

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1560/2001
of 31 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 1 August 2001.

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

Done at Brussels, 31 July 2001.

For the Commission
Frederik BOLKESTEIN
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 31 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
0707 00 05	052	45,1
	999	45,1
0709 90 70	052	75,3
	999	75,3
0805 30 10	388	74,0
	524	90,0
	528	65,9
	999	76,6
0806 10 10	052	103,7
	220	83,2
	400	192,4
	508	134,5
	600	106,6
	624	78,1
	999	116,4
0808 10 20, 0808 10 50, 0808 10 90	388	94,4
	400	81,0
	508	85,9
	512	99,9
	524	55,8
	528	57,8
	720	129,1
	800	199,8
	804	97,9
	999	100,2
0808 20 50	052	120,0
	388	85,7
	512	69,0
	528	71,3
	999	86,5
0809 20 95	052	327,0
	400	244,7
	404	244,6
	999	272,1
0809 30 10, 0809 30 90	052	130,9
	999	130,9
0809 40 05	052	77,7
	064	70,5
	066	76,6
	094	63,7
	624	261,2
	999	109,9

⁽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 1561/2001

of 31 July 2001

fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾, and in particular Article 27(5)(a) and (15),

Whereas:

(1) Article 27(1) and (2) of Regulation (EEC) No 1260/2001 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds ⁽²⁾, as amended by Regulation (EC) No 2390/2000 ⁽³⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EC) No 1260/2001.

(2) In accordance with Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.

(3) Article 27(3) of Regulation (EC) No 1260/2001 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.

(4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.

(5) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardized by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

(6) Council Regulation (EC) No 1260/2001 does not provide for the compensation system for storage costs to be extended after 1 July 2001. This should therefore be taken into account when fixing the amounts of refunds, in particular with regard to the advance-fixing options.

(7) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1(1) and (2) of Regulation (EC) No 1260/2001, exported in the form of goods listed in Annex V to Regulation (EC) No 1260/2001, are fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 2001.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 177, 15.7.2000, p. 1.

⁽³⁾ OJ L 276, 28.10.2000, p. 3.

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

Done at Brussels, 31 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

ANNEX

to the Commission Regulation of 31 July 2001 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex I to the Treaty

Product	Rate of refund in EUR/100 kg		
	In case of advance fixing of refunds and export from 1 October 2001	In case of advance fixing of refunds and export up to 30 September 2001	Other
White sugar:	33,50	35,50	35,50

COMMISSION REGULATION (EC) No 1562/2001**of 31 July 2001****fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

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 15 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 31(3) thereof,

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund. Whereas Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as amended by Regulation (EC) No 2390/2000 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999.

(2) In accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.

(3) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products.

(4) Article 11(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(5) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁵⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁶⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

(7) 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

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1 of Regulation (EC) No 1255/1999, exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 August 2001.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁴⁾ OJ L 276, 28.10.2000, p. 3.

⁽⁵⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁶⁾ OJ L 76, 25.3.2000, p. 9.

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

Done at Brussels, 31 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

ANNEX

to the Commission Regulation of 31 July 2001 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):	
	(a) On exportation of goods of CN code 3501	—
	(b) On exportation of other goods	0,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):	
	(a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	20,61
	(b) On exportation of other goods	50,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):	
	(a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	65,00
	(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	157,25
	(c) On exportation of other goods	150,00

COMMISSION REGULATION (EC) No 1563/2001**of 31 July 2001****amending Regulation (EC) No 1520/2000 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2580/2000 ⁽²⁾, and in particular the first subparagraph of Article 8(3) thereof,

Whereas:

- (1) It is necessary to clarify and fine-tune certain provisions regarding refund certificates and certain provisions regarding the use of Annex D as provided for in Commission Regulation (EC) No 1520/2000 ⁽³⁾, as amended by Regulation (EC) No 2390/2000 ⁽⁴⁾.
- (2) In order to make the use of refund certificates more efficient, they must be made transferable without, however, promoting an increase in the number of applications for purposes of speculation. The transferee should be designated before a certificate is applied for.
- (3) Operators retain their refund right if they have complied with the applicable rules and have not made a specific refund application within three months of the date on which the customs authority accepted the export declaration. In such cases, the guarantee or part thereof corresponding to the refund certificate is retained.
- (4) There must be specific provisions covering refund certificates in the case of an open invitation to tender in a non-member country in order to enable European operators to submit a bid on competitive terms. However, for the sake of simplification, the procedure must be based largely on what is already provided for in Article 49 of Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁵⁾, as last amended by Regulation (EC) No 1095/2001 ⁽⁶⁾.
- (5) For reasons of administrative simplification, special procedures should be laid down for the release of the guarantee, including in particular the conditions for partial release and a threshold below which a guarantee that should have been retained may be released.
- (6) In order to make full use of the scope for exporting agricultural products that benefit from refunds, there must be provisions similar to those set out in Article 35 of Regulation (EC) No 1291/2000 and operators must be encouraged to swiftly return certificates that have not been fully used throughout the budget period.
- (7) Because of the amendments under this Regulation, the references to the Articles of Regulation (EC) No 1291/2000 will need to be adapted.
- (8) With a view to more efficient use of the funds available, particularly in view of the need for the Community to meet its international commitments, there must be procedures for adapting the threshold above which the exemption from presenting certificates for certain exporters no longer applies. It is also necessary to make special arrangements to enable operators that no longer wish to take advantage of the exemption from presenting certificates when a budgetary period is changed to make efficient use of the threshold provided for in Article 14(2) of Regulation (EC) No 1520/2000. Furthermore, in order to ensure that the Community's international commitments have been met by the end of a budget year, there must be procedures for suspending payments in connection with refund certificates issued during the corresponding budget period.
- (9) Given the experience acquired since the introduction of refund certificates, the procedures provided for in Annex F to Regulation (EC) No 1520/2000 need to be adapted.
- (10) It has to be possible to apply some of the provisions of this Regulation as from 9 July. The date of entry into force therefore has to be as soon as possible after the date of publication.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee on Horizontal Questions Concerning Trade in Processed Agricultural Products Not Listed in Annex I,

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 298, 25.11.2000, p. 5.

⁽³⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁴⁾ OJ L 276, 28.10.2000, p. 3.

⁽⁵⁾ OJ L 152, 24.6.2000, p. 1.

⁽⁶⁾ OJ L 150, 6.6.2001, p. 25.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1520/2000 is amended as follows:

1. Article 6(3) is replaced by the following:

‘3. Without prejudice to the provisions set out in Article 6a, the refund certificate shall not be transferable. It shall be used by the holder.’

2. The following Article 6a is inserted:

‘Article 6a

1. Obligations deriving from licences or certificates shall not be transferable. Rights deriving from licences or certificates may be transferred by their titular holder during the period of their validity, provided that such transfer is made in favour of a single transferee only for each certificate or extract therefrom and the name and address of the transferee who accepts it are entered in box 20 of the application form for a refund certificate no later than at the time of lodging the application. Such transfer shall relate to the amounts not yet attributed to the certificate or to all the extracts therefrom.

Before the certificate is issued, the following shall be entered in box 22 and completed in accordance with the details of the application: “The rights may possibly be transferred to... (name and address of the transferee)”

If no name and address of a possible transferee were specified in the application for the certificate, box 6 shall be deleted.

2. Transferees may not further transfer their rights but may transfer them back to the titular holder.

In such cases, one of the following entries shall be made by the issuing body in section 6 of the certificate:

- retrocesión al titular, el ...
- tilbageføring til indehaveren den ...
- Rückübertragung auf den Bescheinigungsinhaber am ...
- εκ νέου παραχώρηση στο δικαιούχο στις ...
- rights transferred back to the titular holder on [date]
- rétrocession au titulaire le ...
- retrocessione al titolare in data ...
- aan de titularis geretrocedeerd op ...
- retrocessão ao titular em ...
- palautus todistuksenhaltijalle ...
- återbördad till licensinnehavaren den ...

3. In the event of a request for transfer by the titular holder or transfer back to the titular holder by the transferee, the issuing body or the agency or agencies designated by each Member State shall enter the following on the certificate or, where appropriate, the extract therefrom:

- (a) the name and address of the transferee as indicated in accordance with paragraph 1 or the entry referred to in paragraph 2;

- (b) the date of such entry certified by the stamp of the body or agency.

4. The transfer or transfer back to the titular holder shall take effect from the date of the entry.’

3. In Article 7, the following paragraph 5 is added:

‘5. A refund requested on the basis of a specific application which is not the export declaration shall be granted on the applicable terms, particularly those set out in Article 6.

Without prejudice to the previous subparagraph, if the time limit of three months specified in paragraph 4 is not complied with, the obligation referred to in paragraph 3 cannot be deemed to have been met and consequently, the security provided for in Article 11 shall be retained in respect of the amount in question.’

4. The following Article 10a is inserted:

‘Article 10a

1. This Article shall apply to refund certificates applied for fixing the refund in advance, on the day the application is lodged, in connection with an invitation to tender issued in an importing non-member country.

The expression “invitation to tender” shall be understood to mean open invitations issued by public agencies in third countries, or by international bodies governed by public law, to submit by a given date tenders on which a decision will be taken by those agencies or bodies.

For the purposes of this Article, the armed forces referred to in Article 36(1)(c) of Regulation (EC) No 800/1999 shall be regarded as an importing country.

2. Exporters who have submitted or wish to submit a tender in response to an invitation to tender as referred to in paragraph 1 may, by way of derogation from Article 8(5), (6) and (9), subject to the conditions set out in paragraph 10, and provided the conditions specified in paragraph 3 are fulfilled, apply for one or more certificates, which will be issued subject to the exporter being awarded a contract.

3. This Article shall apply only if the following particulars at least are specified in the invitation to tender:

- the importing country and the agency issuing the invitation to tender,
- the closing date for the submission of tenders,
- the specific quantity of products covered by the invitation to tender.

The party concerned shall communicate these particulars to the issuing agency when applying for the certificate.

An application or applications for a certificate may not be lodged more than 15 days before the closing date for the submission of tenders but must be lodged at the latest by 1 p.m. on that closing date.

The amount in respect of which the certificate or certificates are applied for may not exceed the corresponding quantity applying the rate fixed in advance in accordance with the first subparagraph of paragraph 1, specified in the invitation to tender. No account shall be taken of tolerances or options provided for in the invitation to tender.

4. Notwithstanding Article 15(2) of Regulation (EC) 1291/2000, the security need not be lodged when the certificate is applied for.

5. Within 44 days of the closing date for submitting tenders, except in case of *force majeure*, the applicant shall inform the issuing body by letter or by written telecommunication, to reach the issuing body no later than the date of expiry of the 44-day time limit:

- (a) either that he has himself been awarded a contract;
- (b) or that he has not been awarded a contract;
- (c) or that he has not submitted a tender;
- (d) or that he is not in a position to know the outcome of the invitation to tender within the time limit specified for reasons which may not be ascribed to him.

6. Applications for certificates shall not be accepted where, during the period of issue to which applications for refund certificates are subject, the issue of a certificate has been suspended in accordance with the second subparagraph of Article 8(8).

No special measure taken subsequent to the expiry of the said period may prevent the issue of one or more certificates in respect of the invitation to tender in question where the applicant has fulfilled the following conditions:

- (a) the information referred to in the first subparagraph of paragraph 3 is evidenced by the appropriate documents;
- (b) proof is furnished of the applicant's having been awarded a contract;
- (c) the contract is presented; or
- (d) where absence of the contract is justified, documentation is submitted attesting the obligations entered into with the other contracting party or parties, including confirmation from his or their bank of the opening of an irrevocable documentary letter of credit by the purchaser's financial institution relating to the agreed delivery;
- (e) the security required for the issue of the certificate is lodged.

The certificate or certificates shall be issued only for the country referred to in the first indent of the first subparagraph of paragraph 3. The invitation to tender shall be mentioned thereon.

The total amount for which the certificate or certificates are issued shall be the corresponding total quantity applying the rate fixed in advance in accordance with the first subparagraph of paragraph 1, for which the applicant was awarded the contract and has presented the contract or documentation referred to in point (d); such amount may not exceed the amount applied for.

By way of exemption from Article 9(1) and the first and second subparagraphs of Article 9(2), refund certificates issued in accordance with this article shall be valid with effect from the day on which they are issued within the meaning of Article 23(2) of Regulation (EC) No 1291/2000. Refund certificates shall be valid for no longer than the end of the eighth month following the month of issue or until 30 September of each year, whichever is the sooner. Rates fixed in advance are therefore valid until the last day of the certificate's validity.

No certificate may be issued for the amount corresponding to the quantity for which the applicant has not been awarded a contract or has failed to comply with any of the conditions specified in point (a), (b), (c) and (e) of the second subparagraph or, as the case may be, point (a), (b), (d) and (e) of the second subparagraph.

The holder of the certificate or certificates shall be held primarily liable for the repayment of any refund incorrectly paid where it is established that the certificate or certificates was or were issued on the basis of a contract or obligation, specified in point (d), not corresponding to the invitation to tender opened by the non-member country.

7. In the cases referred to in paragraph 5(b), (c) and (d), no certificate shall be issued in connection with the application referred to in paragraph 3.

8. Where the applicant for a certificate fails to comply with paragraph 5, no certificate shall be issued.

However, where the applicant furnishes proof to the issuing body that the closing date for the submission of tenders has been deferred:

- by no more than 10 days, the application shall remain valid and the period of 44 days for notifying the particulars specified in paragraph 5 shall run with effect from the new closing date for the submission of tenders,
- by more than 10 days, the application shall no longer be valid.

9. (a) If the successful tenderer demonstrates to the satisfaction of the competent authority that the agency that issued the invitation to tender has cancelled the contract for reasons which are not attributable to the tenderer and are not considered to constitute *force majeure*, the competent authority shall release the security in cases where the rate of the refund fixed in advance in respect of the basic product corresponding to the largest refund compared with the other basic products used is higher than or equal to the rate of the refund valid on the last day of the certificate's validity.

(b) If the successful tenderer demonstrates to the satisfaction of the competent authority that the agency that issued the invitation to tender has obliged him to accept changes to the contract for reasons that are not attributable to him and are not considered to constitute *force majeure*, the competent authority may extend the validity of the certificate and the duration of advance fixing up to 30 September.

(c) If the successful tenderer furnishes proof that the invitation to tender or the contract concluded following the award provided for a downward tolerance or option of more than 5 % and that the agency that issued the invitation to tender is invoking the relevant clause, the obligation to export shall be deemed to have been fulfilled where the quantity exported is not more than 10 % less than the quantity corresponding to the amount for which the certificate was issued, on condition that the rate of the refund fixed in advance in respect of the basic product corresponding to the largest refund compared with the other basic products used is higher than or equal to the rate of the refund valid on the last day of validity of the certificate. In such cases the rate of 95 % referred to in Article 12(4) shall be replaced by 90 %.

(d) In comparing the rate of the refund fixed in advance with that of the refund valid on the last day of validity of the certificate, account shall be taken, where applicable, of other amounts provided for under Community rules.

10. By way of exemption from Article 8, applications for refund certificates may be submitted in accordance with this article from 1 October of each budget period. Member States shall immediately inform the Commission of the particulars referred to in the first subparagraph of paragraph 3, and of the amounts and date and time of submission of each certificate applied for. The Commission shall inform the Member State within two working days of such notification whether the third subparagraph of paragraph 12 is applicable.

11. In the case of applications which have not yet been submitted, the Commission may suspend application of paragraph 2 under the conditions set out in the second and third subparagraphs of Article 8(8).

12. For the purposes of applying the first subparagraph of paragraph 6, the Commission may consider that there is no danger of international commitments not being met if the sum of the amounts corresponding to a single invitation to tender for which one or more applications for certificates have been made by one or more operators and for which no certificate has yet been issued does not exceed EUR 2 million.

However, this limit may be increased to EUR 4 million if none of the reduction coefficients published since the beginning of the budgetary period and referred to in Article 8(5) exceeds 50 %.

Refund certificates shall not be issued to operators if the amount concerned, added to the amounts for which certificates have been applied for as part of the same invitation to tender, exceed the applicable limit.

5. Article 12 is replaced by the following:

'Article 12

1. If a reduction coefficient is applied pursuant to Article 8(5) and (8), part of the security equal to the amount lodged multiplied by the reduction coefficient shall be released immediately.

2. Should the applicant withdraw his application for a certificate, as provided for in Article 8(6), 94 % of the security shall be released.

3. The security shall be released in full once the holder of the certificate has applied for refunds totalling 95 % of the amount for which the certificate was issued. On application by the titular holder, Member States may release the security by instalments in proportion to the quantities of products for which proof as referred to in Article 7(4) has been produced, provided that proof has been produced that an amount equal to at least 5 % of that indicated on the certificate has been applied for.

4. Where the refund certificate has been used for less than 95 % of the amount for which it was issued, part of the security equal to 25 % of the difference between 95 % of the amount for which the certificate was issued and the amount of refunds actually used shall be forfeited.

Furthermore, if the total amount of the security which would be forfeited comes to EUR 60 or less for a given certificate, the Member State concerned shall release the whole of the security.

5. However,

- where the certificate or an extract from the certificate is returned to the issuing body within a period corresponding to the initial two thirds of its term of validity, the corresponding amount of security to be forfeited shall be reduced by 40 %; for this purpose, any part of a day counts as a whole day;
- where the certificate or extract from the certificate is returned to the issuing body within a period corresponding to the last third of its term of validity or during the month following the expiry date, the corresponding amount of security to be forfeited shall be reduced by 25 %.

The above paragraph shall apply only to certificates and extracts from certificates returned to the issuing body during the budgetary period in respect of which the certificates have been issued, provided that they are returned more than 30 days before the end of that period.'

6. In Article 14, paragraphs 2 and 3 are replaced by the following:

'2. The provisions of this Article are applicable to exports by operators that have not held a refund certificate since the beginning of the budgetary period in question and do not hold such a certificate on the date of export. The applications submitted by the operator on the terms set out in Annex F-VI, paragraph 2, during the budget year and before the submission of the application for the export in question must total less than EUR 50 000.

For the application of the previous subparagraph, if the specific application is regarded by the competent authority as being the customs declaration within the meaning of Article 5(1) of Regulation (EC) No 800/1999, the date of the application may, if the competent authority agrees, be the date on which the customs authority accepted the export declaration in question.

This Article is applicable only in the Member State in which the goods are manufactured or assembled.

3. Member States shall notify the Commission no later than the fifth day of each month of the amounts of the refunds granted pursuant to this Article from the sixteenth day to the end of the previous month, and no later than the twentieth day of each month of the amounts of the refunds granted pursuant to this Article from the first to the fifteenth day of the current month.

If the sum of the amounts notified by the Member States reaches 20 million euro, the Commission can suspend the application of paragraphs 1 and 2 of this Article to exports not covered by a refund certificate.

Taking into account both the amounts notified by Member States in application of the first subparagraph and the European Community's meeting of international commitments, the Commission may adjust the amount provided for in the second subparagraph in respect of a budgetary period, in which case it shall publish the new amount in the *Official Journal of the European Communities*.

7. Article 15(2) is replaced by the following:

'2. By way of derogation from paragraph 1, the following provisions of Regulation (EEC) No 1291/2000 shall not apply to the refund certificates referred to in this Regulation:

- Articles 9, 12, 14, 21, 24, 32, 33, 35, 42, 46, 47, 49 and 50,
- Article 8(2),
- Article 8(4),
- Article 18(1),
- Article 36(5).'

8. Article 16 is amended as follows:

(a) In paragraph 3, the second subparagraph is replaced by the following:

'However, if the goods concerned are listed in columns 1 and 2 of Annex D, the party concerned may, at his express request, be granted a refund, the nature and quantity of the basic products taken into consideration for the calculation of such refund being determined from an analysis of the goods to be exported and in accordance with the conversion table in Annex D. The competent authority shall decide on the conditions under which the analysis is to be carried out.'

(b) Paragraph 8 is replaced by the following:

'8. As regards exports effected between 1 October and 15 October of each year, refunds may not be paid before 16 October.

As regards exports effected with presentation of a refund certificate issued in respect of a budgetary period, and where the Commission considers that there is a danger that the Community may not meet its international commitments, refund payments scheduled after the end of that period may not be made before 16

October, in which case the time limit referred to in the first subparagraph of Article 49(8) of Regulation (EC) No 800/1999 may be temporarily extended to three months and 15 days.

If the previous subparagraph is applied, the Commission shall publish this provision before 20 September in the *Official Journal of the European Communities*.'

9. Annex F is amended as follows:

(a) in section I, paragraph 2 is replaced by the following:

- '2. The "Export licence or advance fixing certificate" shall be stamped "Refund certificate non-Annex I". This information may be computerised.

Applicants must complete boxes 4, 8, 17 and 18 and, where appropriate, 7. In boxes 17 and 18, the amount shall be entered in euro;

Boxes 13 to 16 shall not be completed.

In box 20, applicants must state whether they plan to use the refund certificate only in the Member State which issued it or whether they require a refund certificate which is valid throughout the Community.

Applicants must enter in box 20 the words "Article 8-1", or other words to the satisfaction of the competent authority, if the application refers to a certificate provided for under Article 8(1) or the words "Article 8-8", or other words to the satisfaction of the competent authority, if it refers to a certificate provided for under Article 8(8) to (10).

Applicants must enter the place and date of application and sign the application.

If the application concerns food aid, they must also enter in box 20 one of the indications mentioned in Article 10 of this Regulation or in Article 3 of Commission Regulation (EC) No 259/98 (*).

(*) OJ L 25, 31.1.1998, p. 39.'

(b) In section II, paragraph 3 is replaced by the following:

- '3. Application for an extract from a refund certificate

Any holder of a refund certificate may request an extract from the certificate for an amount not exceeding the amount not yet recorded on the original certificate on the date on which the extract is issued, particularly if the refund applications for the planned exports will not be submitted in the Member State which issued the refund certificate. In this case, the amount for which an extract is requested shall be recorded on the original certificate and an extract shall be issued, based on an application drawn up on the form set out in Annex I to Regulation (EC) No 1291/2000 and containing the following information:

- in boxes 1 and 2, the name of the agency which issued the refund certificate from which an extract is requested and the number of the original certificate,
- in box 4, the name of the holder of the refund certificate,
- in boxes 17 and 18, the amount of the extract requested in euro.'

(c) Section IV is replaced by the following:

IV. Issue of refund certificates without advance fixing for use throughout the Community

These refund certificates shall be completed in the same way as the certificates referred to in Section III.

Box 21 shall be deleted.

Should the holder of such a refund certificate subsequently request advance fixing of the refund rates, he must return the original certificate and any extracts already issued. "Refund valid on [date], fixed in advance on [date]" shall be entered and completed in box 22 of the certificate.'

Article 2

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

Article 1(2) and (5) shall apply to certificates applied for as from 9 July 2001 and corresponding to exports effected as from 1 October 2001.

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

Done at Brussels, 31 July 2001.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

COMMISSION REGULATION (EC) No 1564/2001**of 31 July 2001****amending Regulation (EC) No 562/2000 as regards vacuum-packing of certain cuts of intervention beef and correcting Regulation (EC) No 1209/2001**

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⁾, as last amended by Regulation (EC) No 1512/2001 ⁽²⁾, and in particular Article 47(8) thereof,

Whereas:

- (1) Commission Regulation (EC) No 562/2000 of 15 March 2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef ⁽³⁾, as last amended by Regulation (EC) No 1082/2001 ⁽⁴⁾, lays down in particular rules on the packing of cuts immediately after boning of the meat and specific requirements for intervention boning.
- (2) On the basis of experience, it is necessary to clarify the situation with regard to the possibility of vacuum-packing certain individual cuts of intervention beef. Regulation (EC) No 562/2000 should therefore be amended accordingly.
- (3) Article 1(2)(b) of the English version of Commission Regulation (EC) No 1209/2001 of 20 June 2001 derogating from Regulation (EC) No 562/2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef ⁽⁵⁾, as amended by Regulation (EC) No 1496/2001 ⁽⁶⁾, contains an error. Therefore, this Regulation should be corrected.

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

HAS ADOPTED THIS REGULATION:

Article 1

In Annex V to Regulation (EC) No 562/2000, the following point 3 is added:

‘3. VACUUM-PACKING OF CERTAIN INDIVIDUAL CUTS

Member States may decide to allow vacuum-packing instead of individual wrapping as provided for under point 1 for cuts of codes INT 12, 13, 14, 15, 16, 17 and 19.’

Article 2

Article 1(2)(b) of the English version of Regulation (EC) No 1209/2001 shall read as follows:

- ‘(b) the following may be bought into intervention: five-rib forequarters obtained using a straight cut from the carcasses or half carcasses referred to in Article 4(2) of Regulation (EC) No 562/2000; the price of forequarters shall be calculated by applying the coefficient 0,80 to the carcass price.’

Article 3

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

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

Done at Brussels, 31 July 2001.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 201, 26.7.2001, p. 1.

⁽³⁾ OJ L 68, 16.3.2000, p. 22.

⁽⁴⁾ OJ L 149, 2.6.2001, p. 19.

⁽⁵⁾ OJ L 165, 21.6.2001, p. 15.

⁽⁶⁾ OJ L 197, 21.7.2001, p. 3.

COMMISSION REGULATION (EC) No 1565/2001**of 31 July 2001****amending Regulation (EEC) No 2191/81 on the granting of aid for the purchase of butter by non-profit making institutions and organisations**

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 15 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2191/81 ⁽³⁾, as last amended by Regulation (EC) No 1207/98 ⁽⁴⁾, provides for the grant of aid for the purchase of butter by non-profit-making institutions and organisations. In view of the current situation on the butter market and the level of sales under that Regulation, the aid amount must be reduced.

- (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

In the first subparagraph of Article 2(1) of Regulation (EEC) No 2191/81, the amount of 'ECU 105' is replaced by 'EUR 100'.

Article 2

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

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

Done at Brussels, 31 July 2001.

For the Commission

Frederik BOLKESTEIN

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 213, 1.8.1981, p. 20.

⁽⁴⁾ OJ L 166, 11.6.1998, p. 37.

**COMMISSION REGULATION (EC) No 1566/2001
of 12 July 2001**

implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community concerning the specification of the 2002 ad hoc module on employment of disabled people

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 577/98 of 9 March 1998 on the organisation of a labour force sample survey in the Community ⁽¹⁾, and in particular Article 4(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1626/2000 ⁽²⁾ has drawn up a programme of ad hoc modules to the labour force survey covering years 2001 to 2004, which includes an ad hoc module on employment of disabled people.
- (2) In accordance with Article 4(2) of Regulation (EC) No 577/98 the detailed list of information to be collected in an ad hoc module shall be drawn at least 12 months before the beginning of the reference period for that module.
- (3) There is a need for a comprehensive and comparable dataset on the labour market situation of people with disabilities, as referred to in the Council Resolution of 17 June 1999 on equal opportunities for people with disabilities ⁽³⁾, which calls upon the Commission to work

together with the Member States, in particular within the framework of the European employment guidelines and in accordance with the mainstreaming principle, to monitor and analyse the development of the employment of people with disabilities on the basis of comparable data.

- (4) The measures provided for in this Regulation are in accordance with the opinion delivered by the Statistical Programme Committee established by Council Decision 89/382/EEC, Euratom ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The detailed list of information to be collected in the year 2002 by the ad hoc module on employment of disabled people is laid down in the Annex to the present Regulation.

Article 2

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

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

Done at Brussels, 12 July 2001.

For the Commission

Pedro SOLBES MIRA

Member of the Commission

⁽¹⁾ OJ L 77, 14.3.1998, p. 3.

⁽²⁾ OJ L 187, 26.7.2000, p. 5.

⁽³⁾ OJ C 186, 2.7.1999, p. 3.

⁽⁴⁾ OJ L 181, 28.6.1989, p. 47.

ANNEX

LABOUR FORCE SURVEY

Specification of the 2002 ad hoc module on employment of disabled people

1. Member States and regions concerned: all

2. The variables will be coded as follows:

Column	Code	Description	Filter, remarks
220		<i>Existence of a longstanding health problem or disability</i>	Everybody aged 16 to 64
	1	Yes	
	2	No	
	9	Not applicable (person aged less than 16 or more than 64)	
221/222	Blank	No answer	Col. 220 = 1
		<i>Type of health problem or disability (code main type)</i>	
		Optional for Germany	
	01	Problems with arms or hands (which includes arthritis or rheumatism)	
	02	Problems with legs or feet (which includes arthritis or rheumatism)	
	03	Problems with back or neck (which includes arthritis or rheumatism)	
	04	Difficulty in seeing (with glasses or contact lenses if worn)	
	05	Difficulties in hearing (with hearing aids or grommets, if used)	
	06	Speech impediment	
	07	Skin conditions, including severe disfigurement, allergies	
	08	Chest or breathing problems, includes asthma and bronchitis	
	09	Heart, blood pressure or circulation problems	
	10	Stomach, liver, kidney or digestive problems	
	11	Diabetes	
	12	Epilepsy (include fits)	
	13	Mental, nervous or emotional problems	
	14	Other progressive illnesses (which include cancers NOS, MS, HIV, Parkinson's disease)	
	15	Other longstanding health problems	
	99	Not applicable (col. 220 ≠ 1)	
	Blank	No answer	
223		<i>Time since onset of health problem or disability</i>	Col. 220 = 1
	1	Less than 6 months	
	2	At least 6 months but less than 1 year	
	3	At least 1 year but less than 2 years	
	4	At least 2 years but less than 3 years	

Column	Code	Description	Filter, remarks
224	5	At least 3 years but less than 5 years	Col. 220 = 1
	6	At least 5 years but less than 10 years	
	7	10 years or more	
	8	Don't know	
	9	Not applicable (col. 220 ≠ 1)	
	Blank	No answer	
		<i>Cause of health problem or disability</i>	
		Optional for Germany	
	1	Born with it or birth injury	
	2	Work-related accident or injury including traffic accidents at work	
	3	Traffic accident or injury (non-work-related)	
	4	Household, leisure and sports accident or injury (non-work-related)	
	5	Work-related diseases	
	6	Non-work-related diseases	
	7	Don't know	
225	9	Not applicable (col. 220 ≠ 1)	Col. 220 = 1 and col. 24 = 1, 2
	Blank	No answer	
		<i>Whether works in sheltered or supported employment</i>	
		Optional for Germany	
	1	Yes	
	2	No	
	3	Don't know	
226	9	Not applicable (col. 220 ≠ 1 or col. 24 ≠ 1, 2)	Col. 220 = 1
	Blank	No answer	
		<i>Whether health problem restricts kind of work that can be done</i>	
	1	Yes, considerably	
	2	Yes, to some extent	
	3	No	
	4	Don't know	
227	9	Not applicable (col. 220 ≠ 1)	Col. 220 = 1
	Blank	No answer	
		<i>Whether health problem restricts amount of work that can be done</i>	
	1	Yes, considerably	
	2	Yes, to some extent	
	3	No	
	4	Don't know	
	9	Not applicable (col. 220 ≠ 1)	
	Blank	No answer	

Column	Code	Description	Filter, remarks
228		<i>Whether health problem restricts mobility to and from work that can be done</i> Optional for Germany	Col. 220 = 1
	1	Yes, considerably	
	2	Yes, to some extent	
	3	No	
	4	Don't know	
	9	Not applicable (col. 220 ≠ 1)	
	Blank	No answer	
229		<i>Whether some form of assistance is provided to work</i>	Col. 220 = 1 and col. 24 = 1, 2 and (col. 226 or 227 or 228 = 1, 2)
	1	Yes	
	2	No	
	3	Don't know	
	9	Not applicable (col. 220 ≠ 1 or col. 24 ≠ 1, 2 or (col. 226 and 227 and 228 ≠ 1, 2))	
	Blank	No answer	
230		<i>Whether some form of assistance is needed to work</i>	Col. 220 = 1 and col. 24 = 3-5 and (col. 226 or 227 or 228 = 1, 2)
	1	Yes	
	2	No	
	3	Don't know	
	9	Not applicable (col. 220 ≠ 1 or col. 24 ≠ 3-5 or (col. 226 and 227 and 228 ≠ 1, 2))	
	Blank	No answer	
231		<i>Type of assistance provided/needed to work (code main type)</i> Optional for Germany	Col. 229 = 1 or col. 230 = 1
	1	Assistance with kind of work	
	2	Assistance with amount of work	
	3	Assistance with mobility to get to and from work	
	4	Assistance with mobility at work	
	5	Support and understanding by superiors and colleagues	
	6	Other	
	7	Don't know	
	9	Not applicable (col. 229 ≠ 1 and col. 230 ≠ 1)	
	Blank	No answer	
232/237		<i>Weighting factor for disabled population (optional)</i>	
	0000-9999	Columns 232 to 235 contain whole numbers	
	00-99	Columns 236 to 237 contain decimal places	

COMMISSION REGULATION (EC) No 1567/2001
of 31 July 2001
altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the third subparagraph of Article 27(5) thereof,

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1520/2001 ⁽²⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 1520/2001 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 1520/2001 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 31 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.
⁽²⁾ OJ L 201, 26.7.2001, p. 18.

ANNEX

to the Commission Regulation of 31 July 2001 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	32,66 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	32,66 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	32,66 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	32,66 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,3550
1701 99 10 9100	A00	EUR/100 kg	35,50
1701 99 10 9910	A00	EUR/100 kg	35,50
1701 99 10 9950	A00	EUR/100 kg	35,50
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,3550

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 19 (4) of Council Regulation (EC) No 1260/2001.

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

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

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

COMMISSION REGULATION (EC) No 1568/2001**of 31 July 2001****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

(1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽²⁾, provides that the export refund on 100 kilograms of the products listed in Article 1(1)(d) of Regulation (EC) No 1260/2001 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.

(3) Article 30(3) of Regulation (EC) No 1260/2001 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽³⁾ to the products listed in the Annex to the last mentioned Regulation;

(4) According to the terms of Article 30(1) of Regulation (EC) No 1260/2001, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said Regulation exported in the natural state must be equal to one-hundredth of an amount which takes account, on

the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements.

(5) According to the terms of Article 30(4) of Regulation (EC) No 1260/2001, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.

(6) Article 27 of Regulation (EC) No 1260/2001 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 1260/2001 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article 1(1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.

(7) The refunds referred to above must be fixed every month; they may be altered in the intervening period.

(8) Application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation.

(9) Regulation (EC) No 1260/2001 does not make provision to continue the compensation system for storage costs from 1 July 2001. This should accordingly be taken into account when fixing the refunds granted when the basic product is processed after 30 September 2001.

(10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

⁽³⁾ OJ L 178, 30.6.2001, p. 63.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d)(f)(g) and (h) of Regulation (EC) No 1260/2001, exported in the natural state, shall be set out in the Annex hereto.

Where an export licence for which the refund amount was fixed in accordance with the first paragraph is used after 30 September 2001, the refund in question shall be reduced by EUR 2/100 kg net white sugar equivalent.

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 31 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

ANNEX

to the Commission Regulation of 31 July 2001 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	A00	EUR/100 kg dry matter	35,50 ⁽²⁾
1702 60 10 9000	A00	EUR/100 kg dry matter	35,50 ⁽²⁾
1702 60 80 9100	A00	EUR/100 kg dry matter	67,45 ⁽⁴⁾
1702 60 95 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3550 ⁽¹⁾
1702 90 30 9000	A00	EUR/100 kg dry matter	35,50 ⁽²⁾
1702 90 60 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3550 ⁽¹⁾
1702 90 71 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3550 ⁽¹⁾
1702 90 99 9900	A00	EUR/1 % sucrose × net 100 kg of product	0,3550 ⁽¹⁾ ⁽³⁾
2106 90 30 9000	A00	EUR/100 kg dry matter	35,50 ⁽²⁾
2106 90 59 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,3550 ⁽¹⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.

⁽²⁾ Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.

⁽³⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

⁽⁴⁾ Applicable only to products defined under Article 6 of Regulation (EC) No 2135/95.

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

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

COMMISSION REGULATION (EC) No 1569/2001**of 31 July 2001****fixing the production refund on white sugar used in the chemical industry**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular Article 7(5) thereof,

Whereas:

- (1) Pursuant to Article 7(3) of Regulation (EC) No 1260/2001, production refunds may be granted on the products listed in Article 1(1)(a) and (f) of that Regulation, on syrups listed in Article 1(1)(d) thereof and on chemically pure fructose covered by CN code 1702 50 00 as an intermediate product, that are in one of the situations referred to in Article 23(2) of the Treaty and are used in the manufacture of certain products of the chemical industry.
- (2) Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽²⁾ lays down the rules for determining the production refunds and specifies the chemical products the basic products used in the manufacture of which attract a production refund. Articles 5, 6 and 7 of Regulation (EC) No 1265/2001 provide that the production refund applying to raw sugar, sucrose syrups and unprocessed isoglucose is to be derived from the refund fixed for white sugar in accordance with a method of calculation specific to each basic product.
- (3) Regulation (EC) No 1265/2001 also lays down provisions for establishing the production refund. Article 9 of that Regulation provides that the production refund on white sugar is to be fixed at monthly intervals commencing on the first day of each month. It may be adjusted in the intervening period where there is a significant change in the prices for sugar on the Community and/or world markets. The application of

those provisions results in the production refund fixed in Article 1 of this Regulation for the period shown.

- (4) As a result of the amendment to the definition of white sugar and raw sugar in Article 1(2)(a) and (b) of Regulation (EC) No 1260/2001, flavoured or coloured sugars or sugars containing any other added substances are no longer deemed to meet those definitions and should thus be regarded as 'other sugar'. However, in accordance with Article 1 of Regulation (EC) No 1265/2001, they attract the production refund as basic products. A method should accordingly be laid down for calculating the production refund on these products by reference to their sucrose content.
- (5) Regulation (EC) No 1260/2001 does not make provision to continue the compensation system for storage costs from 1 July 2001. This should accordingly be taken into account when fixing the refunds granted where the basic product is processed after 30 September 2001.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The production refund on white sugar referred to in Article 4 of Regulation (EC) No 1265/2001 shall be equal to EUR 31,890/100 kg net.

Where the basic product qualifying for the production refund fixed in the first paragraph is processed after 30 September 2001, the production refund in question shall be reduced by EUR 2/100 kg net.

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 31 July 2001.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 178, 30.6.2001, p. 63.

COMMISSION REGULATION (EC) No 1570/2001
of 31 July 2001
amending the export refunds on eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organisation of the market in eggs ⁽¹⁾, as last amended by Commission Regulation (EC) No 1516/96 ⁽²⁾, and in particular Article 8(3) thereof,

Whereas:

- (1) The export refunds on eggs were fixed by Commission Regulation (EC) No 1462/2001 ⁽³⁾.
- (2) It follows from applying the criteria referred to in Article 8 of Regulation (EEC) No 2771/75 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1) of Regulation (EEC) No 2771/75, exported in the natural state, as fixed in the Annex to Regulation (EC) No 1462/2001 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 31 July 2001.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 49.

⁽²⁾ OJ L 189, 30.7.1996, p. 99.

⁽³⁾ OJ L 194, 18.7.2001, p. 12.

ANNEX

to the Commission Regulation of 31 July 2001 amending the export refunds on eggs

Product code	Destination	Unit of measurement	Amount of refund
0407 00 11 9000	A02	EUR/100 pcs	2,15
0407 00 19 9000	A02	EUR/100 pcs	1,00
0407 00 30 9000	E01	EUR/100 kg	7,00
	E03	EUR/100 kg	8,00
	E05	EUR/100 kg	3,50
0408 11 80 9100	E04	EUR/100 kg	30,00
0408 19 81 9100	E04	EUR/100 kg	13,00
0408 19 89 9100	E04	EUR/100 kg	13,00
0408 91 80 9100	E06	EUR/100 kg	33,00
0408 99 80 9100	E04	EUR/100 kg	8,00

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

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

The other destinations are defined as follows:

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

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

E04 all destinations except Switzerland and Estonia

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

E06 all destinations except Switzerland, Estonia and Lithuania.

COMMISSION REGULATION (EC) No 1571/2001**of 31 July 2001****determining the percentage of quantities covered by applications for export licences for eggs which may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1371/95 of 16 June 1995 laying down detailed rules for implementing the system of export licences in the egg sector ⁽¹⁾, as last amended by Regulation (EC) No 2336/1999 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Regulation (EC) No 1371/95 provides for specific measures where applications for export licences concern quantities and/or expenditure which exceed the normal trade patterns or where there is a risk that they will be exceeded, taking account of the limit referred to in Article 8(12) of Council Regulation (EEC) No 2771/75 ⁽³⁾, as last amended by Commission Regulation (EC) No 1516/96 ⁽⁴⁾, and/or the corresponding expenditure during the period in question.
- (2) Uncertainty is a feature of the market in certain egg products. The impending adjustment of the refunds applicable to those products has led to the submission

of applications for export licences for speculative ends. There is a risk that the issue of licences for the quantities applied for on 23 to 27 and 30 to 31 July 2001 may lead to an overrun in the quantities of the products concerned normally disposed of by way of trade. Applications covering the products concerned in respect of which export licences have not yet been granted should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

No further action shall be taken in respect of applications submitted for export licences for eggs of 23 to 27 and 30 to 31 July 2001 pursuant to Regulation (EC) No 1371/95 in respect of category three of Annex I to that Regulation which should have been issued from 1 August and from 8 August 2001 respectively.

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 31 July 2001.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 133, 17.6.1995, p. 16.

⁽²⁾ OJ L 281, 4.11.1999, p. 16.

⁽³⁾ OJ L 282, 1.11.1975, p. 49.

⁽⁴⁾ OJ L 189, 30.7.1996, p. 99.

COMMISSION REGULATION (EC) No 1572/2001
of 31 July 2001
amending the corrective amount applicable to the refund on cereals

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 13(8) thereof,

Whereas:

- (1) The corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 1494/2001 ⁽³⁾.
- (2) On the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered.

- (3) The corrective amount must be fixed according to the same procedure as the refund. It may be altered in the period between fixings,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1(1)(a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 31 July 2001.

For the Commission

Frederik BOLKESTEIN

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 196, 20.7.2001, p. 24.

ANNEX

to the Commission Regulation of 31 July 2001 altering the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C01	—	-0,93	-1,86	-2,79	-3,72	—	—
1002 00 00 9000	A00	0	0,00	0,00	0,00	0,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	—	-0,93	-1,86	-2,79	-3,72	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	-0,93	-1,86	-2,79	-3,72	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	-1,00	0,00	-0,93	-1,86	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	C01	0	-1,27	-2,55	-3,82	-5,10	—	—
1101 00 15 9130	C01	0	-1,19	-2,38	-3,57	-4,76	—	—
1101 00 15 9150	C01	0	-1,10	-2,19	-3,29	-4,39	—	—
1101 00 15 9170	C01	0	-1,01	-2,03	-3,04	-4,05	—	—
1101 00 15 9180	C01	0	-0,95	-1,90	-2,85	-3,79	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9700	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	-1,40	-2,79	-4,19	-5,58	—	—
1103 11 10 9400	A00	0	-1,25	-2,49	-3,74	-4,98	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	-1,27	-2,55	-3,82	-5,10	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

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

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

The other destinations are as follows:

C01 All destinations except for Poland.

COMMISSION REGULATION (EC) No 1573/2001
of 31 July 2001
altering the corrective amount applicable to the refund on malt

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 13(8) thereof,

Whereas:

- (1) The corrective amount applicable to the refund on malt was fixed by Commission Regulation (EC) No 1298/2001 ⁽³⁾, as amended by Regulation (EC) No 1446/2001 ⁽⁴⁾.
- (2) On the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market

into account, the corrective amount at present applicable to the refund on malt should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 13(4) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to is hereby altered to the amount set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 31 July 2001.

For the Commission

Frederik BOLKESTEIN

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 176, 29.6.2001, p. 56.

⁽⁴⁾ OJ L 193, 17.7.2001, p. 14.

ANNEX

to the Commission Regulation of 31 July 2001 amending the corrective amount applicable to the refund on malt

(EUR/t)

Product code	Destination	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	-1,18	-2,36	-3,54	-4,72	-5,91
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	-1,18	-2,36	-3,54	-4,72	-5,91
1107 20 00 9000	A00	0	-1,39	-2,77	-4,16	-5,54	-6,93

(EUR/t)

Product code	Destination	6th period 2	7th period 3	8th period 4	9th period 5	10th period 6	11th period 7
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	-7,09	-8,27	-9,45	-10,63	-11,81	—
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	-7,09	-8,27	-9,45	-10,63	-11,81	—
1107 20 00 9000	A00	-8,31	-9,70	-11,09	-12,47	-13,86	—

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

The numeric destination codes are set out in Commission Regulation (EC) No 2543/1999 (OJ L 307, 2.12.1999, p. 46).

**COMMISSION REGULATION (EC) No 1574/2001
of 31 July 2001
fixing 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) Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 31 July 2001.

For the Commission

Frederik BOLKESTEIN

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.

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	0,16	0,00
	low quality	19,80	9,80
1002 00 00	Rye	21,18	11,18
1003 00 10	Barley, seed	21,18	11,18
1003 00 90	Barley, other ⁽³⁾	21,18	11,18
1005 10 90	Maize seed other than hybrid	65,95	55,95
1005 90 00	Maize other than seed ⁽³⁾	65,95	55,95
1007 00 90	Grain sorghum other than hybrids for sowing	45,89	35,89

⁽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 17 July to 30 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)	137,40	132,06	119,73	97,92	202,56 (**)	192,56 (**)	113,88 (**)
Gulf premium (EUR/t)	—	14,88	7,58	7,95	—	—	—
Great Lakes premium (EUR/t)	18,26	—	—	—	—	—	—

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

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: 19,92 EUR/t; Great Lakes — Rotterdam: 31,97 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 DIRECTIVE 2001/57/EC**of 25 July 2001****amending the Annexes to Council Directives 86/362/EEC, 86/363/EEC and 90/642/EEC on the fixing of maximum levels for pesticide residues in and on cereals, foodstuffs of animal origin and certain products of plant origin, including fruit and vegetables respectively****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals ⁽¹⁾, as last amended by Commission Directive 2001/48/EC ⁽²⁾, and in particular Article 10 thereof,

Having regard to Council Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on foodstuffs of animal origin ⁽³⁾, as last amended by Commission Directive 2001/39/EC ⁽⁴⁾, and in particular Article 10 thereof,

Having regard to Council Directive 90/642/EEC of 27 November 1990 on the fixing of maximum levels for pesticide residues in and on certain products of plant origin including fruit and vegetables ⁽⁵⁾, as last amended by Directive 2001/48/EC, and in particular Article 7 thereof,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽⁶⁾, as last amended by Commission Directive 2001/49/EC ⁽⁷⁾, and in particular Article 4(1)(f) thereof,

Whereas:

- (1) The existing active substance, fluroxypyr, was included in Annex I to Directive 91/414/EEC by Commission Directive 2000/10/EC ⁽⁸⁾. No harmonised maximum residue levels for this active substance have yet been set by the Commission. The harmonisation of maximum residue levels is desirable both from the public health and from the trade point of view.
- (2) Following inclusion of the substance in Annex I, Member States authorised a number of plant protection products containing it in accordance with Article 4 of Directive 91/414/EEC, and established provisional maximum residue levels as required by Article 4(1)(f) thereof. These authorisations concern uses as a herbicide in orchards or as a post emergence herbicide on apples, olives, onions, cereals, meadows and pastures. As required by that Directive, those levels, and the information on which they were based, have been notified to the

Commission. This information together with data available from other sources has been reviewed and is sufficient to provisionally fix certain maximum residue levels.

- (3) Article 5 of Directive 86/363/EEC requires that provisional maximum residue levels for animal products established pursuant to Article 4(1)(f) of Directive 91/414/EEC be indicated in Annex II to Directive 86/363/EEC.
- (4) At the inclusion in Annex I to Directive 91/414/EEC the technical and scientific evaluation of fluroxypyr was finalised on 30 November 1999 in the format of the Commission review report for fluroxypyr. In this review report the acceptable daily intake (ADI) for fluroxypyr was set at 0,8 mg/kg bw/day. The lifetime exposure of consumers of food products treated with fluroxypyr has been assessed and evaluated in accordance with the procedures and practices used within the European Community, taking account of guidelines published by the World Health Organisation ⁽⁹⁾ and it has been calculated that the maximum residue levels fixed in this Directive do not give rise to an exceeding of this ADI.
- (5) Acute toxic effects requiring the setting of an acute reference dose were not noted during the evaluation and discussion that preceded the inclusion of fluroxypyr in Annex I to Directive 91/414/EEC.
- (6) To ensure that the consumer is adequately protected from exposure to residues in or on products for which no authorisations have been granted, it is prudent to set maximum residue levels at the lower limit of analytical determination for all such products covered by Directives 86/362/EEC, 86/363/EEC and 90/642/EEC. The setting at Community level of provisional maximum residue levels does not prevent Member States from establishing provisional maximum residue levels for fluroxypyr in accordance with Article 4(1)(f) of Directive 91/414/EEC and Annex VI thereto.
- (7) Four years is considered a sufficient period of time during which to establish most further uses of fluroxypyr. After that period, provisional maximum residue levels should become definitive.

⁽¹⁾ OJ L 221, 7.8.1986, p. 37.

⁽²⁾ OJ L 180, 3.7.2001, p. 26.

⁽³⁾ OJ L 221, 7.8.1986, p. 43.

⁽⁴⁾ OJ L 148, 1.6.2001, p. 70.

⁽⁵⁾ OJ L 350, 14.12.1990, p. 71.

⁽⁶⁾ OJ L 230, 19.8.1991, p. 1.

⁽⁷⁾ OJ L 176, 29.6.2001, p. 61.

⁽⁸⁾ OJ L 57, 2.3.2000, p. 28.

⁽⁹⁾ Guidelines for predicting dietary intake of pesticide residues (revised), prepared by the GEMS/Food Programme in collaboration with the Codex Committee on Pesticide Residues, published by the World Health Organisation 1997 (WHO/FSF/FOS/97.7).

- (8) The Community's trading partners have been consulted about the levels set out in this Directive through the World Trade Organisation and their comments on these levels have been considered. No CODEX maximum residue levels are defined for fluroxypyr. The possibility of fixing maximum residue levels for specific pesticide/crop combinations other than those listed herein will be examined by the Commission on the basis of the submission of acceptable data.
- (9) The opinions of the Scientific Committee for Plants, in particular advice and recommendations concerning the protection of consumers of food products treated with pesticides, have been taken into account.
- (10) This Directive is in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In part A of Annex II to Directive 86/362/EEC, the following rows are added:

Pesticide residue	Maximum level (mg/kg)
'Fluroxypyr including its esters expressed as fluroxypyr	0,1 ^(p) Barley, oats, rye, triticale and wheat
	0,05 ^(*) ^(p) Other cereals

(*) Indicates lower limit of analytical determination.

^(p) Indicates provisional maximum residue level established in accordance with Article 4(1)(f) of Directive 91/414/EEC: all provisional maximum residue levels for these pesticide residues will be treated as definitive in accordance with Article 10 of the Directive with effect from four years after the entry into force of this Directive.'

Article 2

The following row shall be added to part B of Annex II to Directive 86/363/EEC:

Pesticide residue	Maximum level (mg/kg)		
	Of meat, including fat, preparations of meat, offals and animal fats as listed in Annex I within CN codes 0201, 0202, 0203, 0204, 0205 00 00, 0206, 0207, ex 0208, 0209 00, 0210, 1601 00 and 1602	For milk and milk products listed in Annex I within CN codes 0401, 0402, 0405 00 and 0406	Of shelled fresh eggs, for bird's eggs and egg yolks listed in Annex I within CN codes 0407 00 and 0408
'Fluroxypyr	0,5 ^(p) ex 0206 Kidney	0,05 ^(*) ^(p)	0,05 ^(*) ^(p)
	0,05 ^(*) ^(p) other products		

(*) Indicates lower limit of analytical determination.

^(p) Indicates provisional maximum residue level established in accordance with Article 4(1)(f) of Directive 91/414/EEC: all provisional maximum residue levels for these pesticide residues will be treated as definitive in accordance with Article 10 of the Directive with effect from four years after the entry into force of this Directive.'

Article 3

In Annex II to Directive 90/642/EEC the column headed 'Fluroxypyr including its esters expressed as fluroxypyr', set out in the Annex to this Directive, is added.

Article 4

This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 28 February 2002 at the latest. They shall forthwith inform the Commission thereof.

They shall apply these provisions as of 1 March 2002.

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 25 July 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX

Groups and examples of individual products to which the maximum residue levels apply	Pesticide residues and maximum residue levels (mg/kg)
	Fluroxypyr including its esters expressed as fluroxypyr
1. Fruit, fresh, dried or uncooked, preserved by freezing, not containing added sugar; nuts	0,05 (*) (P)
(i) CITRUS FRUIT	
Grapefruit	
Lemons	
Limes	
Mandarins (including clementines and other hybrids)	
Oranges	
Pomelos	
Others	
(ii) TREE NUTS (shelled or unshelled)	
Almonds	
Brazil nuts	
Cashew nuts	
Chestnuts	
Coconuts	
Hazelnuts	
Macadamia	
Pecans	
Pine nuts	
Pistachios	
Walnuts	
Others	
(iii) POME FRUIT	
Apples	
Pears	
Quinces	
Others	
(iv) STONE FRUIT	
Apricots	
Cherries	
Peaches (including nectarines and similar hybrids)	
Plums	
Others	
(v) BERRIES AND SMALL FRUIT	
(a) Table and wine grapes	
Table grapes	
Wine grapes	
(b) Strawberries (other than wild)	

Groups and examples of individual products to which the maximum residue levels apply	Pesticide residues and maximum residue levels (mg/kg)
	Fluroxypyr including its esters expressed as fluroxypyr
(c) Cane fruit (other than wild) Blackberries Dewberries Loganberries Raspberries Others (d) Other small fruit and berries (other than wild) Bilberries Cranberries Currants (red, black and white) Gooseberries Others (e) Wild berries and wild fruit (vi) MISCELLANEOUS Avocados Bananas Dates Figs Kiwi Kumquats Litchis Mangoes Olives Passion fruit Pineapples Pomegranates Others	
2. Vegetables, fresh or uncooked, frozen or dry	0,05 (*) (P)
(i) ROOT AND TUBER VEGETABLES Beetroot Carrots Celeriac Horseradish Jerusalem artichokes Parsnips Parsley root Radishes Salsify Sweet potatoes Swedes Turnips Yam Others	

Groups and examples of individual products to which the maximum residue levels apply	Pesticide residues and maximum residue levels (mg/kg)
	Fluroxypyr including its esters expressed as fluroxypyr
(ii) BULB VEGETABLES Garlic Onions Shallots Spring onions Others	
(iii) FRUITING VEGETABLES (a) Solanacea Tomatoes Peppers Aubergines Others (b) Cucurbits — edible peel Cucumbers Gherkins Courgettes Others (c) Cucurbits — inedible peel Melons Squashes Watermelons Others (d) Sweetcorn	
(iv) BRASSICA VEGETABLES (a) Flowering brassica Broccoli Cauliflower Others (b) Head brassica Brussels sprouts Head cabbage Others (c) Leafy brassica Chinese cabbage Kale Others (d) Kohlrabi	
(v) LEAF VEGETABLES AND FRESH HERBS (a) Lettuce and similar Cress Lamb's lettuce Lettuce Scarole Others	

Groups and examples of individual products to which the maximum residue levels apply	Pesticide residues and maximum residue levels (mg/kg)
	Fluroxypyr including its esters expressed as fluroxypyr
(b) Spinach and similar Spinach Beet leaves (chard) Others (c) Watercress (d) Witloof (e) Herbs Chervil Chives Parsley Celery leaves Others (vi) LEGUME VEGETABLES (fresh) Beans (with pods) Beans (without pods) Peas (with pods) Peas (without pods) Others (vii) STEM VEGETABLES (fresh) Asparagus Cardoons Celery Fennel Globe artichokes Leek Rhubarb Others (viii) FUNGI (a) Cultivated mushrooms (b) Wild mushrooms	
3. Pulses Beans Lentils Peas Others	0,05 (*) (P)
4. Oil seeds Linseed Peanuts Poppy seeds Sesame seeds Sunflower seeds Rape seed Soya bean Mustard seed Cotton seed Others	0,05 (*) (P)

Groups and examples of individual products to which the maximum residue levels apply	Pesticide residues and maximum residue levels (mg/kg)
	Fluroxypyr including its esters expressed as fluroxypyr
5. Potatoes Early potatoes Ware potatoes	0,05 (*) (p)
6. Tea (leaves and stems, dried, fermented or otherwise, from the leaves of <i>Camellia sinensis</i>)	0,1 (*) (p)
7. Hops (dried), including hop pellets and unconcentrated powder	0,1 (*) (p)

(*) Indicates lower limit of analytical determination.

(p) Indicates provisional maximum residue level established in accordance with Article 4(1)(f) of Directive 91/414/EEC: all provisional maximum residue levels for these pesticide residues will be treated as definitive in accordance with Article 10 of the Directive with effect from four years after the entry into force of this Directive.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 July 2001

on the inventory of wine production potential presented by Greece pursuant to Council Regulation (EC) No 1493/1999

(notified under document number C(2001) 1962)

(Only the Greek text is authentic)

(2001/580/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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⁾, and in particular Article 23(4) thereof,

Whereas:

- (1) Article 16 of Regulation (EC) No 1493/1999 provides for the presentation of an inventory of wine production potential. Such an inventory must be compiled before unlawfully planted areas can be regularised, planting rights increased and support granted for restructuring and conversion.
- (2) Article 19 of Commission Regulation (EC) No 1227/2000 of 31 May 2000 laying down detailed rules for the application of Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine, as regards production potential ⁽³⁾, lays down the degree to which the information in the inventory is to be broken down.
- (3) By letter of 25 June 2001 Greece sent the Commission the information specified in Article 16 of Regulation (EC) No 1493/1999. On examination, that information shows that Greece has indeed compiled the inventory.

- (4) This Decision does not imply any recognition by the Commission that the information included in the inventory is accurate or that the legislation referred to in the inventory is compatible with Community law. It does not prejudice any decision that the Commission may take with regard to those points.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS DECISION:

Article 1

The Commission hereby notes that Greece has compiled the inventory referred to in Article 16 of Regulation (EC) No 1493/1999.

Article 2

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 18 July 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 143, 16.6.2000, p. 1.

COMMISSION DECISION
of 20 June 2001
concerning the conclusion of an Agreement amending the Agreement between the European
Community and Australia on trade in wine

(notified under document number C(2001) 1632)

(2001/581/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 94/184/EC of 24 January 1994 concerning the conclusion of an Agreement between the European Community and Australia on trade in wine ⁽¹⁾, and in particular Article 3 thereof,

Having regard to the Agreement between the European Community and Australia on trade in wine signed in Brussels and in Canberra respectively on 26 and 31 January 1994 ⁽²⁾, as amended by the Agreement of 24 February 2000 ⁽³⁾, and in particular Article 17(2) thereof,

Whereas:

- (1) The Commission has negotiated, on behalf of the Community, an amendment of the aforementioned Agreement aiming to extend, until 30 June 2002, the provisional authorisation granted to Australian wines treated with cation exchange resins.
- (2) The Management Committee for Wine has not delivered an opinion within the time limit laid down by its Chairman,

HAS ADOPTED THIS DECISION:

Article 1

The Agreement amending the Agreement between the European Community and Australia on trade in wine is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

This Decision and the Agreement referred to in Article 1 shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 20 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 86, 31.3.1994, p. 1.

⁽²⁾ OJ L 86, 31.3.1994, p. 3.

⁽³⁾ OJ L 60, 7.3.2000, p. 24.

AGREEMENT**between the European Community and Australia amending the Agreement on trade in wine**

THE EUROPEAN COMMUNITY, hereinafter 'the Community', of the one part,

and

AUSTRALIA, of the other part,

Having regard to the Agreement between the Community and Australia on trade in wine, signed in Brussels and Canberra respectively on 26 and 31 January 1994, as amended by the Agreement of 24 February 2000,

Whereas Annex I, point 1(b) of that Agreement authorises the use of cation exchange resins for the stabilisation purpose of Australian wines imported and marketed in the Community; whereas this authorisation is granted provisionally until 30 June 2000;

Whereas, pending a final decision on the treatment with cation exchange resins, it is advisable to extend the authorisation of this treatment for Australian wines until 30 June 2002,

HAVE AGREED AS FOLLOWS:

Article 1

The Agreement between the European Community and Australia on trade in wine, signed in Brussels and Canberra respectively on 26 and 31 January 1994, as amended by the Agreement of 24 February 2000, shall be amended as follows.

In Annex I, point 1(b), the date '30 June 2000' shall be replaced by '30 June 2002'.

Article 2

This Agreement shall enter into force on 1 July 2000.

Article 3

This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each of these texts being equally authentic.

IN WITNESS WHEREOF the undersigned have signed this Amendment.

Hecho en Bruselas, el veinticinco de julio de dos mil uno.

Udfærdiget i Bruxelles, den femogtyvende juli 2001.

Geschehen zu Brüssel am fünfundzwanzigsten Juli 2001.

Έγινε στις Βρυξέλλες στις είκοσι πέντε Ιουλίου 2001.

Done at Brussels, 25 July 2001.

Fait à Bruxelles, le vingt-cinq juillet 2001.

Fatto a Bruxelles, addì venticinque luglio 2001.

Gedaan te Brussel, 25 juli 2001.

Feito em Bruxelas, em vinte e cinco de Julho de 2001.

Tehty Brysselissä kahdentenakymmenentenäviidentenä päivänä heinäkuuta 2001.

Utfärdat i Bryssel den tjugofemte juli 2001.

Por Australia

For Australien

Für Australien

Για την Αυστραλία

For Australia

Pour l'Australie

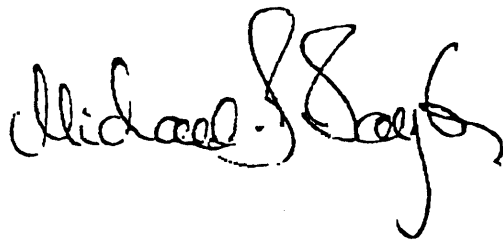
Per l'Australia

Voor Australië

Pela Austrália

Australian hallituksen puolesta

På Australiens vägnar

A handwritten signature in black ink, appearing to read 'Michael Taylor'.

Mike TAYLOR

Por la Comunidad Europea

For De Europæiske Fællesskaber

Für die Europäische Gemeinschaft

Για την Ευρωπαϊκή Κοινότητα

For the European Community

Pour la Communauté européenne

Per la Comunità europea

Voor de Europese Gemeenschap

Pela Comunidade Europeia

Euroopan yhteisön puolesta

På Europeiska gemenskapens vägnar

A handwritten signature in black ink, appearing to read 'José Manuel Silva Rodríguez'.

José Manuel SILVA RODRÍGUEZ