fishing for this stock from 2 June 2001. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of blue whiting in the waters of ICES Zones Vb (EC waters), VI, VII, XII and XIV by vessels flying the flag of the Netherlands or registered in the Netherlands are hereby deemed to have exhausted the quota allocated to the Netherlands for 2001.

Fishing for blue whiting in the waters of ICES Zones Vb (EC waters), VI, VII, XII and XIV by vessels flying the flag of the Netherlands or registered in the Netherlands is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 2 June 2001.

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

Done at Brussels, 5 July 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 334, 30.12.2000, p. 1.

COMMISSION REGULATION (EC) No 1369/2001**of 5 July 2001****opening tendering procedures for the sale of wine alcohol exclusively for use in third countries in the fuel sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms ⁽³⁾, as last amended by Regulation (EC) No 1282/2001 ⁽⁴⁾, and in particular Article 86 thereof,

Whereas:

- (1) Regulation (EC) No 1623/2000 lays down, *inter alia*, the detailed rules for disposing of stocks of alcohol arising from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 held by intervention agencies.
- (2) Tendering procedures should be opened for the sale of wine alcohol for export to the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country, with a view to reducing stocks of wine alcohol of Community origin and giving the third countries listed in this Article greater continuity of supply. The wine alcohol of Community origin in storage in the Member States consists of quantities produced from distillation under Articles 35, 36 and 39 of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽⁵⁾, as last amended by Regulation (EC) No 1677/1999 ⁽⁶⁾, as well as Articles 27 and 28 of Regulation (EC) No 1493/1999.
- (3) Since the adoption of Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽⁷⁾, the prices offered in tenders and securities must be expressed in euro and payments must be made in euro.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

Article 1

Ten tendering procedures Nos 300/2001 EC to 309/2001 EC are hereby opened for the sale of a total volume of 500 000 hectolitres of alcohol exclusively for use in the fuel sector in third countries. The alcohol concerned was produced from distillation under Articles 35, 36 and 39 of Regulation (EEC) No 822/87 as well as Articles 27 and 28 of Regulation (EC) No 1493/1999 and is held by the French, Spanish and Italian intervention agencies.

Tendering procedures Nos 300/2001 EC to 309/2001 EC shall each relate to a volume of 50 000 hectolitres of alcohol at 100 % vol.

Article 2

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

Article 3

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

Article 4

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

Article 5

The minimum price which may be offered shall be EUR 10 per hectolitre of alcohol at 100 % vol for tendering procedure No 295/2001 EC and EUR 7,5 per hectolitre of alcohol at 100 % vol for tendering procedures Nos 300/2001 EC to 309/2001 EC.

Article 6

1. Physical removal of the alcohol from the storehouses of each of the intervention agencies concerned must be completed no later than 15 January 2002.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 194, 31.7.2000, p. 45.

⁽⁴⁾ OJ L 176, 29.6.2001, p. 14.

⁽⁵⁾ OJ L 84, 27.3.1987, p. 1.

⁽⁶⁾ OJ L 199, 30.7.1999, p. 8.

⁽⁷⁾ OJ L 349, 24.12.1998, p. 1.

2. The alcohol awarded under the tendering procedures referred to in Article 1 of this Regulation must be exported no later than 15 February 2002.

Article 7

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

Article 8

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

Article 9

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

Article 10

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

Article 11

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

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

Done at Brussels, 5 July 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

TENDERING PROCEDURE No 300/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

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

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999	Type of alcohol
FRANCE	Onivins-Port La Nouvelle	6	3 280	27	raw + 92 %
	Av. Adolphe-Turrel	2	390	35	raw + 92 %
	BP 62	2	46 330	27	raw + 92 %
	F-11210 Port-La-Nouvelle				
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 300/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12 noon Brussels time on 16 July 2001.
- Tenders must indicate the name and address of the tenderer and:
 - (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 300/2001 EC;
 - (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 301/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

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

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999	Type of alcohol
FRANCE	Onivins-Port La Nouvelle	6	2 050	27	raw + 92 %
	Av. Adolphe-Turrel BP 62 F-11210 Port-La-Nouvelle	3	47 950	27	raw + 92 %
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 301/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12 noon Brussels time on 16 July 2001.
- Tenders must indicate the name and address of the tenderer and:
 - the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 301/2001 EC;
 - the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 302/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

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

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999	Type of alcohol
FRANCE	Onivins-Port La Nouvelle	8	21 920	27	raw + 92 %
	Av. Adolphe-Turrel	6	5 505	27	raw + 92 %
	BP 62	7	22 575	27	raw + 92 %
	F-11210 Port-La-Nouvelle				
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 302/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12 noon Brussels time on 16 July 2001.
- Tenders must indicate the name and address of the tenderer and:
 - (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 302/2001 EC;
 - (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 303/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

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

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999	Type of alcohol
SPAIN	Tarancón	B-4	24 841	35 + 36	raw
	Tomelloso	1	25 159	27 + 28	raw
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

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

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

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

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 303/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon Brussels time on 16 July 2001.

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

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 303/2001 EC;
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

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

- FEAGA, Beneficencia 8, E-28004 Madrid (tel. (34) 913 47 65 00; telex 23427 FEAGA; fax (34) 915 21 98 32).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 304/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

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

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999	Type of alcohol
SPAIN	Tarancón	B-7	24 602	35 + 36	raw
	Tomelloso	3	18 493	27 + 28	raw
	Tomelloso	1	6 905	27 + 28	raw
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

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

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

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

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 304/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon Brussels time on 16 July 2001.

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

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 304/2001 EC;
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

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

- FEAGA, Beneficencia 8, E-28004 Madrid (tel. (34) 913 47 65 00; telex 23427 FEAGA; fax (34) 915 21 98 32).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 305/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

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

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999	Type of alcohol
SPAIN	Tarancón	B-6	24 153	35 + 36	raw
	Tomelloso	4	18 254	27 + 28	raw
	Tomelloso	1	7 593	27 + 28	raw
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

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

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

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

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 305/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon Brussels time on 16 July 2001.

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

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 305/2001 EC;
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

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

- FEAGA, Beneficencia 8, E-28004 Madrid (tel. (34) 913 47 65 00; telex 23427 FEAGA; fax (34) 915 21 98 32).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 306/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

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

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999	Type of alcohol
ITALY	Di Lorenzo Pontevalleceppi (PG)		11 610	35	raw
	Villapana — Faenza (RA)		6 080	35	raw
	Russo — S. Venerina (CT)		910	35 and 39	raw
	Bertolino — Partinico (PA)		18 000	35	raw
	Enodistil — Alcamo (TP)		4 500	35	raw
	Gedis — Marsala (TP)		3 900	35	raw
	S.V.M. — Sciacca (AG)		3 000	35	raw
	Trapas — Petrosino (TP)		2 000	35	raw
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 306/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12 noon Brussels time on 16 July 2001.
- Tenders must indicate the name and address of the tenderer and:
 - (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 306/2001 EC;
 - (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - AGEA, via Palestro 81, I-00185 Roma (tel. (39-06) 49 49 991; telex 62 00 64/62 06 17/62 03 31; fax (39-06) 445 39 40/445 46 93).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 307/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

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

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999	Type of alcohol
ITALY	Bonollo — Paduni — Anagni (FR)		21 042	35	raw
	Caviro — Faenza (RA)		21 638	35	raw
	D'Auria — Ortona (CH)		7 320	35 and 36	raw
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 307/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12 noon Brussels time on 16 July 2001.
- Tenders must indicate the name and address of the tenderer and:
 - the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 307/2001 EC;
 - the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - AGEA, via Palestro 81, I-00185 Roma (tel. (39-06) 49 49 991; telex 62 00 64/62 06 17/62 03 31; fax (39-06) 445 39 40/445 46 93).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 308/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

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

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999	Type of alcohol
ITALY	Bonollo — Paduni — Anagni (FR)		18 560	35	raw
	F. Ili Cipriani — Chizzola D'ala (TN)		5 840	35	raw
	ICV — Borgoricco (PD)		5 298	35	raw
	Mazzari — S. Agata S. Santerno (RA)		17 102	35	raw
	SVA — Ortona (CH)		3 200	35	raw
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 308/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12 noon Brussels time on 16 July 2001.
- Tenders must indicate the name and address of the tenderer and:
 - the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 308/2001 EC;
 - the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - AGEA, via Palestro 81, I-00185 Roma (tel. (39-06) 49 49 991; telex 62 00 64/62 06 17/62 03 31; fax (39-06) 445 39 40/445 46 93).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 309/2001 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

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

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999	Type of alcohol
ITALY	Bonollo Umberto — Conselve (PD)		1 280	35	raw
	Caviro — Faenza (RA)		8 025	35	raw
	Mazzari — S. Agata S. Santerno (RA)		10 098	35	raw
	Neri — Faenza (RA)		4 480	35	raw
	Distercoop — Faenza (RA)		2 880	35	raw
	Deta — Barberino Val D'Elsa (FI)		4 135	35	raw
	De Luca — Novoli (LE)		6 400	35	raw
	Balice — Valenzano (BA)		12 702	35	raw
	Total		50 000		

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

II. Destination and use of the alcohol

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

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

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

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 309/2001 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12 noon Brussels time on 16 July 2001.
- Tenders must indicate the name and address of the tenderer and:
 - (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 309/2001 EC;
 - (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - AGEA, via Palestro 81, I-00185 Roma (tel. (39-06) 49 49 991; telex 62 00 64/62 06 17/62 03 31; fax (39-06) 445 39 40/445 46 93).
 Securities shall be for EUR 200 000.

ANNEX II

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

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

ANNEX III

The only numbers to be used in Brussels are:

DG AGRI/D/4 (for the attention of Mr Chiappone or Mr Innamorati):

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

COMMISSION REGULATION (EC) No 1370/2001**of 5 July 2001****amending Regulation (EC) No 174/1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 26(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 174/1999 ⁽³⁾, as last amended by Regulation (EC) No 1202/2001 ⁽⁴⁾, lays down special detailed rules for the application of Council Regulation (EEC) No 804/68 ⁽⁵⁾ as regards export licences and export refunds covering milk and milk products. In order to ensure that the export refund scheme is managed properly and to reduce the risk of speculative applications and disturbance of the scheme with regard to certain milk products, the security fixed in that Regulation should be increased.
- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

Article 9 of Regulation (EC) No 174/1999 is hereby replaced by the following:

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

Done at Brussels, 5 July 2001.

Article 9

The security referred to in Article 15(2) of Commission Regulation (EC) No 1291/2000 ^(*) shall be equal to the percentage of the refund fixed for each product code and application on the day the export licence application is lodged, as follows:

- (a) 5 % for products covered by CN code 0405;
- (b) 30 % for products covered by CN code 0402 10;
- (c) 30 % for products covered by CN code 0406;
- (d) 20 % for other products.

The security may not, however, be less than EUR 6/100 kg.

The amount of the refund referred to in the first paragraph shall be that calculated for the total quantity of the product concerned, except for milk products containing added sugar.

For milk products containing added sugar, the amount of the refund referred to in the first paragraph shall be equal to the total quantity of the whole product concerned, multiplied by the refund rate applicable per kilogram of milk product.

^(*) OJ L 152, 24.6.2000, p. 1.

Article 2

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

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 163, 20.6.2001, p. 10.

⁽⁵⁾ OJ L 148, 28.6.1968, p. 13.

COMMISSION REGULATION (EC) No 1371/2001
of 5 July 2001
correcting 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 1301/2001 ⁽⁵⁾, as last amended by Regulation (EC) No 1362/2001 ⁽⁶⁾.

- (2) An error has been discovered in the Annexes to Regulation (EC) No 1362/2001. The Regulation in question should therefore be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

The Annexes to Regulation (EC) No 1301/2001 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 6 July 2001.

It shall apply from 5 July 2001.

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

Done at Brussels, 5 July 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 177, 30.6.2001, p. 3.

⁽⁶⁾ OJ L 182, 5.6.2001, p. 49.

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	0,00	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	0,00	0,00
	medium quality	0,00	0,00
	low quality	32,86	22,86
1002 00 00	Rye	14,02	4,02
1003 00 10	Barley, seed	14,02	4,02
1003 00 90	Barley, other ⁽³⁾	14,02	4,02
1005 10 90	Maize seed other than hybrid	67,72	57,72
1005 90 00	Maize other than seed ⁽³⁾	67,72	57,72
1007 00 90	Grain sorghum other than hybrids for sowing	38,73	28,73

⁽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 29 June to 3 July 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)	133,49	129,53	108,26	90,10	205,22 (**)	195,22 (**)	120,87 (**)
Gulf premium (EUR/t)	—	19,10	5,29	12,20	—	—	—
Great Lakes premium (EUR/t)	26,29	—	—	—	—	—	—

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

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: 21,72 EUR/t; Great Lakes — Rotterdam: 30,85 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).

**COMMISSION REGULATION (EC) No 1372/2001
of 5 July 2001
concerning the issue of import licences for certain preserved mushrooms**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2125/95 of 6 September 1995 opening and providing for the administration of Community tariff quotas for preserved mushrooms ⁽¹⁾, as last amended by Regulation (EC) No 2858/2000 ⁽²⁾, and in particular Article 6(4) thereof,

Whereas:

- (1) Article 6(4) of Regulation (EC) No 2125/95 lays down that where the quantities applied for exceed the quantity available, the Commission must set a flat-rate percentage reduction and suspend the issue of licences in respect of subsequent applications.
- (2) The quantities applied for on 2 and 3 July 2001 pursuant to Article 4(1)(a) of Regulation (EC) No 2125/95 for products originating in China exceed the quantity available. As a result, the extent to which licences may be issued and the issue of licences for all subsequent applications should be suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences applied for pursuant to Article 4(1)(a) of Regulation (EC) No 2125/95 for products originating in China on 2 and 3 July 2001 and submitted to the Commission on 4 July 2001 shall be issued, bearing the wording laid down in Article 11(1) of that Regulation, for 25,91 % of the quantity applied for.

Article 2

The issue of import licences applied for pursuant to Regulation (EC) No 2125/95 for products originating in China shall be suspended for applications submitted from 4 July until 31 December 2001.

Article 3

This Regulation shall enter into force on 6 July 2001.

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

Done at Brussels, 5 July 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 212, 7.9.1995, p. 16.

⁽²⁾ OJ L 332, 28.12.2000, p. 59.

COMMISSION REGULATION (EC) No 1373/2001
of 5 July 2001
amending Regulation (EC) No 713/2001 on the purchase of beef under Regulation (EC) No 690/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾,

Having regard to Commission Regulation (EC) No 690/2001 of 3 April 2001 on special market support measures in the beef sector ⁽²⁾, and in particular Article 2(2),

Whereas:

- (1) Regulation (EC) No 690/2001 provides in its Article 2(2) in particular for the opening or the suspension of tendering for purchase of beef depending on the average market prices for the reference class during the two most recent weeks with price quotations preceding the tender.

- (2) The application of Article 2 referred to above results in the opening of purchase by tender in a number of Member States. Commission Regulation (EC) No 713/2001 ⁽³⁾, as last amended by Regulation (EC) No 1223/2001 ⁽⁴⁾, on the purchase of beef under Regulation (EC) No 690/2001 should be amended accordingly.

- (3) Since this Regulation should be applied immediately it is necessary to provide for its entry into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 713/2001 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 6 July 2001.

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

Done at Brussels, 5 July 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 95, 5.4.2001, p. 8.

⁽³⁾ OJ L 100, 11.4.2001, p. 3.

⁽⁴⁾ OJ L 167, 22.6.2001, p. 3.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO —
LIITE — BILAGA

Estado miembro

Medlemsstat

Mitgliedstaat

Κράτος μέλος

Member State

État membre

Stati membri

Lidstaat

Estado-Membro

Jäsenvaltiot

Medlemsstat

Belgique/België

Deutschland

France

Nederland

Ireland

España

Portugal

COMMISSION REGULATION (EC) No 1374/2001**of 5 July 2001****fixing the maximum export refund on rye in connection with the invitation to tender issued in Regulation (EC) No 1005/2001**

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 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1005/2001 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (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

For tenders notified from 29 June to 5 July 2001, pursuant to the invitation to tender issued in Regulation (EC) No 1005/2001, the maximum refund on exportation of rye shall be EUR 32,00/t.

Article 2

This Regulation shall enter into force on 6 July 2001.

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

Done at Brussels, 5 July 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 140, 24.5.2001, p. 10.

COMMISSION REGULATION (EC) No 1375/2001**of 5 July 2001****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 943/2001**

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 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to all third countries except for Poland was opened pursuant to Commission Regulation (EC) No 943/2001 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (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

For tenders notified from 29 June to 5 July 2001, pursuant to the invitation to tender issued in Regulation (EC) No 943/2001, the maximum refund on exportation of common wheat shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 6 July 2001.

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

Done at Brussels, 5 July 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 133, 16.5.2001, p. 3.

COMMISSION REGULATION (EC) No 1376/2001
of 5 July 2001
fixing production refunds on cereals and rice

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 7 ⁽³⁾ thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1667/2000 ⁽⁴⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EC) No 87/1999 ⁽⁶⁾, and in particular Article 3 thereof,

Whereas:

- (1) Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be

fixed once a month and may be altered if the price of maize and/or wheat changes significantly.

- (2) The production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable.
- (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 refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 16,00/t.

Article 2

This Regulation shall enter into force on 6 July 2001.

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

Done at Brussels, 5 July 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 9, 15.1.1999, p. 8.

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 5/2001 OF THE ASSOCIATION COUNCIL BETWEEN THE EUROPEAN COMMUNITIES AND THEIR MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF LATVIA, OF THE OTHER PART,

of 25 April 2001

adopting the necessary rules for the implementation of Article 64(1)(i), (1)(ii) and (2) of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part

(2001/504/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part, signed on 12 June 1995, and in particular Article 64(3) thereof,

Whereas pursuant to Article 64(3) of the Europe Agreement the necessary rules for the implementation of Article 64(1) and (2) thereof should be adopted by the Association Council,

HAS DECIDED AS FOLLOWS:

Article 1

The necessary rules implementing Article 64(1)(i), (1)(ii) and (2) of the Europe Agreement establishing an association between the European Communities and their Member States, of the

one part, and the Republic of Latvia, of the other part, as set out in the Annex to this Decision, are hereby adopted.

Article 2

This Decision shall be published in the *Official Journal of the European Communities* and *Latvijas Vestnesis* (Latvian Official Journal).

Article 3

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 25 April 2001.

For the Association Council

The President

I. BĒRZIŅŠ

ANNEX

IMPLEMENTING RULES FOR COMPETITION PROVISIONS APPLICABLE TO UNDERTAKINGS

Implementing rules for the application of the competition provisions applicable to undertakings provided for in Article 64(1)(i), (1)(ii) and (2) of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part

*Article 1***General principle**

Cases relating to agreements between undertakings, decisions by associations of undertakings and concerted practices between undertakings which have as their object or effect the prevention, restriction or distortion of competition as well as to abuses of a dominant position in the territories of the Community or of Latvia as a whole or in a substantial part thereof, which may affect trade between the Community and Latvia shall be settled according to the principles contained in Article 64(1) and (2) of the Europe Agreement.

For this purpose, these cases are dealt with by the Commission of the European Communities (DG IV) on the Community side and the Latvian Competition Authority on the Latvian side.

The competences of the EC Commission and the Latvian Competition Authority to deal with these cases shall flow from the existing rules of the respective legislation of the Community and Latvia, including where these rules are applied to undertakings located outside the respective territory.

Both authorities shall settle the cases in accordance with their own substantive rules, and having regard to the provisions set out below. The relevant substantive rules of the authorities are the competition rules of the Treaty establishing the European Community as well as those of the European Coal and Steel Community Treaty including the competition-related secondary legislation, for the EC Commission and the Latvian Competition Law and the relevant by-laws for the Latvian Competition Authority.

ECONOMIC ACTIVITIES UNDER THE EC TREATY

*Article 2***Competence of both competition authorities**

Cases under Article 64 of the Europe Agreement which may affect both the Community and the Latvian market and which may fall under the competence of both competition authorities shall be dealt with by the EC Commission and the Latvian Competition Authority, according to the rules under this Article.

2.1. Notification

2.1.1. The competition authorities shall notify to each other those cases they are dealing with, which, according to the general principle laid out in Article 1, appear to fall also under the competence of the other authority.

2.1.2. This situation may arise in particular in cases concerning activities that:

- involve anti-competitive activities carried out in the other authority's territory,
- are relevant to enforcement activities of the other competition authority,
- involve remedies that would require or prohibit conduct in the other authority's territory.

2.1.3. Notification under this Article shall include sufficient information to permit an initial evaluation by the recipient party of any effects on its interests. Copies of the notifications shall be submitted on a regular basis to the Association Council.

- 2.1.4. Notification shall be made in advance, as soon as possible and at the latest at the stage of an investigation still far enough in advance of the adoption of a settlement or decision, so as to facilitate comments or consultations and to enable the proceeding authority to take into account the other authority's views, as well as to take such remedial actions it may find feasible under its own laws, in order to deal with the case in question.

2.2. Consultation and comity

Whenever the EC Commission or the Latvian Competition Authority consider that anti-competitive activities carried out on the territory of the other authority are substantially affecting important interests of the respective Party, it may request consultation with the other authority, or it may request that the other Party's competition authority initiate any appropriate procedures with a view to taking remedial action under its legislation on anti-competitive activities. This is without prejudice to any action under the requesting Party's competition law and does not hamper the full freedom of ultimate decision of the authority so addressed.

2.3. Finding of an understanding

The competition authority so addressed shall give full and sympathetic consideration to such views and factual materials as may be provided by the requesting authority and, in particular, to the nature of the anti-competitive activities in question, the enterprises involved and the alleged harmful effects on the important interests of the requesting Party.

Without prejudice to any of their rights or obligations, the competition authorities involved in consultations under this Article shall endeavour to find a mutually acceptable solution in the light of the respective important interests involved.

Article 3

Competence of one competition authority only

- 3.1. Cases falling under the exclusive competence of one competition authority, in accordance with the principle laid down in Article 1, and which may affect important interests of the other Party, shall be handled having regard to the provisions set out in Article 2, and taking account of the principles set out below.
- 3.2. In particular, whenever one of the competition authorities undertakes an investigation or proceeding in a case which is found to affect important interests of the other Party, the proceeding authority shall notify this case to the other authority, without formal request by the latter.

Article 4

Request for information

Whenever the competition authority of a Party becomes aware of the fact that a case, falling also or only under the competence of the other authority, appears to affect important interests of the first Party, it may request information about this case from the proceeding authority.

The proceeding authority shall give sufficient information to the extent possible and at a stage of its proceedings far enough in advance of the adoption of a decision or settlement to enable the requesting authority's views to be taken into account.

Article 5

Secrecy and confidentiality of information

- 5.1. Having regard to Article 64(7) of the Europe Agreement, neither competition authority is required to provide information to the other authority if disclosure of that information to the requesting authority is prohibited by the law of the authority possessing the information, or would be incompatible with important interests of the Party whose authority is in possession of the information.
- 5.2. Each authority agrees to maintain, to the fullest extent possible, the confidentiality of any information provided to it in confidence by the other authority.

*Article 6***Block exemptions**

In the application of Article 64 of the Europe Agreement as provided for in Articles 2 and 3 of these implementing rules, the competition authorities shall ensure that the principles contained in the block exemption regulations in force in the Community shall be applied in full. The Latvian Competition Authority shall be informed of any procedure related to the adoption, abolition or modification of block exemptions by the Community.

Where such block exemption regulations encounter serious objections on the Latvian side, and having regard to the approximation of legislation as foreseen in the Europe Agreement, consultations shall take place in the Association Council, in accordance with the provisions contained in Article 9.

The same principles shall apply regarding other significant changes in the Community or Latvian competition policies.

*Article 7***Merger control**

With regard to mergers which fall within Council Regulation (EEC) No 4064/89 of 21 December 1989 on the control of concentrations between undertakings ⁽¹⁾ and which have a significant impact on the Latvian economy, the Latvian Competition Authority shall be entitled to express its view in the course of the procedure, taking into account the time limits as provided for in the aforementioned Regulation. The EC Commission shall give due consideration to that view, without prejudice to any action under the Parties respective competition laws.

*Article 8***Activities of minor importance**

- 8.1. Anti-competitive activities whose effects on trade between the Parties or on competition are negligible, do not fall under Article 64(1) of the Europe Agreement, and therefore, are not to be treated under Articles 2 to 6 of the present implementing rules.
- 8.2. Negligible effects within the meaning of paragraph 8.1 are generally presumed to exist when:
 - the aggregate annual turnover of the participating undertakings does not exceed ECU 200 million, and
 - the goods or services which are the subject of the Agreement together with the participating undertakings other goods or services which are considered by users to be equivalent in view of their characteristics, price and intended use, do not represent more than 5 % of the total market for such goods or services in the area of the common market affected by the Agreement and the Latvian market affected by the Agreement.

*Article 9***Association Council**

- 9.1. Whenever the procedures provided for in Articles 2 and 3 above do not lead to a mutually acceptable solution, as well as in other cases explicitly mentioned in the present implementing rules, an exchange of views shall take place in the Association Council at the request of one Party within three months following the request.
- 9.2. Following this exchange of views, or after expiry of the period referred to in paragraph 9.1, the Association Council may make appropriate recommendations for the settlement of these cases, without prejudice to Article 64(6) of the Europe Agreement. In these recommendations, the Association Council may take into account any failure of the requested authority to give its point of view to the requesting authority within the period referred to in Article 9.1.
- 9.3. These procedures in the Association Council are without prejudice to any action under the respective competition laws in force in the territory of the Parties.

⁽¹⁾ OJ L 395, 30.12.1989, p. 1. Regulation as last amended by Regulation (EC) No 1310/97 (OJ L 180, 9.7.1997, p. 1).

*Article 10***Negative conflict of competence**

When both the EC Commission and the Latvian Competition Authority consider that neither of them is competent to handle a case on the basis of their respective legislation an exchange of views shall take place on request in the Association Council. The Community and the Republic of Latvia shall endeavour to find a mutually acceptable solution in the light of the respective important interests involved with the support of the Association Council, which may make appropriate recommendations, without prejudice to Article 64(6) of the Europe Agreement, and the rights of individual Member States of the European Communities on the basis of their competition rules.

ECONOMIC ACTIVITIES UNDER THE ECSC TREATY

*Article 11***Treaty establishing the European Coal and Steel Community (ECSC)**

The provisions contained in Articles 1 to 6 and 8 to 10 shall also apply with respect to the coal and steel sector.

*Article 12***Administrative Assistance (languages)**

The EC Commission and the Latvian Competition Authority will provide for practical arrangements for mutual assistance or any other appropriate solution concerning in particular the question of translations.

COUNCIL DECISION**of 26 June 2001****on the accession of the European Community to United Nations Economic Commission for Europe Regulation No 105 on the approval of vehicles intended for the carriage of dangerous goods with regard to their specific constructional features**

(2001/505/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement') ⁽¹⁾, and in particular Article 3(3) and the second indent of Article 4(2) thereof,

Having regard to the proposal from the Commission ⁽²⁾,Having regard to the assent of the European Parliament ⁽³⁾,

Whereas:

- (1) The standard requirements of United Nations Economic Commission for Europe Regulation No 105 on the approval of vehicles intended for the carriage of dangerous goods with regard to their specific constructional features are intended to remove technical barriers to trade in motor vehicles between the Contracting Parties in respect of specific constructional features of vehicles intended for the carriage of dangerous goods and to ensure a high level of safety and environmental protection.

- (2) Regulation No 105 has been notified to the Contracting Parties and has entered into force in respect of all the Contracting Parties who did not serve notice of their disagreement by the date or dates specified therein as a Regulation annexed to the Revised Agreement of 1958.
- (3) Regulation No 105 should be incorporated into the Community approval system for motor vehicles and thus be added to the legislation in force within the Community,

HAS DECIDED AS FOLLOWS:

Sole Article

The European Community shall accede to United Nations Economic Commission for Europe Regulation No 105 on the approval of vehicles intended for the carriage of dangerous goods with regard to their specific constructional features.

The text of the Regulation is attached hereto ⁽⁴⁾.

Done at Luxembourg, 26 June 2001.

*For the Council**The President*

T. ÖSTROS

⁽¹⁾ OJ L 346, 17.12.1997, p. 78.

⁽²⁾ OJ C 274 E 26.9.2000, p. 76.

⁽³⁾ Assent given on 15 May 2001 (not yet published in the Official Journal).

⁽⁴⁾ This Regulation shall be published in a future Official Journal.

COUNCIL DECISION**of 26 June 2001****on the accession of the European Community to United Nations Economic Commission for Europe Regulation No 104 on the approval of retro-reflecting markings for heavy and long vehicles and their trailers**

(2001/506/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreements of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement') ⁽¹⁾, and in particular Article 3(3) and the second indent of Article 4(2) thereof,

Having regard to the proposal from the Commission,

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

Whereas:

- (1) The standard requirements of United Nations Economic Commission for Europe Regulation No 104 on the approval of retro-reflecting markings for heavy and long vehicles and their trailers is intended to remove technical barriers to the trade in motor vehicles between the Contracting Parties in respect of retro-reflecting markings and ensure a high level of safety and environmental protection.

- (2) Regulation No 104 has been notified to the Contracting Parties and has entered into force in respect of all the Contracting Parties who did not serve notice of their disagreement by the date or dates specified therein as a Regulation appended to the Revised Agreement of 1958.
- (3) Regulation No 104 should be incorporated into the Community approval system for motor vehicles and should thus be added to the legislation in force within the Community,

HAS DECIDED AS FOLLOWS:

Sole Article

The European Community shall accede to United Nations Economic Commission for Europe Regulation No 104 on the approval of retro-reflecting markings for heavy and long vehicles and their trailers.

The text of the Regulation is attached hereto ⁽³⁾.

Done at Luxembourg, 26 June 2001.

*For the Council**The President*

T. ÖSTROS

⁽¹⁾ OJ L 346, 17.12.1997, p. 78.

⁽²⁾ Assent given on 15 May 2001 (not yet published in the Official Journal).

⁽³⁾ This Regulation shall be published in a future Official Journal.

COUNCIL DECISION

of 26 June 2001

on the accession of the European Community to Regulation 109 of the United Nations Economic Commission for Europe concerning the approval for the production of retreaded pneumatic tyres for commercial vehicles and their trailers

(2001/507/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ⁽¹⁾ ('Revised 1958 Agreement'), and in particular Article 3(3) and the second indent of Article 4(2) thereof,

Having regard to the proposal by the Commission ⁽²⁾,

Having regard to the assent of the European Parliament ⁽³⁾,

Whereas:

- (1) The aim of the uniform provisions of Regulation 109 of the United Nations Economic Commission for Europe concerning the approval for the production of retreaded pneumatic tyres for commercial vehicles and their trailers is to abolish the technical barriers to trade in motor vehicles between the Contracting Parties with regard to retreaded pneumatic tyres while ensuring a high level of safety and environmental protection.
- (2) Regulation 109 has been notified to the Contracting Parties and entered into force in respect of all the Contracting Parties who did not serve notice of their

disagreement by the date or dates specified in the Regulation annexed to the Revised Agreement of 1958.

- (3) In order to enable the economic operators to take appropriate measures to abide in time by the provisions of Regulation 109 so as not to disrupt the market in retreaded pneumatic tyres, in particular by dates of entry into force that could differ from one Member State to another, the uniform application of this Regulation throughout the Community will be regulated later through a Community Directive. However, Regulation 109 will not be integrated in the system for type-approval of motor vehicles and their trailers,

HAS DECIDED AS FOLLOWS:

Sole Article

The European Community shall accede to Regulation 109 of the United Nations Economic Commission for Europe concerning the approval for the production of retreaded pneumatic tyres for commercial vehicles and their trailers.

The text of the Regulation is attached to this Decision ⁽⁴⁾.

Done at Luxembourg, 26 June 2001.

For the Council

The President

T. ÖSTROS

⁽¹⁾ OJ L 346, 17.12.1997, p. 78.

⁽²⁾ OJ C 212 E, 25.7.2000, p. 79.

⁽³⁾ Assent given on 15 May 2001 (not yet published in the Official Journal).

⁽⁴⁾ This Regulation shall be published in a future Official Journal.

COUNCIL DECISION

of 26 June 2001

on the accession of the European Community to the United Nations Economic Commission for Europe Regulation No 106 concerning the approval of pneumatic tyres for agricultural vehicles and their trailers

(2001/508/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement') ⁽¹⁾, and in particular Article 3(3) and the second indent of Article 4(2) thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Having regard to the assent of the European Parliament ⁽³⁾,

Whereas:

- (1) The standard requirements of United Nations Economic Commission for Europe Regulation No 106 concerning the approval of pneumatic tyres for agricultural vehicles and their trailers are intended to remove technical barriers to trade in motor vehicles between the Contracting Parties in respect of tyres and ensure a high level of safety and environmental protection.

- (2) Regulation No 106 has been notified to the Contracting Parties and has entered into force in respect of all the Contracting Parties who did not serve notice of their disagreement by the date or dates specified therein as a Regulation annexed to the Revised Agreement of 1958.
- (3) Regulation No 106 should be incorporated into the Community approval system for agricultural and forestry tractors and should thus be added to the legislation in force within the Community,

HAS DECIDED AS FOLLOWS:

Sole Article

The European Community shall accede to United Nations Economic Commission for Europe Regulation No 106 concerning the approval of pneumatic tyres for agricultural vehicles and their trailers.

The text of the Regulation is attached to this Decision ⁽⁴⁾.

Done at Luxembourg, 26 June 2001.

For the Council

The President

T. ÖSTROS

⁽¹⁾ OJ L 346, 17.12.1997, p. 78.

⁽²⁾ OJ C 274 E, 26.9.2000, p. 34.

⁽³⁾ Assent given on 15 May 2001 (not yet published in the Official Journal).

⁽⁴⁾ This Regulation shall be published in a future Official Journal.

COUNCIL DECISION**of 26 June 2001****on the accession of the European Community to Regulation 108 of the United Nations Economic Commission for Europe concerning the approval for the production of retreaded pneumatic tyres for motor vehicles and their trailers**

(2001/509/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 97/836/EC of 27 November 1997 with a view to accession by the European Community to the Agreement of the United Nations Economic Commission for Europe concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ⁽¹⁾ ('Revised 1958 Agreement'), and in particular Article 3(3) and the second indent of Article 4(2) thereof,

Having regard to the proposal by the Commission ⁽²⁾,

Having regard to the assent of the European Parliament ⁽³⁾,

Whereas:

- (1) The aim of the uniform provisions of Regulation 108 of the United Nations Economic Commission for Europe concerning the approval for the production of retreaded pneumatic tyres for motor vehicles and their trailers is to abolish the technical barriers to trade in motor vehicles between the Contracting Parties with regard to retreaded pneumatic tyres while ensuring a high level of safety and environmental protection.
- (2) Regulation 108 has been notified to the Contracting Parties and entered into force in respect of all the Contracting Parties who did not serve notice of their

disagreement by the date or dates specified in the Regulation annexed to the Revised Agreement of 1958.

- (3) In order to enable the economic operators to take appropriate measures to comply in good time with the provisions of Regulation 108 so as not to disrupt the market in retreaded pneumatic tyres, in particular by dates of entry into force that could differ from one Member State to another, the uniform application of this Regulation throughout the Community will be regulated later through a Community Directive. However, Regulation 108 will not be integrated in the system for type-approval of motor vehicles and their trailers,

HAS DECIDED AS FOLLOWS:

Sole Article

The European Community shall accede to Regulation 108 of the United Nations Economic Commission for Europe concerning the approval for the production of retreaded pneumatic tyres for motor vehicles and their trailers.

The text of the Regulation is attached to this Decision ⁽⁴⁾.

Done at Luxembourg, 26 June 2001.

For the Council

The President

T. ÖSTROS

⁽¹⁾ OJ L 346, 17.12.1997, p. 78.

⁽²⁾ OJ C 177, 22.6.2000, p. 47.

⁽³⁾ Assent given on 15 May 2001 (not yet published in the Official Journal).

⁽⁴⁾ This Regulation shall be published in a future Official Journal.

COUNCIL DECISION
of 25 June 2001
concluding consultations with Côte d'Ivoire under Article 96 of the ACP-EC Partnership Agreement

(2001/510/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the ACP-EC Partnership Agreement signed at Cotonou (Benin) on 23 June 2000 as already put into anticipated application by Decision 1/2000 of the ACP-EC Council of Ministers ⁽¹⁾,

Having regard to the internal agreement on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement, as put into provisional application by Decision of the representatives of the Governments of the Member States, meeting within the Council, of 18 September 2000, ⁽²⁾ and, in particular, Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The essential elements cited in Article 9 of the ACP-EC Partnership Agreement have been violated by the lack of openness of the presidential and legislative elections held respectively in October and December 2000, and by the acts of violence carried out against civilians throughout the period of democratic transition. In addition, the Ivorian authorities have failed to fulfil the undertakings they gave as part of the consultations, held under Article 366a of the Agreement amending the fourth ACP-EC Convention of Lomé, signed in Mauritius on 4 November 1995 ⁽³⁾, between January and June 2000.
- (2) Pursuant to Article 96 of the ACP-EC Partnership Agreement, consultations were held on 15 February 2001 with Côte d'Ivoire, at which the Ivorian authorities gave specific undertakings so as to remedy the problems set out by the European Union.

- (3) Since then, an intensive dialogue has been conducted between the European Union and the Government of Côte d'Ivoire and a number of practical measures have been taken in order to implement the above undertakings. Nevertheless, certain measures have still not been adequately implemented in practice,

HAS DECIDED AS FOLLOWS:

Article 1

Consultations with Côte d'Ivoire pursuant to Article 96 of the ACP-EC Partnership Agreement are hereby concluded.

Article 2

The measures specified in the attached draft letter are hereby adopted as appropriate measures within the meaning of Article 96(2)(c) of the ACP-EC Partnership Agreement.

Article 3

This Decision shall take effect on the date of its adoption and shall expire on 30 June 2002.

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Luxembourg, 25 June 2001.

For the Council

The President

A. LINDH

⁽¹⁾ OJ L 317, 15.12.2000, p. 1.

⁽²⁾ OJ L 317, 15.12.2000, p. 375.

⁽³⁾ OJ L 156, 29.5.1998, p. 1.

ANNEX

DRAFT LETTER TO THE PRIME MINISTER AND MINISTER FOR PLANNING OF DEVELOPMENT

Brussels, ...

H. E. Mr Pascal AFFI N'GUESSAN
Prime Minister and Minister for Planning of Development
Abidjan
Côte d'Ivoire

Dear Prime Minister,

The European Union places great importance on the provisions of Article 9 of the Cotonou Agreement. The ACP-EU partnership is founded on respect for human rights, democratic principles and the rule of law; these are essential elements of the above agreement, and thus form the basis for relations between us.

In this spirit, the European Union has followed closely the democratic transition in Côte d'Ivoire, especially with regard to the undertakings given by the Ivorian authorities as part of the February 2000 consultation process under Article 366a of the Lomé IVa Convention. In this respect, we are particularly concerned by the lack of openness in the Presidential and legislative elections of October and December 2000, as well as by the acts of violence which have been carried out during this period.

In this context, on 22 January 2001 the Council of the European Union decided to invite Côte d'Ivoire to open consultations, with a view to examining in depth both the situation and the ways in which it might be remedied.

These consultations took place in Brussels on 15 February 2001. Several fundamental questions were addressed, and you were able to present the Ivorian authorities' point of view and their analysis of the situation. The European Union took note of your commitment:

- to ensure that the political system is opened to all shades of opinion, in particular by guaranteeing that the local elections are open to all political parties, and by ensuring the independence and neutrality of judicial bodies,
- to make the 'national reconciliation committee' an active and efficient structure for dealing with the country's recent inter-community problems, which has the necessary operational resources, and whose recommendations are systematically followed up by the government,
- to give priority to a full and transparent investigation into the atrocities committed during the transitional period, including under the military regime,
- to guarantee the neutrality of the armed forces and their respect for human rights,
- to guarantee the independence and neutrality of the judiciary, notably in the appointment of the principal judicial authorities,
- to guarantee freedom of expression, and in particular freedom of the press,
- to publicly condemn expressions of xenophobia and adapt administrative procedures relating to citizenship and residence issues, in order to improve the situation of foreign residents of Côte d'Ivoire in this regard,
- to resume talks with all political parties.

It was also agreed that an intensive dialogue would be held in Abidjan over a period of three months on the various points raised, and that the situation would be assessed at the end of this period.

This process of regular and intensive dialogue in Abidjan is now completed. It focused on a series of measures which you yourself proposed could be implemented in order to fulfil the undertakings you had given.

This dialogue made clear that, in general terms, the process of opening up the political process to all shades of opinion and all communities is under way. A number of significant measures have been taken by the Ivorian authorities. In particular, we welcome that:

- local elections were held which were open to all political parties and in which they participated,
- a dialogue was launched including all political parties,
- a national debate was initiated on national reconciliation and on the operating resources to be made available to the National Reconciliation Committee. A national forum on reconciliation is planned for mid-July 2001,
- legal proceedings were launched concerning some major cases of human rights violations in the wake of the presidential election (October 2000) and concerning the persons arbitrarily imprisoned in the wake of the parliamentary elections in December 2000,
- a national identification office was established and began work,
- unauthorised permanent roadblocks set up by the police have been considerably reduced in number,
- all political parties have been granted free access to the State-run media.

These initiatives are a clear indication that a process is under way which should restore social and political stability to the country. However, the following points continue to give cause for concern and require continued monitoring:

- political initiatives to promote national reconciliation are still eagerly awaited, in particular from the national forum,
- the dialogue including all political parties which has been launched needs to be maintained,
- the appointment, in compliance with the principles of independence and neutrality, of the judges who will sit in the Ivorian high courts when they are set up, is still awaited,
- investigations and legal proceedings concerning the acts of violence carried out during the year 2000 and in particular around the October and December 2000 polls must be launched and/or accelerated in a systematic manner, taking account of the recommendations of the reports of the international investigations, *inter alia* the UN enquiry, which have been assisted by the government of Côte d'Ivoire,
- the commitment to publicly condemn expressions of xenophobia and to adapt administrative procedures relating to citizenship and residence issues, in order to improve the situation of foreign residents of Côte d'Ivoire and the public commitment of President Gbagbo in this regard still need to be backed up by additional practical measures and confirmed by an official policy statement, in particular regarding intolerance of xenophobic actions and new administrative procedures.

The undertakings given on 15 February should lead in due course to greater political stability, in particular by opening up the political process to all shades of opinion and all resident communities. While it would appear that this process has begun in certain areas, practical measures are still needed to ensure that it becomes an integral part of Ivorian political, economic and social life.

In the light of these undertakings, and the present assessment of their implementation, the Council of the European Union is prepared to conclude the consultations under Article 96 of the ACP-EC Partnership Agreement. Given that significant measures have already been taken, although some are still to be implemented, the Council has decided to resume cooperation gradually, by adopting the following measures as appropriate steps within the meaning of Article 96(2)(c) of the ACP-EC Partnership Agreement.

- (i) With the conclusion of the consultations, cooperation may resume. The initial disbursements will focus on social themes, institutional support and the private sector. Support for measures implemented by the authorities in fulfilment of their undertakings may be considered. You will be notified of the allocation of resources under the ninth EDF, and preparations for the use of resources covered by the Commission Decisions of 24 July and 27 December 2000 concerning Stabex transfers for the 1998 and 1999 years of application will be launched.

- (ii) The situation will be reviewed in September 2001. Once new and substantial progress has been made towards fulfilling undertakings, over and above that already achieved, aid will be rolled out progressively and new measures may be adopted under Stabex 1999.
- (iii) Following a further review of the situation in January 2002, establishing that the undertakings have been fulfilled, full cooperation will be resumed. Among other things, this will include an agreement on cooperation strategy within the framework of the 9th EDF, together with a structural adjustment facility connected to a poverty reduction strategy paper (PRSP).

A total sum of up to EUR 400 million of EDF funds could be committed over the coming three to four years.

Progress towards improving public management systems, in particular to bring them into line with the Memorandum of Understanding signed with Côte d'Ivoire on 7 September 1999, must go hand in hand with the implementation of cooperation policy.

The European Union will continue to follow the situation closely and monitor progress made with the process of national reconciliation. We are eager that focused and intensive dialogue with the Ivorian authorities should continue.

Yours faithfully,

For the Commission

For the Council

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...

COUNCIL DECISION
of 27 June 2001
on further exceptional financial assistance to Kosovo

(2001/511/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) The Commission has consulted the Economic and Financial Committee before submitting its proposal.
- (2) The Security Council of the United Nations adopted Resolution 1244(1999) on 10 June 1999 aiming to promote the establishment, pending a final settlement, of substantial autonomy and self-government in Kosovo within the Federal Republic of Yugoslavia.
- (3) The international community, basing itself upon Resolution 1244(1999), has set up an international security presence (KFOR) and an interim civil administration — the United Nations Interim Mission in Kosovo (UNMIK).
- (4) UNMIK consists of four components (Pillars) and the European Union has taken the lead role ⁽²⁾ for the fourth Pillar responsible for economic reconstruction.
- (5) UNMIK has taken steps to involve the main political parties and ethnic communities of Kosovo in its activities and is continuing to do so.
- (6) UNMIK, and particularly Pillar IV thereof, has achieved substantial progress in setting up an institutional, legal and policy framework conducive to the creation of a sound economy based on market principles. It has provided for a functioning banking and payments system and promoted the development of the private sector. UNMIK has also made progress in developing the revenue base and keeping expenditure under control.
- (7) UNMIK established a Central Fiscal Authority providing for transparent and accountable procedures to manage the Kosovo budget.
- (8) On the basis of estimates from UNMIK presented in agreement with the International Monetary Fund (IMF), Kosovo requires external support to further progress in

establishing a sound market economy and a civil administration. It is estimated that exceptional external financial assistance of some EUR 90 million would be needed until the end of 2001.

- (9) UNMIK has presented a request for exceptional financial assistance. The international community considers that the provision of external budgetary support, fairly shared among donors, is essential to help cover the residual financing needs identified under the budget prepared for Kosovo by UNMIK.
- (10) Kosovo is not in a position to borrow either domestically or on the international financial market and it is not eligible for membership of the international financial institutions and may therefore not benefit from financial assistance associated with their programmes.
- (11) Although economic activity has resumed with considerable speed after the conflict, Kosovo is at a low level of economic development and its GDP per capita is estimated to be one of the lowest in the region and in Europe.
- (12) Kosovo's current low level of economic development is the result of long-term neglect as well as conflict-related damages which cannot be overcome quickly but require reliable support over a significant period of time so as to establish sustainable institutions and to achieve durable economic growth.
- (13) The Community has found it an appropriate measure to help ease Kosovo's financial constraints in the exceptionally difficult circumstances and has already, under Council Decision 2000/140/EC ⁽³⁾ provided for financial assistance in the form of straight grants in 2000 amounting to EUR 35 million.
- (14) Financial assistance from the Community, in liaison with other donors, in the form of straight grants to be made available to UNMIK in support of the Kosovo people continues to be the appropriate measure.
- (15) Without prejudice to the powers of the budgetary authority, the financial assistance will be part of the envelope of aid envisaged for Kosovo, and therefore subject to the funds being available in the general budget.

⁽¹⁾ Opinion delivered on 14 June 2001 (not yet published in the Official Journal)

⁽²⁾ International civil presence in Kosovo: Report of the Secretary-General pursuant to paragraph 10 of Security Council Resolution 1244(1999), S/1999/672, 12 June 1999, II.5.

⁽³⁾ OJ L 47, 19.2.2000, p. 28.

- (16) The exceptional financial assistance should be managed by the Commission in consultation with the Economic and Financial Committee.
- (17) The Treaty does not provide, for the adoption of this Decision, powers other than those of Article 308,

HAS DECIDED AS FOLLOWS:

Article 1

1. In addition to the financial assistance already decided upon by the Council in its Decision 2000/140/EC on 14 February 2000, the Community shall make available to UNMIK, in conjunction with the contributions of the other donors, exceptional financial assistance in the form of straight grants of up to EUR 30 million, with a view to alleviating the financial situation in Kosovo, facilitating the establishment and continuation of essential administrative functions and supporting the development of a sound economic framework.

2. This assistance shall be managed by the Commission in close consultation with the Economic and Financial Committee and in a manner consistent with agreements or understandings reached between the IMF and UNMIK or any other internationally recognised authorities of Kosovo.

Article 2

1. The Commission is empowered to agree with UNMIK, after consultation with the Economic and Financial Committee, the economic conditions attached to this assistance. These conditions shall be consistent with any agreement referred to in Article 1(2).

2. The Commission shall verify at regular intervals, in consultation with the Economic and Financial Committee and in liaison with the IMF and the World Bank, that economic

policies in Kosovo respect the objectives and economic policy conditions of this assistance.

Article 3

1. The assistance shall be made available to UNMIK in at least two instalments. Subject to the provisions of Article 2, the first instalment shall be released on the basis of a Memorandum of Understanding between UNMIK and the Community.

2. Subject to the provisions of Article 2, the second and any possible further instalment shall be released on the basis of a successful completion of the economic conditions referred to in Article 2(1) and not before three months after the release of the previous instalment.

3. The funds shall be made available to UNMIK through the Central Fiscal Authority exclusively in support of Kosovo's budgetary needs.

Article 4

All related costs incurred by the Community in concluding and carrying out the operation under this Decision shall be borne by UNMIK if appropriate.

Article 5

The Commission shall address to the European Parliament and to the Council an annual report, which will include an evaluation on the implementation of this Decision.

Done at Luxembourg, 27 June 2001.

For the Council

The President

B. ROSENGREN
