

English edition

Legislation

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1649/2001
of 14 August 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 15 August 2001.

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

Done at Brussels, 14 August 2001.

For the Commission

Pascal LAMY

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 14 August 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
0709 90 70	052	77,6
	999	77,6
0805 30 10	388	72,7
	524	65,3
	528	64,5
	999	67,5
0806 10 10	052	82,8
	400	174,5
	600	97,2
	624	191,6
0808 10 20, 0808 10 50, 0808 10 90	999	136,5
	388	86,0
	400	70,3
	508	78,4
	512	96,4
	524	51,2
	528	48,2
	720	87,4
	800	188,1
	804	90,0
0808 20 50	999	88,4
	052	111,9
	388	75,6
	512	63,3
0809 30 10, 0809 30 90	999	83,6
	052	116,0
0809 40 05	999	116,0
	052	76,3
	064	61,5
	066	76,2
	094	63,7
	624	227,8
	999	101,1

⁽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 1650/2001
of 14 August 2001
fixing quantities for imports of bananas into the Community for the fourth quarter of 2001 under
the A/B and C tariff quotas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 216/2001 ⁽²⁾, and in particular Article 20 thereof,

Whereas:

- (1) Commission Regulation (EC) No 896/2001 of 7 May 2001 laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the arrangements for importing bananas into the Community ⁽³⁾ fixes the available quantities for the second half of 2001 for the A/B and C tariff quotas and also the maximum quantities in respect of the third quarter of 2001 for which import licences can be sought.
- (2) The quantities available for import under the A/B and C tariff quotas for the fourth quarter should be determined, having regard on the one hand to the volume of tariff quotas available for the second half of 2001 and, on the other hand, to the import licences issued for the third quarter of 2001.
- (3) This Regulation must enter into force immediately, before the start of the period for the submission of licence applications for the fourth quarter of 2001.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Bananas,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the fourth quarter of 2001, the quantities available for import under the tariff quota arrangements for the import of bananas shall be as set out in the Annex.
2. For the fourth quarter of 2001, applications for import licences under the A/B and C tariff quotas:
 - (a) submitted by a traditional operator may not relate to a quantity exceeding the difference between the quantity allocated to the operator under Article 28(2) of Regulation (EC) No 896/2001 and the sum of the quantities covered by import licences issued for the third quarter of 2001;
 - (b) submitted by a non-traditional operator may not relate to a quantity exceeding the difference between the quantity allocated to the operator under Article 29(1) and (3) of Regulation (EC) No 896/2001 and the sum of the quantities covered by import licences issued for the third quarter of 2001.

Applications for import licences shall be accompanied by a copy of the import licence(s) issued to the operator for the third quarter of 2001.

Article 2

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

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

Done at Brussels, 14 August 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 47, 25.2.1993, p. 1.

⁽²⁾ OJ L 31, 2.2.2001, p. 2.

⁽³⁾ OJ L 126, 8.5.2001, p. 6.

ANNEX

Quantities of available bananas by tariff quota and operator category for the fourth quarter of 2001*(tonnes, net weight)*

Tariff quotas	Operator category	Quantity
A/B	Traditional	450 093,342
	Non-traditional	92 961,430
C	Traditional	265 759,630
	Non-traditional	41 989,399

COMMISSION REGULATION (EC) No 1651/2001**of 14 August 2001****amending Regulation (EEC) No 1274/91 introducing detailed rules for implementing Council Regulation (EEC) No 1907/90 on certain marketing standards for eggs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1907/90 of 26 June 1990 on certain marketing standards for eggs ⁽¹⁾, as last amended by Regulation (EC) No 5/2001 ⁽²⁾, and in particular Article 10(3) and Article 20(1) and (4) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1274/91 ⁽³⁾, as last amended by Regulation (EC) No 505/98 ⁽⁴⁾, lays down the necessary provisions for the implementation of marketing standards in the egg sector.
- (2) In order to improve the traceability of eggs and the accuracy of date indications by packing centres, provisions to identify deliveries of eggs from producers to packing centres should be reinforced in particular regarding the indication of the laying date or laying period on the container at the production site as well as for the dispatch of ungraded eggs between packing stations.
- (3) In the case of automated egg-candling systems, it is appropriate to authorise Member States to dispense with continuous manning of the machine.
- (4) In order to ensure adherence to the existing weight grades comprising weight ranges of 10 g, rules should be reinforced to prevent splitting weight grades into two bands using different pack colours or symbols with different price structure, thus undermining orderly marketing and clear information of consumers.
- (5) Experience has shown that it is not necessary to link the derogation permitting the delivery of non-packed eggs in small quantities directly from packer to retailer to the distance of delivery. The obligation to indicate the grading date must be replaced by the indication of the best-before date which is the compulsory date to be shown.
- (6) The definitions of the date of minimum durability and of the recommended sell-by date should be clarified and be linked to the maximum time limit of 21 days after

laying for the delivery of eggs to the consumer laid down in Council Decision 94/371/EC of 20 June 1994 laying down specific public health conditions for the putting of the market of certain types of eggs ⁽⁵⁾, which implies a maximum of not more than 28 days after laying for the date of minimum durability.

- (7) Based on the experience gained and following the adoption of Council Directive 1999/74/EC of 19 July 1999 laying down minimum standards for the protection of laying hens ⁽⁶⁾, the detailed provisions regarding the optional indication of the various farming methods should be adapted with a view to reducing the number of such methods and to redefine the terms which may be used in the different Community languages in particular for the keeping of hens in battery cages. Furthermore, the minimum requirements to be met by poultry establishments for the various farming methods should be brought in line with the provisions of Directive 1999/74/EC although certain additional criteria should be laid down for free range eggs in order to prevent abuse of open-air runs. It is also necessary to provide for more detailed rules regarding record keeping by operators in order to improve monitoring of product flow. Finally optional indication of farming methods should be extended to cover eggs for processing in order to promote the marketing of egg products manufactured from eggs of different types and their control.
- (8) For the optional indication of eggs and their packs of how laying hens are fed, detailed rules must be laid down including in particular provisions which allow to monitor the flow of eggs produced from hens which are fed on a specific type of feed. These rules should provide for minimum rates for the incorporation of cereals when reference is made to their use in the feed of laying hens for which Member States may fix stricter requirements applicable only to producers of the Member State concerned and not impeding exchange of eggs in the Community. Supervision of these rules may also be delegated to bodies which are independent of producers and which should be allowed to recover the costs of controls from operators making use of the indications of how hens are fed and of the farming method in view of the optional character of these indications.

⁽¹⁾ OJ L 173, 6.7.1990, p. 5.

⁽²⁾ OJ L 2, 5.1.2001, p. 1.

⁽³⁾ OJ L 121, 16.5.1991, p. 11.

⁽⁴⁾ OJ L 63, 4.3.1998, p. 16.

⁽⁵⁾ OJ L 168, 2.7.1994, p. 34.

⁽⁶⁾ OJ L 203, 3.8.1999, p. 53.

- (9) Article 28 of Regulation (EEC) No 1274/91 provides that in the case of sales to the ultimate consumer the forms of wording for use on eggs and packs are to be expressed in a language or languages easily understood by purchasers in the Member State in which retailing takes place. This provision should be repealed as Article 16 of Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs⁽¹⁾ applies.
- (10) It is therefore necessary to amend Regulation (EEC) No 1274/91 accordingly.
- (11) In order to assure a smooth transition to the new system, rules applying before 1 July 2001 on indications of how hens are fed should continue to apply until the date of application of this Regulation. For other than newly built or rebuilt alternative production systems, minimum requirements laid down in Annex II(c) and (d) to Regulation (EEC) No 1274/91 applicable before the entry into force of this Regulation should continue to apply until the dates specified in Article 4 of Directive 1999/74/EC.
- (12) The Management Committee for Poultrymeat and Eggs has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1274/91 is amended as follows:

1. Article 1(5) is replaced by the following:

‘5. Each container shall be identified by the name and address or registered number of the producer establishment, the day or period of laying and the date of dispatch before leaving the production site.

In the case of packing centres supplied from their own production units situated at the same site with eggs which are not in containers, identification shall take place at the packing centre.

Where ungraded eggs are passed from the first packing centre to other packing centres in different containers, each container must be identified with this information before leaving the packing centre.

Where the period of laying is indicated, the determination of the date of minimum durability and of the recommended sell-by date in accordance with Article 14(1a) and Article 16(2) respectively shall be made starting from the first date of that period.’

2. Point (a) of Article 3(3) is replaced by the following:

‘(a) suitable candling equipment continuously manned throughout and allowing the quality of each egg to be examined separately. Where use is made of an automatic machine for candling, sorting and grading, the equipment must include an independent candling lamp. In the case of automated systems, the competent authority may dispense with continuous manning of the machine.’

3. Article 8(2) is replaced by the following:

‘2. On packs the weight-grading shall be indicated by the respective letters or by the respective terms as defined in paragraph 1 or by a combination of both, which may be supplemented by the corresponding weight ranges. No subdivision of the weight ranges referred to in paragraph 1 shall be made using different pack colours, symbols, trade-marks or other indications.’

4. Article 12(4) is replaced by the following:

‘4. The derogation referred to in Article 11(2) of Regulation (EEC) No 1907/90 applies in the case of daily quantities of less than 3 600 eggs per delivery and of less than 360 eggs per buyer. The name, address and number of the packing centre as well as the number of eggs, quality and weight grades and date of minimum durability shall be indicated on accompanying documents.’

5. The following paragraph 1a is inserted in Article 14:

‘1a. The date of minimum durability shall be the date until which grade “A” eggs will retain the characteristics described in Article 5(1) when properly stored. It shall be fixed at not more than 28 days after laying.’

6. Article 16(2) is replaced by the following text:

‘2. The recommended sell-by date shall not exceed the maximum time limit for the delivery of eggs to the consumer of 21 days after laying as laid down in Article 3(1) of Council Decision 94/371/EC (*).

(*) OJ L 168, 2.7.1994, p. 34.’

7. Article 18 is amended as follows:

- (a) Paragraph 1 is replaced by the following:

‘1. In order to indicate the farming method as referred to in Article 7 and Article 10(3) of Regulation (EEC) No 1907/90 with the exception of organic or biological farming as referred to in Council Regulation (EEC) No 2092/91 (*), on eggs and on packs containing eggs, no other terms except those set out hereunder and the corresponding terms in the other Community languages listed in Annex II may be used and in any case only if the relevant conditions laid down in Annex III are fulfilled:

⁽¹⁾ OJ L 109, 6.5.2000, p. 29.

On packs

Free range eggs
range

Barn eggs

Eggs from caged hens

These terms may be supplemented by indications referring to the particular characteristics of the respective farming method.

The terms on eggs may be replaced by a code designating the producer's distinguishing number permitting to identify the farming method provided that the meaning of the code is explained on the pack.

In the case of loose sales, the indications of the farming method may be used only if individual eggs are marked at the farm or packing centre with the respective term or the producer code, if the latter permits to identify the farming method, provided that its meaning is explained on a separate sign.

When the Member States have attributed the distinguishing number referred to in Article 7 of Council Directive 1999/74/EC (**) to producer establishments covered by this Directive no other codes shall be used.

If a Member State decides to attribute distinguishing numbers also for establishments not falling under the scope of Directive 1999/74/EC no other codes shall be used.

(*) OJ L 198, 22.7.1991, p. 1.

(**) OJ L 203, 3.8.1999, p. 53.

- (b) In paragraph 2, the introductory phrase of the first subparagraph is replaced by the following:

'2. Packing centres authorised to use the terms referred to in paragraph 1 shall keep a separate record by farming method for at least six months after the producer ceases to supply eggs or after the flock is disposed of.'

- (c) Paragraph 4 is replaced by the following:

'4. Eggs as referred to in paragraph 1 shall be delivered to packing centres and to food industry undertakings approved in accordance with Directive 89/437/EEC in containers bearing one of the terms referred to in paragraph 1 in one or more Community languages. Containers shall be identified by name and address or registered number of producer, type of eggs, their number or weight and date of dispatch before leaving the production site. The date of delivery and records of all information on containers, and of physical stocks on a weekly basis shall be kept at the packing centre and food industry establishment for a period of at least six months.'

On eggs

Free

Barn

Cage

- (d) Paragraph 6 is replaced by the following:

'6. Packing centres as referred to in paragraph 2 shall keep separate records of daily quality and weight grading and of sales of eggs and small packs marked in accordance with paragraph 1 including the name and address of buyer, number of packs, the number and/or weight of eggs sold by grade of weight and date of delivery as well as of physical stocks on a weekly basis. Instead of keeping sales records, they may, however, keep files of invoices or delivery notes marked as indicated in paragraph 1. Such records and files shall be kept for at least six months.'

- (e) In paragraph 6a, the introductory phrase of the first subparagraph is replaced by the following:

'6a. Collectors and wholesalers are required to maintain records on purchases and sales transactions and physical stock records for eggs referred to in paragraph 1(a) and (b), for a period of at least six months.'

- (f) Paragraph 7a is replaced by the following:

'7a. The provisions of paragraphs 2 to 6a do not apply when the term referred to in paragraph 1(c) is used.'

- (g) The following paragraph 7b is inserted:

'7b. Packs containing eggs destined for food industry undertakings approved in accordance with Directive 89/437/EEC may be marked with the indications referred to in paragraph 1 provided that the eggs are produced in poultry establishments meeting the respective requirements set out in Annex III and that the monitoring measures referred to in paragraphs 2 to 6 are applied.'

8. Article 18a(1) is replaced by the following:

'1. The Member States shall take all measures necessary to ensure the confidential character of information supplied pursuant to Article 17, Article 18(2), Article 18c(1) and Article 19(2) insofar as natural persons are concerned.'

9. Article 18b is replaced by the following:

'Article 18b

Supervision of the indications of the farming method used as referred to in Article 18(1), including indications regarding the particular characteristics of the respective farming method and of indications how laying hens are fed as referred to in Article 18c, may be delegated to bodies designated by the Member States which provide the necessary independence vis-à-vis the producers concerned and which shall comply with the criteria set out in European Standard No EN/45011 in force.

These bodies shall be licensed and supervised by the competent authorities of the Member State concerned.

The costs of controls charged by these bodies shall be borne by the operator using the indications referred to above.'

10. The following Article 18c is inserted:

'Article 18c

Where grade A eggs and packs bear an indication of how laying hens are fed, the following conditions and those laid down in Annex IV shall apply:

1. packing centres which make use of such indications shall keep a detailed record of deliveries, showing the name and address or registered number of the producer, the number or weight of eggs and the date of delivery. The producer shall keep current record of quantity and type of feed supplied and mixed on-site, date of supply and name of feed manufacturer or supplier, the number and age of laying hens, showing also the number of eggs produced and delivered, the date of dispatch, and the names of the purchaser.

These records shall be kept for at least six months after the producer ceases to supply eggs or after the flock is disposed of;

2. feed manufacturers and suppliers shall keep records showing the composition of the feed supplied to the producers referred to in paragraph 1 for at least six months after dispatch;

3. packing centres as referred to in paragraph 1 shall keep separate records of the daily quality and weight grading and sales of small packs and of eggs marked with the terms referred to in paragraph 1, including name and address of the buyer, the number or weight of eggs sold and the date of delivery, as well as of physical stocks on a weekly basis for a period of at least six months.

Instead of keeping sales records, they may however keep files of invoices or delivery notes bearing indications of how laying hens are fed;

4. large packs containing eggs or small packs marked with the indication of how laying hens are fed shall bear the same indications. In the case of loose egg sales, the indications may be used only if individual eggs are marked with the respective terms;

5. inspections regarding compliance with the statements made shall be carried out at the farm and feed manufacturer at least once a year;

6. the provisions of paragraphs 1 to 4 shall apply without prejudice to national technical measures going beyond the minimum requirements set out in Annex IV, which are applicable only to producers of the Member State concerned, provided that they are compatible with Community law and are in conformity with the common marketing standards for eggs;

7. the national measures referred to in paragraph 6 shall be communicated to the Commission;

8. at any time and at the request of the Commission, Member States shall provide all the information necessary for assessing the compatibility of the measures referred to in this Article with Community law and their conformity with the common marketing standards for eggs.'

11. Article 19(2) is replaced by the following:

'2. Packing centres which make use of the terms and/or symbols referred to in paragraph 1 shall keep a detailed record of deliveries by origin, showing the name and address or registered number of the producer, the number or weight of eggs and the date of delivery. The producer shall keep current records of the number and age of laying hens, showing also the number of eggs produced and delivered, the date of dispatch, and the names of the purchaser. Such records shall be kept for at least six months after the producer ceases to supply eggs or after the flock has been disposed of.'

12. Article 19(3) is replaced by the following:

'3. Packing centres as referred to in paragraph 2 shall keep separate records of the daily quality and weight grading and sales of small packs and of eggs marked with the terms and/or symbols referred to in paragraph 1, including name and address of the buyer, the number or weight of eggs sold and the date of delivery, as well as of physical stocks on a weekly basis for at least six months. Instead of keeping records, they may however keep files of invoices or delivery notes marked as indicated in paragraph 1.'

13. Article 20(1), second indent, is replaced by the following:

— annually, before 1 April, the average number of laying hens present⁽¹⁾, the number or weight of eggs delivered as recorded in accordance with Article 18(2) and (7)(b) as well as the number or weight of eggs sold as recorded in accordance with Article 18(6), in the previous calendar year.'

14. Article 28 is deleted.
15. In Annex I, 1. Date of minimum durability, the term 'Cons. de pref. antes de' is replaced by 'Cons. pref.'
16. Annex II is replaced by the text in Annex I to this Regulation.
17. The text in Annexes II and III to this Regulation is added as Annexes III and IV.

Article 2

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

Article 1 shall apply with effect from 1 January 2002. Rules applying before 1 July 2001 on indications of how laying hens are fed shall remain in force until 31 December 2001.

Until the dates specified in Article 4 of Directive 1999/74/EC as referred to in Annex II to this Regulation, minimum requirements referred to in Annex II(c) and (d) of Regulation (EEC) No 1274/91 applicable before the entry into force of this Regulation continue to apply in the case where other than newly built or rebuilt production systems have not yet been brought into conformity with this Article.

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

Done at Brussels, 14 August 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

ANNEX II

Terms for the indication of the types of egg farming (a): on packs; (b) on eggs

Code		1	2	3
EN	a)	Free-range eggs	Barn eggs	Eggs from caged hens
	b)	Free-range	Barn	Cage
FR	a)	Œufs de poules élevées en plein air	Œufs de poules élevées au sol	Œufs de poules élevées en cage
	b)	Plein air	Poules au sol	Cage
DE	a)	Eier aus Freilandhaltung	Eier aus Bodenhaltung	Eier aus Käfighaltung
	b)	Freiland	Boden	Käfig
IT	a)	Uova da allevamento all'aperto	Uova da allevamento a terra	Uova da allevamento in gabbie
	b)	Aperto	A terra	Gabbia
NL	a)	Eieren van hennen met vrije uitloop	Scharreleieren	Kooieieren
	b)	Vrije uitloop	Scharrel	Kooi
DA	a)	Frilandsæg	Skrabeæg	Buræg
	b)	Frilandsæg	Skrabeæg	Buræg
ES	a)	Huevos de gallinas camperas	Huevos de gallinas criadas en el suelo	Huevos de gallinas criadas en jaulas
	b)	Camperas	Suelo	Jaulas
PT	a)	Ovos de galinhas criadas ao ar livre	Ovos de galinhas criadas no solo	Ovos de galinhas criadas em gaiolas
	b)	Ar livre	Solo	Jaulas
	b)	Ar livre	Solo	Gaiolas
FI	a)	Ulkokanojen munia	Lattiakanojen munia	Häkkikanojen munia
	b)	Ulkokanan	Lattiakanan	Häkkikanan
SV	a)	Ägg från utehöns	Ägg från frigående höns inomhus	Ägg från burhöns
	b)	Frigående (alt. Frig.) ute	Frigående (alt. Frig.) inne	Burägg
EL	α)	Αυγά ελεύθερης βοσκής	Αυγά δαπέδου με στρωμένη	Αυγά κλωβοστοιχίας
	β)	Ελεύθερης βοσκής	Δάπεδο με στρωμένη	Κλωβοστοιχία'

ANNEX II

‘ANNEX III

Minimum requirements to be met by poultry establishments for the various egg farming methods

- (a) “Free range eggs” must be produced in poultry establishments which satisfy at least the conditions specified in Article 4 of Directive 1999/74/EC with effect from the dates referred to in that Article and in which:
- hens have continuous daytime access to open-air runs, except in the case of temporary restrictions imposed by veterinary authorities,
 - the open-air runs to which hens have access is mainly covered with vegetation and not used for other purposes except for orchards, woodland and livestock grazing if the latter is authorised by the competent authorities,
 - the open-air runs must at least satisfy the conditions specified in Article 4(1)(3)(b)(ii) of Directive 1999/74/EC whereby the maximum stocking density is not greater than 2 500 hens per hectare of ground available to the hens or one hen per 4 m² at all times and the runs are not extending beyond a radius of 150 m from the nearest pophole of the building; an extension of up to 350 m from the nearest pophole of the building is permissible provided that a sufficient number of shelters and drinking troughs within the meaning of that provision are evenly distributed throughout the whole open-air run with at least four shelters per hectare.
- (b) “Barn eggs” must be produced in poultry establishments which satisfy at least the conditions specified in Article 4 of Directive 1999/74/EC with effect from the dates referred to in that Article.
- (c) “Eggs from caged hens” must be produced in poultry establishments which satisfy at least:
- the conditions specified in Directive 88/166/EEC until 31.12.2002,
 - the conditions specified in Article 5 of Directive 1999/74/EC as from 1.1.2003 until 31.12.2011, or
 - the conditions specified in Article 6 of Directive 1999/74/EC as from 1.1.2002.’

ANNEX III

‘ANNEX IV

Reference to the following particular feed ingredients may only be made where:

in the case of cereals, they account for at least 60 % in weight of the feed formula given which may include not more than 15 % of cereal by-products; however, where reference is made to specific cereals, each shall account for at least 30 % of the feed formula used in the case of one cereal mentioned and for at least 5 % of several cereals mentioned.’

COMMISSION REGULATION (EC) No 1652/2001
of 14 August 2001
on the authorisation of transfers between the quantitative limits of textiles and clothing products
originating in Taiwan

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 47/1999 of 22 December 1998 on the arrangements for imports of certain textile products originating in Taiwan ⁽¹⁾, as amended by Regulation (EC) No 1556/1999 ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) Taiwan made a request on 9 May 2001.
- (2) The transfers requested by Taiwan fall within the limits of the flexibility provisions referred to in Article 4 of Regulation (EC) No 47/1999.
- (3) It is appropriate to grant the request.
- (4) It is desirable that this Regulation enters into force the day after its publication in order to allow operators to benefit from it as soon as possible.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee provided for in Article 17 of Council Regulation (EEC) No 3030/93 ⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Transfers between the quantitative limits for textile goods originating in Taiwan are authorised for the quota year 2001 as detailed in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 14 August 2001.

For the Commission

Pascal LAMY

Member of the Commission

⁽¹⁾ OJ L 12, 16.1.1999, p. 1.
⁽²⁾ OJ L 184, 17.7.1999, p. 1.

⁽³⁾ OJ L 275, 8.11.1993, p. 1.

ANNEX

736 TAIWAN				Adjustment 1				Adjustment 2			
Group	Category	Unit	Limit 2001	Quantity	%	Flexibility	Adjusted working level	Quantity	%	Flexibility	Adjusted working level
IA	2	kg	5 869 000	410 830	7,0	Carry-over	6 279 830	20 000	0,3	Transfer from category 3	6 299 830
IA	2a	kg	500 000	35 000	7,0	Carry-over	535 000	20 000	4,0	Transfer from category 3	555 000
IA	3	kg	8 378 000	586 460	7,0	Carry-over	8 964 460	- 20 000	- 0,2	Transfer into category 2	8 944 460
IA	3a	kg	850 000	59 500	7,0	Carry-over	909 500				909 500
IB	4	pcs	11 415 000	799 050	7,0	Carry-over	12 214 050	456 600	4,0	Transfer from category 8	12 670 650
IB	8	pcs	9 332 000				9 332 000	- 324 130	- 3,5	Transfer into category 4	9 007 870
IIB	12	pairs	39 798 000	2 785 860	7,0	Carry-over	42 583 860				42 583 860
IIB	18	kg	2 075 000				2 075 000	- 103 373	- 5,0	Transfer into categories 28, 28S	1 971 627
IIB	26	pcs	3 301 000	231 070	7,0	Carry-over	3 532 070				3 532 070
IIB	28	pcs	2 212 000	154 840	7,0	Carry-over	2 366 840	110 600	5,0	Transfer from category 18	2 477 440
IIB	28S	pcs	1 116 599	78 162	7,0	Carry-over	1 194 761	55 830	5,0	Transfer from category 18	1 250 591
IIB	68	kg	767 000				767 000				767 000
IIB	83	kg	1 157 000	80 990	7,0	Carry-over	1 237 990				1 237 990
IIIA	35	kg	8 477 000	593 390	7,0	Carry-over	9 070 390	423 850	5,0	Transfer from category 110	9 494 240
IIIA	37	kg	20 648 000	1 445 360	7,0	Carry-over	22 093 360				22 093 360
IIIB	10	pairs	27 814 000	1 946 980	7,0	Carry-over	29 760 980	1 390 700	5,0	Transfer from category 110	31 151 680
IIIB	67	kg	1 926 000	134 820	7,0	Carry-over	2 060 820	96 300	5,0	Transfer from category 110	2 157 120
IIIB	97	kg	1 465 000	102 550	7,0	Carry-over	1 567 550				1 567 550
IIIB	97a	kg	667 000	46 690	7,0	Carry-over	713 690				713 690
IIIB	110	kg	5 998 000				5 998 000	- 601 956	- 10,0	Transfer into categories 10, 35, 67	5 396 044

COMMISSION REGULATION (EC) No 1653/2001**of 14 August 2001****correcting Regulation (EC) No 2305/95 establishing detailed rules for the application in the pigmeat sector of the arrangements provided for in the free trade agreements between the Community, of the one part, and Latvia, Lithuania and Estonia, of the other part**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2766/2000 of 14 December 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Lithuania ⁽¹⁾, and in particular Article 1(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2305/95 ⁽²⁾, as last amended by Regulation (EC) No 1006/2001 ⁽³⁾, lays down the detailed rules for the application in the pigmeat sector of the arrangements provided for in the free trade agreements between the Community, of the one part, and Latvia, Lithuania and Estonia, of the other part. Product group L1 was inserted in Annex I.A when the Regulation was amended by Commission Regulation (EC) No 2867/2000 ⁽⁴⁾. That product group should therefore also be inserted in the first subparagraph of Article 1 of Regulation (EC) No 2305/95. This Regulation must be corrected in consequence.

- (2) The measures provided for in this Regulation are in accordance with the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 1 of Regulation (EC) No 2305/95 is reworded as follows:

‘All imports into the Community under the arrangements provided for in Article 14(2) and (3) of the Agreements on free trade between the Community, of the one part, and Latvia and Lithuania, of the other part, or under the arrangements provided for in Article 13(2) and (3) of the Agreement on free trade between the Community, and Estonia, of the other part, of products falling within groups L1, 18, 19, 20, 21 and 22 provided for in Annex I to this Regulation shall be subject to the presentation of an import licence.’

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, 14 August 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 321, 19.12.2000, p. 8.

⁽²⁾ OJ L 233, 30.9.1995, p. 45.

⁽³⁾ OJ L 140, 24.5.2001, p. 13.

⁽⁴⁾ OJ L 333, 29.12.2000, p. 14.

COMMISSION REGULATION (EC) No 1654/2001**of 14 August 2001****amending Regulation (EC) No 649/2001 derogating, with regard to agri-environment measures, from Regulation (EC) No 1750/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

and farmers may accordingly not receive the aid and be penalised for not complying with their undertaking.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2078/92 of 30 June 1992 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside ⁽¹⁾, as last amended by Commission Regulation (EC) No 2772/95 ⁽²⁾, and in particular Article 9 thereof,

Having regard to Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations ⁽³⁾, and in particular Article 34 thereof,

Whereas:

- (3) Commission Regulation (EC) No 649/2001 ⁽⁶⁾ provides, on the one hand, for the application, until 16 April 2001, of a coefficient to correct the number of livestock units recorded on the holding and, on the other hand, for withdrawal by the farmers concerned from their agri-environmental undertakings without imposition of the penalties that normally apply in such cases. This withdrawal can take place between 1 April and 15 June 2001.
- (4) As the difficult market situation still persists, the period in which farmers can withdraw from their undertakings should be extended by four months.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Agricultural Structures and Regional Development,

HAS ADOPTED THIS REGULATION:

- (1) Article 12 of Commission Regulation (EC) No 1750/1999 of 23 July 1999 laying down detailed rules for the application of Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) ⁽⁴⁾, as last amended by Regulation (EC) No 672/2001 ⁽⁵⁾, lays down the conditions with which all agri-environment undertakings to extensify livestock farming or otherwise to manage livestock farming must comply. Under that Article, livestock density is defined taking into account all grazing livestock kept on the farm.

- (2) Because of the difficult situation on the beef and veal market resulting from the sharp drop in demand, due in particular to consumers turning away from beef because of concerns about the increased number of cases of bovine spongiform encephalopathy, more cattle are remaining on farms. These animals are taken into account when establishing the holding's stocking density

Article 1

The first paragraph of Article 2 of Regulation (EC) No 649/2001 is replaced by the following:

'In the period between the date of entry into force of this Regulation and 15 October 2001, farmers may withdraw the agri-environment undertaking given under Regulation (EEC) No 2078/92 or Regulation (EC) No 1257/1999, or the part of that undertaking concerning the extensification of cattle farming, without the penalties provided for in such situations being applied.'

Article 2

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

⁽¹⁾ OJ L 215, 30.7.1992, p. 85.

⁽²⁾ OJ L 288, 1.12.1995, p. 35.

⁽³⁾ OJ L 160, 26.6.1999, p. 80.

⁽⁴⁾ OJ L 214, 13.8.1999, p. 31.

⁽⁵⁾ OJ L 93, 3.4.2001, p. 28.

⁽⁶⁾ OJ L 91, 31.3.2001, p. 49.

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

Done at Brussels, 14 August 2001.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1655/2001**of 14 August 2001****amending Regulation (EC) No 1622/2000 laying down certain detailed rules for implementing Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine and establishing a Community code of oenological practices and processes**

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 last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 46 thereof,

Whereas:

- (1) Point A(3) of Annex V to Regulation (EC) No 1493/1999 allows the maximum permissible total sulphur dioxide levels of wine to be increased where weather conditions make this necessary.
- (2) Commission Regulation (EC) No 1622/2000 ⁽³⁾, as last amended by Regulation (EC) No 1609/2001 ⁽⁴⁾, lays down certain detailed rules for implementing Regulation (EC) No 1493/1999 as regards the maximum total sulphur dioxide levels in particular.
- (3) By letter of 21 May 2001, the German Government requested authorisation to increase the maximum permissible total sulphur dioxide content of wine, which is set at less than 300 milligrams per litre, by a maximum of 40 milligrams per litre for wine produced in Germany from the 2000 grape harvest in the wake of exceptionally unfavourable weather conditions. That request should be acceded to.
- (4) This temporary measure is the only option available for ensuring that the 2000 grape harvest is not spoiled and can thus be used for wines produced in Germany.

(5) Regulation (EC) No 1622/2000 should therefore be amended to allow for an increase in the maximum total sulphur dioxide level of wines produced in Germany from the 2000 grape harvest.

(6) The Management Committee for Wine has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1622/2000 is hereby amended as follows:

1. The following paragraph 4 is added to Article 19:

‘4. The cases where the Member States may authorise, because of weather conditions, that the maximum total sulphur dioxide content of wine, which is set at less than 300 milligrams per litre in point A of Annex V to Regulation (EC) No 1493/1999, be increased by a maximum of 40 milligrams per litre for certain wines produced in certain wine-growing zones within their territory shall be as listed in Annex XIIa hereto.’

2. Annex XIIa, the text of which is set out in the Annex hereto, is inserted.

Article 2

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

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

Done at Brussels, 14 August 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 194, 31.7.2000, p. 1.

⁽⁴⁾ OJ L 212, 7.8.2001, p. 9.

ANNEX

'ANNEX XIIa

Increase in the maximum total sulphur-dioxide content where the weather conditions make this necessary*(Article 19 of this Regulation)*

	Year	Member State	Wine-growing zone(s)	Wines concerned
1.	2000	Germany	All wine-growing zones of Germany	All wines obtained from grapes harvested in 2000'

COMMISSION REGULATION (EC) No 1656/2001
of 14 August 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 16 August 2001.

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

Done at Brussels, 14 August 2001.

For the Commission

Pascal LAMY

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	4,77	0,00
	low quality	26,45	16,45
1002 00 00	Rye	16,86	6,86
1003 00 10	Barley, seed	16,86	6,86
1003 00 90	Barley, other ⁽³⁾	16,86	6,86
1005 10 90	Maize seed other than hybrid	65,44	55,44
1005 90 00	Maize other than seed ⁽³⁾	65,44	55,44
1007 00 90	Grain sorghum other than hybrids for sowing	41,57	31,57

⁽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 31 July to 13 August 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)	129,68	125,22	112,40	96,78	196,66 (**)	189,66 (**)	117,04 (**)
Gulf premium (EUR/t)	—	17,02	8,16	9,50	—	—	—
Great Lakes premium (EUR/t)	18,98	—	—	—	—	—	—

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

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: 20,02 EUR/t; Great Lakes — Rotterdam: 33,13 EUR/t.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 August 2001

amending for the second time Decision 2001/532/EC concerning certain protection measures relating to classical swine fever in Spain

(notified under document number C(2001) 2573)

(Text with EEA relevance)

(2001/630/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) Outbreaks of classical swine fever have occurred in Spain.
- (2) In view of the trade in live pigs, these outbreaks are liable to endanger the herds of other Member States.
- (3) Spain has taken measures within the framework of Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever ⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden.
- (4) By means of Decision 2001/532/EC ⁽⁴⁾, as last amended by Decision 2001/578/EC ⁽⁵⁾, the Commission adopted certain protection measures relating to classical swine fever in Spain.
- (5) In the light of the evolution of the situation, it is necessary to amend, for the second time, the measures adopted by Decision 2001/532/EC.
- (6) This Decision is in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2001/532/EC is amended as follows:

1. in Article 1(1)(b) the following is added: 'However, Spain may derogate to the provisions laid down in (c), second indent, in case of pigs for slaughter being dispatched to slaughterhouses.';
2. in Article 1(1)(c) the last paragraph is replaced by: 'However, Spain may derogate from the provisions laid down in (c), second any third indent, for movement of pigs within Spain.';
3. Annex I is replaced by the Annex to this Decision.

Article 2

The Member States shall amend the measures they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 14 August 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 47, 21.2.1980, p. 11.

⁽⁴⁾ OJ L 192, 14.7.2001, p. 24.

⁽⁵⁾ OJ L 205, 31.7.2001, p. 37.

ANNEX

'ANNEX I

In the autonomous region of Catalonia: the *comarcas* of Pla d'Urgell, Urgell, Noguera, Segrià, Garrigues and Segarra in the Province of Lerida.

In the autonomous region of Valencia: the *comarcas* of Chelva, Llíria, Utiel, Requena, Torre Baja and Foios in the Province of Valencia.

In the autonomous region of Castilla-La Mancha: the *comarcas* of Landete, Cañete and Motilla del Palancar in the Province of Cuenca.

In the autonomous region of Aragon: the municipalities of Arcos de las Salinas, Torrijas and Abejuelas in the Province of Teruel.'
