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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1657/2001**of 10 August 2001****amending Regulation (EC) No 603/1999 imposing a definitive anti-dumping duty on imports of polypropylene binder or baler twine originating in Poland, the Czech Republic and Hungary, and collecting definitively the provisional duty imposed**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, and in particular Article 12(3) thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

- (3) The applicant submitted sufficient information showing that the anti-dumping duties imposed on twines originating in Poland have not led to any movement, or insufficient movement, in resale prices or subsequent selling prices in the Community. In fact, the evidence contained in the request showed that export prices and resale prices of twines in the Community fell significantly following the imposition of the anti-dumping measures, suggesting an increase in dumping which impeded the intended remedial effects of the measures in force.

A. PROCEDURE**1. Original measures**

- (1) In March 1999, the Council imposed a definitive anti-dumping duty on imports of polypropylene binder or baler twine ('twines') originating, *inter alia*, in Poland by Regulation (EC) No 603/1999 ⁽²⁾. The rate of the definitive duty applicable to the net, free-at-Community frontier price, is 20,3 %, with individual rates for five companies ranging between 6,1 % and 17,2 %.

2. Request for an anti-absorption reinvestigation

- (2) On 26 June 2000, a request for a reinvestigation of the measure referred to in recital 1 was lodged pursuant to Article 12 of Regulation (EC) No 384/96 ('the basic Regulation'). The request was submitted by the Liaison Committee of EU Twine, Cordage & Netting Industries (Eurocord) ('the applicant'), on behalf of the Community industry.

3. The anti-absorption reinvestigation

- (4) On 9 August 2000, the Commission announced by a notice published in the *Official Journal of the European Communities* ⁽³⁾, the initiation of a reinvestigation, pursuant to Article 12 of the basic Regulation, of the anti-dumping measures applicable to imports of polypropylene binder or baler twine originating in Poland.
- (5) The Commission officially advised the producers/exporters known to be concerned, the representatives of the exporting country and importers of the initiation of the reinvestigation. Interested parties were given the opportunity to make their views known in writing and to request a hearing within the time limit set out in the notice of initiation. The applicant requested, and was granted, a hearing. The Commission sent questionnaires to all parties known to be concerned. Three replies to the questionnaire were received from Polish exporting producers, i.e. from Pat Defalin s.a. ('Defalin'), in Swiebodzice, Terplast sp z.o.o. ('Terplast'), in Sieradz, and BZLP Bezałin ('Bezałin'), in Bielsko-Biala, and one reply from a German importer, i.e. WBV Oelde in Oelde. On-the-spot verifications were carried out at the premises of Defalin and Terplast in Poland, and WBV Oelde in Germany.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2238/2000 (OJ L 257, 11.10.2000, p. 2).

⁽²⁾ OJ L 75, 20.3.1999, p. 1. Regulation as amended by Regulation (EC) No 968/2000 (OJ L 112, 11.5.2000, p. 1).

⁽³⁾ OJ C 227, 9.8.2000, p. 15.

- (6) The investigation period of this reinvestigation ('new IP') ran from 1 July 1999 to 30 June 2000. The new IP was used to determine the current level of export prices, resale and subsequent selling prices. The new IP was also used to determine the changes in the normal value. In establishing whether resale and subsequent selling prices had moved sufficiently, the price levels charged in the new IP were compared to those charged during the original investigation period ('original IP') which had covered the period from 1 January to 31 December 1997.

- (7) Owing to the volume of data gathered and examined, and the fact that normal values were reexamined, the investigation exceeded the normal period of six months provided for in Article 12(4) of the basic Regulation.

B. PRODUCT UNDER CONSIDERATION

- (8) The product concerned by the request and for which the reinvestigation was initiated is the same as in the original investigation, i.e. polypropylene binder or baler twine ('twines') currently classifiable within CN code ex 5607 41 00.

Twines are used in the agricultural sector, notably for binding bundles to be picked up by automatic balers or similar machines. The product is manufactured in different thicknesses (runnages) and with different specifications in respect of, for example, knot and tensile strength, number of twists/turns per metre, colour, ultra-violet stabilisation and fibrillation.

C. THE REINVESTIGATION

- (9) The purpose of this reinvestigation is, first, to establish whether or not there was a sufficient movement in resale prices or subsequent selling prices of Polish twines in the Community. As a second step, where it is concluded that absorption took place, the dumping margin is recalculated.

In accordance with Article 12 of the basic Regulation, importers and exporters are provided with an opportunity to submit evidence that could justify a lack of movement in prices in the Community following the imposition of measures for reasons other than absorption of the anti-dumping duties. Such a reason could for instance be a reduction in the selling, general and

administrative (SG&A) expenses (efficiency gains) and profit of the importer (see recital 12).

1. Movement of resale prices in the Community

1.1. General

- (10) The movement of resale prices in the Community was assessed by comparing the resale prices of the new IP with those of the original IP. It should be noted that, though only one unrelated importer cooperated in the proceeding, its imports represented the vast majority of the total imports of the product concerned into the Community during the new IP, so that the resale prices of this importer can be considered as representative of the average resale price of Polish twines in the Community market. Moreover, this importer was representative not only as far as the total imports were concerned, but also in respect of the three cooperating Polish exporting producers when considered individually, which in turn accounted for the totality of the Polish exports of twines during the new IP.
- (11) That comparison showed that resale prices of twines in the Community had decreased slightly.

1.2. Claims made by interested parties

1.2.1. Reduction in SG&A and profit of the importer

- (12) It was examined whether the lack of movement of resale prices was due to a decrease in the SG&A expenses and profits of the unrelated importer. It was established that the importer reduced in fact somewhat its profit margin as far as its trading of Polish twines is concerned. Consequently, an allowance was granted for the difference between the profit margin relating to the resale of Polish twine obtained by the importer in the original IP and a reasonable profit margin for an independent importer operating in the same business sector in the new IP.

1.2.2. Foreign currency conversion

- (13) An allowance was also granted to take account of the depreciation of the Polish national currency, the Zloty, against the Deutsche Mark and the euro which were the main currencies of denomination of Polish twines sales to the Community during both the original IP and the new IP.

1.2.3. Other claims of the importer

- (14) The importer argued that the movement in resale prices should be assessed with reference to twines in general, regardless of their origin, as twines are a commodity product. It pointed out that the same lack of movement observed in the resale prices of twines of Polish origin could be equally seen in the resale prices of twines originating in Member States and other third countries. The importer also claimed that the low level of resale prices of Polish twines and other twines should not be seen as the direct effect of the low export prices of these twines but, rather, as the effect of a general situation of the twine market in the Community.
- (15) These arguments are not relevant in the context of the first step of an absorption investigation, where what matters is whether the anti-dumping duty is duly reflected in resale prices of the product imported from the country concerned. However, the impact of any overall price depression was taken into consideration when examining whether changes to the normal values previously established were warranted.

1.3. Conclusion

- (16) It was therefore concluded that some absorption had taken place, as the slight decrease occurred in the resale price of twines of Polish origin could not be fully justified even after taking into consideration the allowances described in recitals 12 and 13. The investigation then turned to a reassessment of the export prices.

2. Reassessment of the export prices

- (17) On that basis, it was concluded that export prices appeared to be unreliable because of a compensatory arrangement. Therefore, export prices were reassessed pursuant to Article 2(9) of the basic Regulation on the basis of the originally established export prices, taking into account all applicable costs, in particular the amount of the anti-dumping duty in force. The resulting export price was also adjusted for any elements found to be warranted, i.e. any reduction in the SG&A expenses or profit of the importers, or foreign currency conversion (see recitals 12 and 13).
- (18) The methodology referred to in recital 17 was followed for each of the three exporting producers. In consideration of the fact that a fall in export prices had been observed during the new IP, these export prices were also examined, in order to verify that they would not be lower than the export prices reassessed as indicated in recital 17. This was indeed the case for one exporter. For

this company, therefore, the actual — lower — export prices of the new IP were used in the calculations.

3. Normal value

- (19) Article 12(5) of the basic Regulation provides for the possibility of taking alleged changes in normal value into account, where complete information is made available to the Commission within given time limits. In their replies to the questionnaire, two of the three cooperating exporting producers claimed that normal value had changed due to reduced cost of production.
- (20) These two exporters were asked further to substantiate their claims and, after verification, it was established that their cost of production had decreased and that, as a result, normal values decreased for both companies.
- (21) As the third exporting producer had not claimed that the movement in its export prices was due to a decrease in its normal value, its normal value was not re-examined.

4. Recalculation of the dumping margin taking account of reassessed export prices and of adjusted normal values

- (22) As required under Article 12 of the basic Regulation, the dumping margins for the three exporting producers concerned were recalculated. This was done by comparing the reassessed average export price with the average normal value established in the original IP, adjusted where warranted. The difference was then expressed as a percentage of the average cif value.
- (23) For two exporting producers, Defalin and Terplast, the recalculated dumping margin was found not to have increased when compared to the dumping margin established in the course of the original investigation.
- (24) For the remaining exporting producer BezaLin, the recalculated dumping margin was slightly higher than the dumping margin established in the original investigation, namely 19,4 %, as compared with 17,2 % in the original investigation.

5. New level of duties

- (25) In the case of BezaLin, the original measures were based on the dumping margin. The recalculated dumping margin is still lower than the injury margin found in the course of the original investigation. In application of the lesser duty rule, the revised duty rate should correspond to the revised dumping margin, i.e. 19,4 %.

- (26) In the case of Defalin and Terplast, given that no increase in the dumping margin was found, their duty rates should be left unchanged.
- (27) The duty rates for the other individual companies, as well as the countrywide duty rate, should also be left unchanged, in consideration of the fact that the three cooperating exporting producers represented the totality of the exports of the product concerned to the Community during the new IP, and that — accordingly — the findings made in the original investigation with regard to other parties are therefore not affected,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1(2) of Regulation (EC) No 603/1999 shall be replaced by the following:

'2. The rate of the definitive anti-dumping duty applicable to the net free-at-Community frontier prices before duty of the products manufactured by the companies listed below shall be as follows:

Country	Company	Rate of duty (%)	TARIC additional code
Poland	BZLP BezaLin	19,4	8450
	PAT Defalin s.a.	16,3	8569
	Industrial Chemistry Research Institute	12,8	8578
	Terplast sp z.o.o.	6,1	8579
	WKI Isoliertechnik Spolka z.o.o.	15,7	A091
	All other companies	20,3	8900
Czech Republic	All companies	24,8	8900
Hungary	All companies	32,9	8900'

Article 2

This Regulation shall enter into force on the day following that 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, 10 August 2001.

For the Council

The President

L. MICHEL

COMMISSION REGULATION (EC) No 1658/2001
of 16 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 17 August 2001.

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

Done at Brussels, 16 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 16 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	76,1
	999	76,1
0805 30 10	388	73,7
	524	60,0
	528	68,5
	999	67,4
0806 10 10	052	83,5
	400	173,3
	600	97,2
	999	118,0
0808 10 20, 0808 10 50, 0808 10 90	388	86,8
	400	70,2
	508	78,4
	512	99,1
	524	51,2
	528	71,0
	720	87,4
	800	175,2
	804	88,9
	999	89,8
0808 20 50	052	110,4
	388	67,7
	512	63,3
	999	80,5
0809 30 10, 0809 30 90	052	119,6
	999	119,6
0809 40 05	052	71,7
	064	65,2
	066	74,2
	094	60,7
	624	227,8
	999	99,9

⁽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 1659/2001
of 16 August 2001
prohibiting fishing for cod by vessels flying the flag of Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

or registered in Spain have exhausted the quota allocated for 2001. Spain has prohibited fishing for this stock from 10 July 2001. This date should therefore be adopted in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES subareas I and II (Norwegian waters) by vessels flying the flag of Spain or registered in Spain are hereby deemed to have exhausted the quota allocated to Spain for 2001.

Fishing for cod in the waters of ICES subareas I and II (Norwegian waters) by vessels flying the flag of Spain or registered in Spain is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 10 July 2001.

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

Done at Brussels, 16 August 2001.

For the Commission

Pascal LAMY

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 334, 30.12.2000, p. 1.

COMMISSION REGULATION (EC) No 1660/2001**of 16 August 2001****amending Regulation (EC) No 1623/2000 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

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 Articles 33 and 36 thereof,

Regulation (EC) No 1623/2000 is hereby amended as follows:

Whereas:

1. The first paragraph of Article 58 is replaced by the following:

'Producers subject to one of the obligations referred to in Articles 45 or 52 of this Regulation and who have delivered at least 90 % of the quantity of product which they are obliged to deliver before 15 July of the current wine year may discharge their obligation by delivering the remaining quantity before a date, to be fixed by the competent national authority, which may not be after 31 July of the following wine year.'

(1) Article 58 of Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms ⁽³⁾, as last amended by Regulation (EC) No 1282/2001 ⁽⁴⁾, lays down rules on the remaining quantities to be delivered by producers under their obligations. In the light of experience gained, the time limit should be put back.

2. Article 63 is amended as follows:

(a) Paragraphs 1 and 2 are replaced by the following:

'1. Distillation of table wine and wine suitable for yielding table wine in accordance with Article 29 of Regulation (EC) No 1493/1999 shall be opened from 16 October each wine year.

(2) Article 63 of Regulation (EC) No 1623/2000 provides for the introduction of an aid scheme for the distillation of potable alcohol from wine. That scheme was first introduced for the 2000/01 wine year. Changes are required in line with experience gained in the first year of application. In particular, distillation should be opened later in the year and the percentage of production that wine producers can deliver for distillation should be smaller. In addition, a time limit must be set for distillation.

2. The quantity of table wine and wine suitable for yielding table wine that each producer may have distilled shall not exceed 30 % of his highest production of such wine declared in the last three wine years, including the current year if production has already been declared. Where the above percentage is applied, the quantity of table wine produced shall be that given as wine in the column headed "Table wines" of the declaration of quantities produced as referred to in Article 18(1) of Regulation (EC) No 1493/1999.'

(3) Articles 86 to 102 of Regulation (EC) No 1623/2000 lay down detailed rules for the disposal of alcohol held by the intervention agencies. Certain material errors should be corrected and in particular the amount to be paid for samples should be adjusted and the tolerance for bio-ethanol involving products requiring rectification should be the same as that for new industrial uses.

(b) The following paragraph is added:

'10. Wine delivered to a distillery must be distilled by 30 September of the following wine year at the latest.'

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

3. The first paragraph of Article 86 is replaced by the following:

'The Commission, acting in accordance with the procedure laid down in Article 75 of Regulation (EC) No 1493/1999, shall issue several invitations to tender every quarter, each relating to at least 50 000 hectolitres of wine alcohol and, taken together, relating to not more than 600 000 hectolitres of alcohol at 100 % vol each quarter, for export to certain third countries for end use in the motor-fuel sector only.'

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 194, 31.7.2000, p. 45.

⁽⁴⁾ OJ L 176, 29.6.2001, p. 14.

4. Article 91(12) is replaced by the following:

'12. The intervention agency concerned shall release the export security for each quantity of alcohol for which it receives proof of export within the time limit allowed. Notwithstanding Article 23 of Regulation (EEC) No 2220/85 and except in cases of *force majeure*, where the time limit for export is exceeded the following percentages of the export security of EUR 3 per hectolitre of alcohol at 100 % vol shall be forfeit:

- (a) 15 % in all cases;
- (b) 0,33 % of the amount remaining after 15 % has been deducted for each day by which the time limit for export has been exceeded.'

5. The second and third subparagraphs of Article 95(2) are replaced by the following:

'This prohibition shall not relate to alcohol in vats not covered by the notices of invitation to tender or public sale concerned or not specified in the Commission decision referred to in Articles 83 to 93.

For logistical reasons in particular, the intervention agencies holding the vats of alcohol specified in the notification from the Member States referred to in paragraph 1 may replace the alcohol concerned with other alcohol of the same type or mix it with other alcohol delivered to the intervention agency until a removal order is issued for the alcohol concerned. The intervention agencies of the Member States shall notify the Commission that the alcohol has been replaced.'

6. Article 98 is amended as follows:

(a) Paragraph 1 is replaced by the following:

'1. From the publication of a notice of invitation to tender to the closing date for the submission of tenders in response to that invitation, interested parties may obtain samples of the alcohol put up for sale against payment of EUR 10 per litre. The quantity made available to individual interested parties may not exceed five litres per vat. For disposal under subsection III, samples

may be obtained for the same consideration in the 30 days following the notice of public sale.'

(b) Paragraph 2 is replaced by the following:

'2. After the closing date for the submission of tenders or after 30 days following the notice of public sale:

- (a) tenderers or approved firms as referred to in Article 92 may obtain samples of the alcohol awarded;
- (b) tenderers offered replacement alcohol pursuant to Article 83(3) may obtain samples of the replacement alcohol proposed.

Such samples, which may not exceed five litres per vat, may be obtained from the intervention agency against payment of EUR 10 per litre.'

7. Article 100(2)(c) is replaced by the following:

- '(c) In the case of alcohol awarded for a new industrial use and under public sales for the use of bio-ethanol in the motor-fuel sector in the Community which must be rectified prior to utilisation for the end use specified, the alcohol removed shall be deemed to have been used entirely for the purpose specified where at least 90 % of the total quantities of alcohol removed under an invitation to tender or a public sale is used for that purpose; the successful tenderer or the approved firm that has agreed to purchase the alcohol shall inform the Commission and the intervention agency of the quantity, destination and use of the products which have undergone rectification. However, losses may not exceed the limits specified in point (b).'

Article 2

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

It shall apply from 25 August 2001.

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

Done at Brussels, 16 August 2001.

For the Commission

Franz FISCHLER

Member of the Commission

**COMMISSION REGULATION (EC) No 1661/2001
of 16 August 2001
fixing the import duties in the rice sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 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 a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.

- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice 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 from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 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 17 August 2001.

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

Done at Brussels, 16 August 2001.

For the Commission

Pascal LAMY

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	264,00	88,06	127,66		198,00
1006 20 13	264,00	88,06	127,66		198,00
1006 20 15	264,00	88,06	127,66		198,00
1006 20 17	248,76	82,73	120,04	0,00	186,57
1006 20 92	264,00	88,06	127,66		198,00
1006 20 94	264,00	88,06	127,66		198,00
1006 20 96	264,00	88,06	127,66		198,00
1006 20 98	248,76	82,73	120,04	0,00	186,57
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 1706/98 (OJ L 215, 1.8.1998, p. 12) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	248,76	416,00	264,00	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	302,67	248,73	213,96	250,61	—
(b) fob price (EUR/tonne)	—	—	—	181,04	217,69	—
(c) Sea freight (EUR/tonne)	—	—	—	32,92	32,92	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 1662/2001**of 16 August 2001****on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1706/98 of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 715/90 ⁽¹⁾, and in particular Article 30 thereof,

Having regard to Commission Regulation (EC) No 1918/98 of 9 September 1998 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 1706/98 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and repealing Regulation (EC) No 589/96 ⁽²⁾, and in particular Article 4 thereof,

Whereas:

(1) Article 1 of Regulation (EC) No 1918/98 provides for the possibility of issuing import licences for beef and veal products. However, imports must take place within the limits of the quantities specified for each of these exporting non-member countries.

(2) The applications for import licences submitted between 1 and 10 August 2001, expressed in terms of boned meat, in accordance with Regulation (EC) No 1918/98, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from those States. It is therefore possible to issue import licences in respect of the quantities applied for.

(3) The quantities in respect of which licences may be applied for from 1 September 2001 should be fixed within the scope of the total quantity of 52 100 tonnes.

(4) This Regulation is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine,

ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽³⁾, as last amended by Regulation (EC) No 1452/2001 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The following Member States shall issue on 21 August 2001 import licences for beef and veal products, expressed as boned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

United Kingdom:

- 1 500 tonnes originating in Botswana,
- 1 413 tonnes originating in Namibia,
- 600 tonnes originating in Zimbabwe;

Germany:

- 300 tonnes originating in Botswana,
- 300 tonnes originating in Namibia.

Article 2

Licence applications may be submitted, pursuant to Article 3(2) of Regulation (EC) No 1918/98, during the first 10 days of September 2001 for the following quantities of boned beef and veal:

Botswana:	6 626 tonnes,
Kenya:	142 tonnes,
Madagascar:	7 579 tonnes,
Swaziland:	3 363 tonnes,
Zimbabwe:	2 680,05 tonnes,
Namibia:	5 751 tonnes.

Article 3

This Regulation shall enter into force on 21 August 2001.

⁽¹⁾ OJ L 215, 1.8.1998, p. 12.

⁽²⁾ OJ L 250, 10.9.1998, p. 16.

⁽³⁾ OJ L 302, 31.12.1972, p. 28.

⁽⁴⁾ OJ L 198, 21.7.2001, p. 11.

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

Done at Brussels, 16 August 2001.

For the Commission
Pascal LAMY
Member of the Commission

COMMISSION REGULATION (EC) No 1663/2001
of 16 August 2001
amending the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 1656/2001 ⁽⁵⁾.

- (2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1656/2001,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1656/2001 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 17 August 2001.

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

Done at Brussels, 16 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.

⁽⁵⁾ OJ L 220, 15.8.2001, p. 19.

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	10,19	0,19
	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 14 August to 15 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	120,31	112,40	96,78	199,66 (**)	189,66 (**)	117,04 (**)
Gulf premium (EUR/t)	—	17,17	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: 19,36 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).

COMMISSION DIRECTIVE 2001/62/EC
of 9 August 2001
amending Directive 90/128/EEC relating to plastic materials and articles intended to come into
contact with foodstuffs
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/109/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs⁽¹⁾, and in particular Article 3 thereof,

After consulting the Scientific Committee on Food,

Whereas:

- (1) Silicones should be regarded as elastomeric materials rather than plastic materials and therefore should be deleted from the definition of plastics.
- (2) The determination of a quantity of a substance in a finished material or article is simpler than the determination of its specific migration level. The verification of compliance through the determination of quantity rather than specific migration level should therefore be permitted under certain conditions.
- (3) For certain types of plastics, the availability of generally recognised diffusion models based on experimental data allows the estimation of the migration level of a substance under certain conditions, therefore avoiding complex, costly and time-consuming testing.
- (4) Recent collaborative tests indicate that there is greater variability in the results of analysis for the determination of overall migration of substances used in plastics when aqueous food simulants as well as volatile media such as isooctane, ethanol and other similar solutions are used.
- (5) Besides the monomers and other starting substances fully evaluated and authorised at Community level, there are also monomers and starting substances evaluated and authorised in at least one Member State, use of which may be continued pending their evaluation by the Scientific Committee on Food and the decision on their inclusion in the Community list.
- (6) On the basis of the new information available to the Scientific Committee on Food, certain monomers provisionally admitted at national level as well as other monomers requested for use following the adoption of

Commission Directive 90/128/EEC of 23 February 1990 relating to plastic materials and articles intended to come into contact with foodstuffs⁽²⁾, as last amended by Directive 1999/91/EC⁽³⁾, may be included in the Community list of approved substances.

- (7) For certain substances, the restrictions already established at Community level should be amended on the basis of the information available.
- (8) The current total list of additives is an incomplete list inasmuch as it does not contain all the substances which are currently accepted in one or more Member States. Accordingly, these substances continue to be regulated by national laws only pending a decision on inclusion in the Community list.
- (9) This Directive establishes specifications for only a few substances, and therefore the other substances, which may require specifications remain regulated in this respect by national laws only pending a decision at Community level.
- (10) For certain additives the restrictions established in this Directive cannot yet be applied in all situations pending the collection and evaluation of all the data needed for a better estimation of the exposure of the consumer in some specific situations. Therefore, these additives appear in a list other than that of the additives fully regulated at Community level.
- (11) In accordance with the principle of proportionality, it is necessary and appropriate for the achievement of the basic objective of ensuring the free movement of plastic materials and articles intended to come into contact with foodstuffs, to lay down rules on the definition of plastics and admitted substances. This Directive confines itself to what is necessary in order to achieve the objectives pursued in accordance with the third paragraph of Article 5 of the Treaty.
- (12) Directive 90/128/EEC should therefore be amended accordingly.
- (13) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Foodstuffs,

⁽¹⁾ OJ L 40, 11.2.1989, p. 38.

⁽²⁾ OJ L 75, 21.3.1990, p. 19.

⁽³⁾ OJ L 310, 4.12.1999, p. 41.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 90/128/EEC is amended as follows:

1. In Article 1, paragraph 3 is replaced by the following:

'3. For the purposes of this Directive, "plastics" shall mean the organic macromolecular compounds obtained by polymerisation, polycondensation, polyaddition or any other similar process from molecules with a lower molecular weight or by chemical alteration of natural macromolecules. Other substances or matter may be added to such macromolecular compounds.

However, the following shall not be regarded as "plastics":

- (i) varnished or unvarnished regenerated cellulose film, covered by Commission Directive 93/10/EEC (*);
- (ii) elastomers and natural and synthetic rubber;
- (iii) paper and paperboard, whether modified or not by the addition of plastics;
- (iv) surface coatings obtained from:
 - paraffin waxes, including synthetic paraffin waxes, and/or micro-crystalline waxes,
 - mixtures of the waxes listed in the first indent with each other and/or with plastics;
- (v) ion-exchange resins;
- (vi) silicones.

(*) OJ L 93, 17.4.1993, p. 27.'

2. In Article 3, paragraphs 4 and 5 are replaced by the following:

'4. Only those monomers and other starting substances listed in Annex II, Section A, shall be used for the manufacture of plastic materials and articles, subject to the restrictions specified therein.

By way of derogation from the first subparagraph, the monomers and other starting substances listed in Annex II, Section B, may continue to be used until 31 December 2004 at the latest, pending their evaluation by the Scientific Committee on Food.

5. The lists appearing in Annex II, Sections A and B, do not yet include monomers and other starting substances used only in the manufacture of:

- surface coatings obtained from resinous or polymerised products in liquid, powder or dispersion form, such as varnishes, lacquers, paints, etc.,
- epoxy resins,
- adhesives and adhesion promoters,
- printing inks.'

3. Article 3a is replaced by the following:

'Article 3a

An incomplete list of additives which may be used for the manufacture of plastic materials and articles, together

with restrictions and/or specifications on their use, is set out in Annex III, Sections A and B.

For the substances in Annex III, Section B, the specific migration limits are applied as from 1 January 2004 when the verification of compliance is carried out in simulant D or in test media of substitute tests as laid down in Directives 82/711/EEC and 85/572/EEC.'

4. In Article 3c, paragraph 1 is replaced by the following:

'1. General specifications related to plastics materials and articles are laid down in Annex V, part A. Other specifications related to some substances appearing in Annexes II, III and IV are laid down in Annex V, part B.'

5. In Article 5, the following paragraph 4 is added:

'4. The verification of compliance with the specific migration limits provided for in paragraph 1 may be ensured by the determination of the quantity of a substance in the finished material or article provided that a relationship between that quantity and the value of the specific migration of the substance has been established either by an adequate experimentation or by the application of generally recognised diffusion models based on scientific evidence. To demonstrate the non-compliance of a material or article, confirmation of the estimated migration value by experimental testing is obligatory.'

6. Annexes I, II, III, V and VI are amended as set out in Annexes I to V to this Directive.

Article 2

The requirements introduced by this Directive shall not apply to materials and articles containing the substances regulated by the Directive which have been put into free circulation in the Community before 1 December 2002.

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 November 2002 at latest. They shall forthwith inform the Commission thereof.

When Member States adopt these 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 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 9 August 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

In Annex I, paragraph 7, the second indent is replaced by the following:

‘— 12 mg/kg or 2 mg/dm² in migration tests using the other simulants referred to in Directives 82/711/EEC and 85/572/EEC.’

ANNEX II

Annex II is amended as follows:

1. Section A is amended as follows:

(a) The following monomers and other starting substances are inserted:

Ref. No	CAS No	Name	Restrictions and/or specifications
'12763	00141-43-5	2-Aminoethanol	SML = 0,05 mg/kg. Not for use in polymers contacting foods for which simulant D is laid down in Directive 85/572/EEC and for indirect food contact only, behind the PET layer
12765	84434-12-8	N-(2-aminoethyl)-beta-alanine, sodium salt	SML = 0,05 mg/kg
13395	04767-03-7	2,2-Bis(hydroxymethyl)propionic acid	QMA = 0,05 mg/6 dm ²
15030	00931-88-4	Cyclooctene	SML = 0,05 mg/kg. For use only in polymers contacting foods for which simulant A is laid down in Directive 85/572/EEC
19110	04098-71-9	1-Isocyanato-3-isocyanatomethyl-3,5,5-trimethylcyclohexane	QM(T) = 1 mg/kg in FP (as NCO)
21765	106246-33-7	4,4'-Methylenebis(3-chloro-2,6-diethylaniline)	QMA = 0,05 mg/6 dm ²
22778	07456-68-0	4,4'-Oxybis(benzenesulphonyl azide)	QMA = 0,05 mg/6 dm ²
24073	000101-90-6	Resorcinol diglycidyl ether	QMA = 0,005 mg/6 dm ² . Not for use in polymers contacting foods for which simulant D is laid down in Directive 85/572/EEC and for indirect food contact only, behind the PET layer

(b) For the following monomers and other starting substances, the content of the column 'Restrictions and/or specifications' is replaced by the following:

Ref. No	CAS No	Name	Restrictions and/or specifications
'13510	01675-54-3	2,2-Bis(4-hydroxyphenyl)propane bis(2,3-epoxypropyl) ether (= BADGE)	According to Commission Directive 2001/61/EC of 8 August 2001 on the use of certain epoxy derivatives in materials and articles intended to come into contact with foodstuffs (OJ L 215, 9.8.2001, p. 26).
13610	01675-54-3	Bisphenol A bis(2,3-epoxypropyl) ether	See "2,2-Bis(4-hydroxyphenyl)propane bis(2,3-epoxypropyl) ether"

Ref. No	CAS No	Name	Restrictions and/or specifications
14200	0105-60-2	Caprolactam	SML(T) = 15 mg/kg ⁽⁵⁾
14230	02123-24-2	Caprolactam, sodium salt	SML(T) = 15 mg/kg ⁽⁵⁾ (expressed as caprolactam)
15970	00611-99-4	4,4'-Dihydroxybenzophenone	SML(T) = 6 mg/kg ⁽¹⁵⁾
17260	00050-00-0	Formaldehyde	SML(T) = 15 mg/kg ⁽²²⁾
18670	00100-97-0	Hexamethylenetetramine	SML(T) = 15 mg/kg ⁽²²⁾ (expressed as formaldehyde)
19540	00110-16-7	Maleic acide	SML(T) = 30 mg/kg ⁽⁴⁾
19960	00108-31-6	Maleic anhydride	SML(T) = 30 mg/kg ⁽⁴⁾ (expressed as maleic acid)
23050	00108-45-2	1,3-Phenylenediamine	SML = ND (DL = 0,02 mg/kg, analytical tolerance included) ¹

(c) The following monomers and other starting substances are transferred from section B to section A:

Ref. No	CAS No	Name	Restrictions and/or specifications
11530	00999-61-1	Acrylic acid, 2-hydroxypropyl ester	QMA = 0,05 mg/6 dm ²
13617	00080-09-1	Bisphenol S	See "4,4'-Dihydroxydiphenylsulphone"
13810	00505-65-7	1,4-Butanediol formal	QMA = 0,05 mg/6 dm ²
13932	00598-32-3	3-Buten-2-ol	QMA = ND (DL = 0,02 mg/6 dm ²) To be used only as a co-monomer for the preparation of polmeric additive
15370	03236-53-1	1,6-Diamino-2,2,4-trimethylhexane	QMA = 5 mg/6 dm ²
15400	03236-54-2	1,6-Diamino-2,4,4-trimethylhexane	QMA = 5 mg/6 dm ²
15610	00080-07-9	4,4'-Dichlorodiphenyl sulphone	SML = 0,05 mg/kg
16090	00080-09-1	4,4'-Dihydroxydiphenyl sulphone	SML = 0,05 mg/kg
16390	00126-30-7	2,2-Dimethyl-1,3-propanediol	SML = 0,05 mg/kg
19243	00078-79-5	Isoprene	Voir "2-Methyl-1,3-butadiene"
19490	00947-04-6	Lauro lactam	SML = 5 mg/kg

Ref. No	CAS No	Name	Restrictions and/or specifications
20260	00101-43-9	Methacrylic acid, cyclohexyl ester	SML = 0,05 mg/kg
20410	02082-81-7	Methacrylic acid, diester with 1,4-butanediol	SML = 0,05 mg/kg
20590	00106-91-2	Methacrylic acid, 2,3-epoxypropyl ester	QMA = 0,02 mg/6 dm ²
21520	01561-92-8	Methallylsulphonic acid, sodium salt	SML = 5 mg/kg
21640	00078-79-5	2-Methyl-1,3-butadiene	QM = 1 mg/kg in FP or SML = ND (DL = 0,02 mg/kg, analytical tolerance included)
21821	00505-65-7	1,4-(Methylenedioxy)butane	See "1,4-Butanediol formal"
22360	01141-38-4	2,6-Naphthalenedicarboxylic acid	SML = 5 mg/kg
22437	00126-30-7	Neopentylglycol	See "2,2-Dimethyl-1,3-propanediol"
22900	00109-67-1	1-Pentene	SML = 5 mg/kg
25380	—	Trialkyl acetic acid (C7-C17), vinyl esters (= vinyl versatate)	QMA = 0,05 mg/6 dm ²
25450	26896-48-0	Tricyclodecanedimethanol	SML = 0,05 mg/kg
25900	00110-88-3	Trioxane	SML = 0,05 mg/kg'

2. Section B is replaced by the following:

'SECTION B

List of monomers and other starting substances which may continue to be used pending a decision on inclusion in Section A

Ref. No	CAS No	Name	Restrictions and/or specifications
10599/90A	61788-89-4	Acids, fatty, unsaturated (C18), dimers, distilled	
10599/91	61788-89-4	Acids, fatty, unsaturated (C18), dimers, non-distilled	
10599/92A	68783-41-5	Acids, fatty, unsaturated (C18), dimers, hydrogenated, distilled	
10599/93	68783-41-5	Acids, fatty, unsaturated (C18), dimers, hydrogenated, non-distilled	
11500	00103-11-7	Acrylic acid, 2-ethylhexyl ester	
13050	00528-44-9	1,2,4-Benzenetricarboxylic acid	See "Trimellitic acid"
13075	00091-76-9	Benzoguanamine	See "2,4-Diamino-6-phenyl-1,3,5-triazine"
13720	00110-63-4	1,4-Butanediol	

Ref. No	CAS No	Name	Restrictions and/or specifications
14260	00502-44-3	Caprolactone	
14800	03724-65-0	Crotonic acid	
15310	00091-76-9	2,4-Diamino-6-phenyl-1,3,5-triazine	
15730	00077-73-6	Dicyclopentadiene	
16210	06864-37-5	3,3'-Dimethyl-4-4'-diaminodicyclohexylmethane	
16690	01321-74-0	Divinylbenzene	
16697	00693-23-2	Dodecanedioic acid	
17110	16219-75-3	5-Ethylidenebicyclo[2.2.1]hept-2-ene	
18370	00592-45-0	1,4-Hexadiene	
18700	00629-11-8	1,6-Hexanediol	
21370	10595-80-9	Methacrylic acid, 2-sulphoethyl ester	
21400	54276-35-6	Methacrylic acid, sulphopropyl ester	
21970	00923-02-4	N-methylolmethacrylamide	
22210	00098-83-9	Alpha-methylstyrene	
25540	00528-44-9	Trimellitic acid	QM(T) = 5 mg/kg in FP
25550	00552-30-7	Trimellitic anhydride	QM(T) = 5 mg/kg in FP (expressed as trimellitic acid)
25840	03290-92-4	1,1,1-Trimethylolpropane trimethacrylate	
26230	00088-12-0	Vinylpyrrolidone'	

ANNEX III

Annex III is amended as follows:

1. The table 'Incomplete list of additives' is amended as follows:

(a) The title is replaced by the following:

'SECTION A

Incomplete list of additives fully harmonised at Community level'

(b) The following additives are inserted:

Ref. No	CAS No	Name	Restrictions and/or specifications
'35160	06642-31-5	6-Amino-1,3-dimethyluracil	SML = 5 mg/kg
35170	00141-43-5	2-Aminoethanol	SML = 0,05 mg/kg. Not for use in polymers contacting foods for which simulant D is laid down in Directive 85/572/EEC and for indirect food contact only, behind the PET layer
35284	00111-41-1	N-(2-aminoethyl)ethanolamine	SML = 0,05 mg/kg. Not for use in polymers contacting foods for which simulant D is laid down in Directive 85/572/EEC and for indirect food contact only, behind the PET layer
38840	154862-43-8	Bis(-2,4-dicumylphenyl) pentaerythritoldiphosphite	SML = 5 mg/kg (as sum of the substance itself, its oxidised form bis (2,4-dicumylphenyl)pentaerythritol-phosphate and its hydrolysis product (2,4-dicumylphenol)
39925	129228-21-3	3,3-Bis(methoxymethyl)-2,5 - dimethyl hexane	SML = 0,05 mg/kg
40020	110553-27-0	2,4-Bis(octylthiomethyl)-6-methyl-phenol	SML = 6 mg/kg
41120	10043-52-4	Calcium chloride	
41840	00105-60-2	Caprolactam	SML(T) = 15 mg/kg ⁽⁵⁾
47210	26427-07-6	Dibutylthiostannoic acid polymer [= thiobis(butyl-tin sulphide), polymer]	In compliance with the specifications laid down in Annex V
47540	27458-90-8	Di-tert-dodecyl disulfide	SML = 0,05 mg/kg
48620	00123-31-9	1,4-Dihydroxybenzene	SML = 0,6 mg/kg
48720	00611-99-4	4,4'-Dihydroxybenzophenone	SML(T) = 6 mg/kg ⁽¹⁵⁾
52645	10436-08-5	Cis-11-eicosenamide	

Ref. No	CAS No	Name	Restrictions and/or specifications
64800	00110-16-7	Maleic acid	SML(T) = 30 mg/kg ⁽⁴⁾
65920	66822-60-4	[N-methacryloyloxyethyl-N,N-dimethyl-N-carboxymethyl-ammonium chloride, sodium salt-octadecyl methacrylate-ethyl methacrylate-cyclohexyl methacrylate-N-vinyl-2-pyrrolidone, copolymers	
73160	—	Phosphoric acid, mono- and di-n-alkyl (C16 and C18) esters	SML = 0,05 mg/kg
76730	—	Polydimethylsiloxane, gamma-hydroxypropylated	SML = 6 mg/kg
81220	192268-64-7	Poly-[[6-[N-(2,2,6,6-tetramethyl-4-piperidiny)-n-butylamino]-1,3,5-triazine-2,4-diyl][2,2,6,6-tetramethyl-4-piperidiny]imino]-1,6-hexanediyl[2,2,6,6-tetramethyl-4-piperidiny]imino]]-alpha-[N,N,N',N'-tetra-butyl-N''-(2,2,6,6-tetramethyl-4-piperidiny)amino]-hexyl [1,3,5-triazine-2,4,6-triamine]-omega-N,N,N',N'-tetra-butyl-1,3,5-triazine-2,4-diamine]	SML = 5 mg/kg
83599	68442-12-6	Reaction products of oleic acid, 2-mercaptoethyl ester, with dichlorodimethyltin, sodium sulphide and trichloromethyltin	SML(T) = 0,18 mg/kg ⁽¹⁶⁾ (expressed as tin)
85680	01343-98-2	Silicic acid	
92150	01401-55-4	Tannic acids	According to the JECFA specifications
93720	00108-78-1	2,4,6-Triamino-1,3,5-triazine	SML = 30 mg/kg
95270	161717-32-4	2,4,6-Tris(tert-butyl)phenyl 2-butyl-2-ethyl-1,3-propanediol phosphate	SML = 2 mg/kg (as sum of phosphite, phosphate and the hydrolysis product = TTBP)

(c) For the following additives, the content of column 'Restriction and/or specifications' is replaced by the following:

Ref No	CAS No	Name	Restrictions and/or specifications
40120	—	Bis (polyethylene-glycol)hydroxymethylphosphonate	SML = 0,6 mg/kg and authorised until 1 January 2004
45200	01335-23-5	Copper iodide	SML(T) = 30 mg/kg ⁽⁷⁾ (expressed as copper) and SML = 1 mg/kg ⁽¹¹⁾ (expressed as iodine)

Ref No	CAS No	Name	Restrictions and/or specifications
60480	03864-99-1	2-(2'-Hydroxy-3,5'-di-tert-butyl-phenyl)-5-chlorobenzotriazole	SML(T) = 30 mg/kg ⁽¹⁹⁾
85840	53320-86-8	Silicic acid, lithium magnesium sodium salt	SML(T) = 0,6 mg/kg ⁽⁸⁾ (expressed as lithium)
95725	110638-71-6	Vermiculite, reaction product with citric acid, lithium salt	SML(T) = 0,6 mg/kg ⁽⁸⁾ (expressed as lithium)

(d) The following additives are deleted:

Ref. No	CAS No	Name	Restrictions and/or specifications
'85980	—	Silicic acid, salts'	

2. The following Section B is added:

'SECTION B

Incomplete list of additives referred to in Article 3a, second paragraph

Ref. No	CAS No	Name	Restrictions and/or specifications
30180	02180-18-9	Acetic acid, manganese salt	SML(T) = 0,6 mg/kg ⁽¹⁰⁾ (expressed as manganese)
31520	61167-58-6	Acrylic acid, 2-tert-butyl-6-(3-tert-butyl-2-hydroxy-5-methylbenzyl)-4-methylphenyl ester	SML = 6 mg/kg
31920	00103-23-1	Adipic acid, bis(2-ethylhexyl) ester	SML = 18 mg/kg ⁽¹⁾
34230	—	Alkyl(C8-C22)sulphonic acids	SML = 6 mg/kg
35760	01309-64-4	Antimony trioxide	SML = 0,02 mg/kg (expressed as antimony and analytical tolerance included)
36720	17194-00-2	Barium hydroxide	SML(T) = 1 mg/kg ⁽¹²⁾ (expressed as barium)
36800	10022-31-8	Barium nitrate	SML(T) = 1 mg/kg ⁽¹²⁾ (expressed as barium)
38240	00119-61-9	Benzophenone	SML = 0,6 mg/kg
38560	07128-64-5	2,5-Bis(5-tert-butyl-2-benzoxazolyl) thiophene	SML = 0,6 mg/kg
38700	63397-60-4	Bis(2-carbobutoxyethyl)tin-bis(isooctyl mercaptoacetate)	SML = 18 mg/kg
38800	32687-78-8	N,N'-Bis(3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionyl)hydrazide	SML = 15 mg/kg
38820	26741-53-7	Bis(2,4-di-tert-butylphenyl) pentaerythritol diphosphite	SML = 0,6 mg/kg

Ref. No	CAS No	Name	Restrictions and/or specifications
39060	35958-30-6	1,1-Bis(2-hydroxy-3,5-di-tert-butyl-phenyl)ethane	SML = 5 mg/kg
39090	—	N,N-Bis(2-hydroxyethyl)alkyl(C8-C18) amine	SML(T) = 1,2 mg/kg ⁽¹³⁾
39120	—	N,N-bis(2-hydroxyethyl)alkyl(C8-C18) amine hydrochlorides	SML(T) = 1,2 mg/kg ⁽¹³⁾ (expressed as N,N-bis(2-hydroxyethyl)alkyl(C8-C18) amine)
40000	00991-84-4	2,4-Bis(octylmercapto)-6-(4-hydroxy-3,5-di-tert-butylanilino)-1,3,5-triazine	SML = 30 mg/kg
40020	110553-27-0	2,4-Bis(octylthiomethyl)-6-methylphenol	SML = 6 mg/kg
40160	61269-61-2	N,N'-bis(2,2,6,6-tetramethyl-4-piperidyl)hexamethylenediamine-1,2-dibromoethane, copolymer	SML = 2,4 mg/kg
40800	13003-12-8	4,4'-Butylidene-bis(6-tert-butyl-3-methylphenyl-ditridecyl phosphite)	SML = 6 mg/kg
40980	19664-95-0	Butyric acid, manganese salt	SML(T) = 0,6 mg/kg ⁽¹⁰⁾ (expressed as manganese)
42000	63438-80-2	(2-Carbobutoxyethyl)tin-tris(isooctyl mercaptoacetate)	SML = 30 mg/kg
42400	10377-37-4	Carbonic acid, lithium salt	SML(T) = 0,6 mg/kg ⁽⁸⁾ (expressed as lithium)
42480	00584-09-8	Carbonic acid, rubidium salt	SML = 12 mg/kg
43600	04080-31-3	1-(3-Chloroallyl)-3,5,7-triaza-1-azoniaadamantane chloride	SML = 0,3 mg/kg
43680	00075-45-6	Chlorodifluoromethane	SML = 6 mg/kg and in compliance with the specifications laid down in Annex V
44960	11104-61-3	Cobalt oxide	SML(T) = 0,05 mg/kg ⁽¹⁴⁾ (expressed as cobalt)
45440	—	Cresols, butylated, styrenated	SML = 12 mg/kg
46720	04130-42-1	2,6-Di-tert-butyl-4-ethylphenol	QMA = 4,8 mg/6 dm ²
47600	84030-61-5	Di-n-dodecyltin bis(isooctyl mercaptoacetate)	SML = 12 mg/kg
48640	00131-56-6	2,4-Dihydroxybenzophenone	SML(T) = 6 mg/kg ⁽¹⁵⁾
48800	00097-23-4	2,2'-Dihydroxy-5,5'-dichlorodiphenylmethane	SML = 12 mg/kg

Ref. No	CAS No	Name	Restrictions and/or specifications
48880	00131-53-3	2,2'-Dihydroxy-4-methoxybenzophenone	SML(T) = 6 mg/kg ⁽¹⁵⁾
49600	26636-01-1	Dimethyltin bis(isooctyl mercaptoacetate)	SML(T) = 0,18 mg/kg ⁽¹⁶⁾ (expressed as tin)
49840	02500-88-1	Diocetadecyl disulphide	SML = 3 mg/kg
50160	—	Di-n-octyltin bis(n-alkyl(C10-C16) mercapto acetate)	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
50240	10039-33-5	Di-n-octyltin bis(2-ethylhexyl maleate)	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
50320	15571-58-1	Di-n-octyltin bis(2-ethylhexyl mercaptoacetate)	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
50360	—	Di-n-octyltin bis(ethyl maleate)	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
50400	33568-99-9	Di-n-octyltin bis(isooctyl maleate)	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
50480	26401-97-8	Di-n-octyltin bis(isooctyl mercaptoacetate)	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
50560	—	Di-n-octyltin 1,4-butanediol bis(mercaptoacetate)	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
50640	03648-18-8	Di-n-octyltin dilaurate	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
50720	15571-60-5	Di-n-octyltin dimaleate	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
50800	—	Di-n-octyltin dimaleate, esterified	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
50880	—	Di-n-octyltin dimaleate, polymers (n = 2-4)	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
50960	69226-44-4	Di-n-octyltin ethyleneglycol bis(mercaptoacetate)	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
51040	15535-79-2	Di-n-octyltin mercaptoacetate	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
51120	—	Di-n-octyltin thiobenzoate 2-ethylhexyl mercaptoacetate	SML(T) = 0,04 mg/kg ⁽¹⁷⁾ (expressed as tin)
51570	00127-63-9	Diphenyl sulphone	SML = 3 mg/kg
51680	00102-08-9	N,N'-diphenylthiourea	SML = 3 mg/kg

Ref. No	CAS No	Name	Restrictions and/or specifications
52000	27176-87-0	Dodecylbenzenesulphonic acid	SML = 30 mg/kg
52320	52047-59-3	2-(4-Dodecylphenyl)indole	SML = 0,06 mg/kg
52880	23676-09-7	4-Ethoxybenzoic acid, ethyl ester	SML = 3,6 mg/kg
53200	23949-66-8	2-Ethoxy-2'-ethyloxanilide	SML = 30 mg/kg
58960	00057-09-0	Hexadecyltrimethylammonium bromide	SML = 6 mg/kg
59120	23128-74-7	1,6-Hexamethylene-bis(3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionamide)	SML = 45 mg/kg
59200	35074-77-2	1,6-Hexamethylene-bis(3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionate)	SML = 6 mg/kg
60320	70321-86-7	2-(2-Hydroxy-3,5-bis(1,1-dimethylbenzyl)phenyl)benzotriazole	SML = 1,5 mg/kg
60400	03896-11-5	2-(2'-Hydroxy-3'-tert-butyl-5'-methylphenyl)-5-chlorobenzotriazole	SML(T) = 30 mg/kg ⁽¹⁹⁾
60800	65447-77-0	1-(2-Hydroxyethyl)-4-hydroxy-2,2,6,6-tetramethyl piperidine-succinic acid, dimethyl ester, copolymer	SML = 30 mg/kg
61280	03293-97-8	2-Hydroxy-4-n-hexyloxybenzophenone	SML(T) = 6 mg/kg ⁽¹⁵⁾
61360	00131-57-7	2-Hydroxy-4-methoxybenzophenone	SML(T) = 6 mg/kg ⁽¹⁵⁾
61440	02440-22-4	2-(2-Hydroxy-5-methylphenyl)benzotriazole	SML(T) = 30 mg/kg ⁽¹⁹⁾
61600	01843-05-6	2-Hydroxy-4-n-octyloxybenzophenone	SML(T) = 6 mg/kg ⁽¹⁵⁾
63200	51877-53-3	Lactic acid, manganese salt	SML(T) = 0,6 mg/kg ⁽¹⁰⁾ (expressed as manganese)
64320	10377-51-2	Lithium iodide	SML(T) = 1 mg/kg ⁽¹¹⁾ (expressed as iodine) and SML(T) = 0,6 mg/kg ⁽⁸⁾ (expressed as lithium)
65120	07773-01-5	Manganese chloride	SML(T) = 0,6 mg/kg ⁽¹⁰⁾ (expressed as manganese)
65200	12626-88-9	Manganese hydroxide	SML(T) = 0,6 mg/kg ⁽¹⁰⁾ (expressed as manganese)
65280	10043-84-2	Manganese hypophosphite	SML(T) = 0,6 mg/kg ⁽¹⁰⁾ (expressed as manganese)
65360	11129-60-5	Manganese oxide	SML(T) = 0,6 mg/kg ⁽¹⁰⁾ (expressed as manganese)

Ref. No	CAS No	Name	Restrictions and/or specifications
65440	—	Manganese pyrophosphite	SML(T) = 0,6 mg/kg ⁽¹⁰⁾ (expressed as manganese)
66360	85209-91-2	2,2'-Methylene bis(4,6-di-tert-butyl-phenyl)sodium phosphate	SML = 5 mg/kg
66400	00088-24-4	2,2'-Methylenebis(4-ethyl-6-tert-butyl-phenol)	SML(T) = 1,5 mg/kg ⁽²⁰⁾
66480	00119-47-1	2,2'-Methylenebis(4-methyl-6-tert-butylphenol)	SML(T) = 1,5 mg/kg ⁽²⁰⁾
67360	67649-65-4	Mono-n-dodecyltin tris(isooctyl mercaptoacetate)	SML = 24 mg/kg
67520	54849-38-6	Monomethyltin tris(isooctyl mercaptoacetate)	SML(T) = 0,18 mg/kg ⁽¹⁶⁾ (expressed as tin)
67600	—	Mono-n-octyltin tris(alkyl(C10-C16)-mercaptoacetate)	SML(T) = 1,2 mg/kg ⁽¹⁸⁾ (expressed as tin)
67680	27107-89-7	Mono-n-octyltin tris(2-ethylhexyl mercaptoacetate)	SML(T) = 1,2 mg/kg ⁽¹⁸⁾ (expressed as tin)
67760	26401-86-5	Mono-n-octyltin tris(isooctyl mercaptoacetate)	SML(T) = 1,2 mg/kg ⁽¹⁸⁾ (expressed as tin)
68078	27253-31-2	Neodecanoic acid, cobalt salt	SML(T) = 0,05 mg/kg (expressed as neodecanoic acid) and SML(T) = 0,05 mg/kg ⁽¹⁴⁾ (expressed as cobalt). Not for use in polymers contacting foods for which simulant D is laid down in Directive 85/572/EEC
68320	02082-79-3	Octadecyl 3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionate	SML = 6 mg/kg
68400	10094-45-8	Octadecylceramide	SML = 5 mg/kg
69840	16260-09-6	Oleypalmitamide	SML = 5 mg/kg
72160	00948-65-2	2-Phenylindole	SML = 15 mg/kg
72800	01241-94-7	Phosphoric acid, diphenyl 2-ethyl-hexyl ester	SML = 2,4 mg/kg
73040	13763-32-1	Phosphoric acid, lithium salts	SML(T) = 0,6 mg/kg ⁽⁸⁾ (expressed as lithium)
73120	10124-54-6	Phosphoric acid, manganese salt	SML(T) = 0,6 mg/kg ⁽¹⁰⁾ (expressed as manganese)
74400	—	Phosphorous acid, tris(nonyl- and/or dimonylphenyl) ester	SML = 30 mg/kg
77440	—	Polyethyleneglycol diricinoleate	SML = 42 mg/kg

Ref. No	CAS No	Name	Restrictions and/or specifications
77520	61791-12-6	Polyethyleneglycol ester of castor oil	SML = 42 mg/kg
78320	09004-97-1	Polyethyleneglycol monoricinoleate	SML = 42 mg/kg
81200	71878-19-8	Poly[6-[(1,1,3,3-tetramethylbutyl) amino]-1,3,5-triazine-2,4-diyl]-[(2,2,6,6-tetramethyl-4-piperidyl)-imino]hexamethylene[(2,2,6,6-tetramethyl-4-piperidyl)imino]	SML = 3 mg/kg
81680	07681-11-0	Potassium iodide	SML(T) = 1 mg/kg ⁽¹¹⁾ (expressed as iodine)
82020	19019-51-3	Propionic acid, cobalt salt	SML(T) = 0,05 mg/kg ⁽¹⁴⁾ (expressed as cobalt)
83595	119345-01-6	Reaction product of di-tert-butylphosphonite with biphenyl, obtained by condensation of 2,4-di-tert-butylphenol with friedel craft reaction product of phosphorus trichloride and biphenyl	SML = 18 mg/kg and in compliance with the specifications mentioned in Annex V
83700	00141-22-0	Ricinoleic acid	SML = 42 mg/kg
84800	00087-18-3	Salicylic acid, 4-tert-butylphenyl ester	SML = 12 mg/kg
84880	00119-36-8	Salicylic acid, methyl ester	SML = 30 mg/kg
85760	12068-40-5	Silicic acid, lithium aluminium salt (2:1:1)	SML(T) = 0,6 mg/kg ⁽⁸⁾ (expressed as lithium)
85920	12627-14-4	Silicic acid, lithium salt	SML(T) = 0,6 mg/kg ⁽⁸⁾ (expressed as lithium)
86800	07681-82-5	Sodium iodide	SML(T) = 1 mg/kg ⁽¹¹⁾ (expressed as iodine)
86880	—	Sodium monoalkyl dialkylphenoxybenzenedisulphonate	SML = 9 mg/kg
89170	13586-84-0	Stearic acid, cobalt salt	SML(T) = 0,05 mg/kg ⁽¹⁴⁾ (expressed as cobalt)
92000	07727-43-7	Sulphuric acid, barium salt	SML(T) = 1 mg/kg ⁽¹²⁾ (expressed as barium)
92320	—	Tetradecyl-polyethyleneglycol (EO = 3-8) ether of glycolic acid	SML = 15 mg/kg
92560	38613-77-3	Tetrakis(2,4-di-tert-butyl-phenyl)-4-4'-biphenylene diphosphonite	SML = 18 mg/kg

Ref. No	CAS No	Name	Restrictions and/or specifications
92800	00096-69-5	4,4'-Thiobis(6-tert-butyl-3-methylphenol)	SML = 0,48 mg/kg
92880	41484-35-9	Thiodiethanol bis(3-(3-5-di-tert-butyl-4-hydroxyphenyl)propionate)	SML = 2,4 mg/kg
93120	00123-28-4	Thiodipropionic acid, didodecyl ester	SML(T) = 5 mg/kg ⁽²¹⁾
93280	00693-36-7	Thiodipropionic acid, dioctadecyl ester	SML(T) = 5 mg/kg ⁽²¹⁾
94560	00122-20-3	Triisopropanolamine	SML = 5 mg/kg
95280	40601-76-1	1,3,5-Tris(4-tert-butyl-3-hydroxy-2,6-dimethylbenzyl)-1,3,5-triazine-2,4,6(1H,3H,5H)-trione	SML = 6 mg/kg
95360	27676-62-6	1,3,5-Tris(3,5-di-tert-butyl-4-hydroxybenzyl)-1,3,5-triazine-2,4,6-(1H,3H,5H)-trione	SML = 5 mg/kg
95600	01843-03-4	1,1,3-Tris(2-methyl-4-hydroxy-5-tert-butylphenyl)butane	SML = 5 mg/kg'

ANNEX IV

Annex V is amended as follows:

1. Part A of Annex V is replaced by the following:

'Part A: General specifications

The material and article manufactured by using aromatic isocyanates or colorants prepared by diazo-coupling, shall not release primary aromatic amines (expressed as aniline) in a detectable quantity (DL 0,02 mg/kg of food or food simulant, analytical tolerance included). However the migration value of the primary aromatic amines listed in this Directive are excluded from this restriction.'

2. The following specifications are inserted in the table of Part B of Annex V:

PM/Ref. No	Other specifications
'43680	CHLORODIFLUOROMETHANE
—	Content of chlorofluoromethane less than 1 mg/kg of the substance
47210	DIBUTYLTHIOSTANNOIC ACID POLYMER
—	Molecular unit = $(C_8H_{18}S_3Sn_2)_n$ ($n = 1,5-2$)
83595	REACTION PRODUCT OF DI-TERT-BUTYLPHOSPHONITE WITH BIPHENYL, OBTAINED BY CONDENSATION OF 2,4-DI-TERT-BUTYLPHENOL WITH FRIEDEL CRAFT REACTION PRODUCT OF PHOSPHORUS TRICHLORIDE AND BIPHENYL
	Composition
	— 4,4'-Biphenylene-bis[0,0-bis(2,4-di-tert-butylphenyl)phosphonite] (CAS No 38613-77-3) (36-46 % w/w ⁽¹⁾)
	— 4,3'-Biphenylene-bis[0,0-bis(2,4-di-tert-butylphenyl)phosphonite] (CAS No 118421-00-4) (17-23 % w/w)
	— 3,3'-Biphenylene-bis[0,0-bis(2,4-di-tert-butylphenyl)phosphonite] (CAS No 118421-01-5) (1-5 % w/w)
	— 4-Biphenylene-0,0-bis[0,0-bis(2,4-di-tert-butylphenyl)phosphonite] (CAS No 91362-37-7) (11-19 % w/w)
	— Tris(2,4-di-tert-butylphenyl)phosphite (CAS No 31570-04-4) (9-18 % w/w)
	— 4,4'-Biphenylene-0,0-bis(2,4-di-tert-butylphenyl)phosphonate-0,0-bis(2,4-di-tert-butylphenyl)phosphonite (CAS No 112949-97-0) < 5 % w/w)
	Other specifications
	— Phosphor content of minimum 5,4 % to 5,9 %
	— Acid value of maximum 10 mg KOH per gram
	— Melt range of 85-110 °C

⁽¹⁾ Quantity of substance used/quantity of formulation.'

ANNEX V

Annex VI is replaced by the following text:

‘ANNEX VI

NOTES RELATED TO THE COLUMN “RESTRICTIONS AND/OR SPECIFICATIONS”

- (¹) Warning: there is a risk that the SML could be exceeded in fatty food simulants.
- (²) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration of the following substances mentioned as PM/REF Nos: 10060 and 23920.
- (³) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration of the following substances mentioned as PM/REF Nos: 15760, 16990, 47680, 53650 and 89440.
- (⁴) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration of the following substances mentioned as PM/REF Nos: 19540, 19960 and 64800.
- (⁵) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration of the following substances mentioned as PM/REF Nos: 14200, 14230 and 41840.
- (⁶) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration of the following substances mentioned as PM/REF Nos: 66560 and 66580.
- (⁷) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 30080, 42320, 45195, 45200, 53610, 81760, 89200 and 92030.
- (⁸) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 42400, 64320, 73040, 85760, 85840, 85920 and 95725.
- (⁹) Warning: there is a risk that the migration of the substance deteriorates the organoleptic characteristics of the food in contact and then, that the finished product does not comply with the second indent of Article 2 of Directive 89/109/EEC.
- (¹⁰) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 30180, 40980, 63200, 65120, 65200, 65280, 65360, 65440 and 73120.
- (¹¹) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 45200, 64320, 81680 and 86800.
- (¹²) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 36720, 36800 and 92000.
- (¹³) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 39090 and 39120.
- (¹⁴) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 44960, 68078, 82020 and 89170.
- (¹⁵) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 15970, 48640, 48720, 48880, 61280, 61360 and 61600.
- (¹⁶) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 49600, 67520 and 83599.
- (¹⁷) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 50160, 50240, 50320, 50360, 50400, 50480, 50560, 50640, 50720, 50800, 50880, 50960, 51040 and 51120.
- (¹⁸) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 67600, 67680 and 67760.
- (¹⁹) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 60400, 60480 and 61440.
- (²⁰) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 66400 and 66480.
- (²¹) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 93120 and 93280.
- (²²) SML(T) in this specific case means that the restriction shall not be exceeded by the sum of the migration levels of the following substances mentioned as PM/REF Nos: 17260 and 18670.’
-

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION No 1/2001 OF THE COOPERATION COUNCIL BETWEEN THE EUROPEAN
COMMUNITY AND ITS MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF SOUTH
AFRICA, OF THE OTHER PART,**

of 26 June 2001

adopting the Rules of Procedure of the Cooperation Council

(2001/631/EC)

THE COOPERATION COUNCIL,

Having regard to the Agreement on Trade, Development and Cooperation between the European Community and its Member States, of the one part, and the Republic of South Africa, of the other part ⁽¹⁾, signed in Pretoria on 11 October 1999, hereinafter referred to as 'the Agreement', and in particular Article 97(2) thereof,

Whereas that Agreement entered into force on a provisional basis as of 1 January 2000 in accordance with the Exchange of Letters between the European Community and South Africa of 11 October 1999 ⁽²⁾,

HAS DECIDED TO ADOPT THE FOLLOWING RULES OF PROCEDURE:

Article 1

Composition

The Cooperation Council shall consist of the members of the Council of the European Union or their representatives and of members of the Commission of the European Communities, hereinafter referred to as the 'Commission' or their representatives, on the one hand, and of members of the Government of South Africa or their representatives, on the other.

Article 2

Presidency

The Cooperation Council shall be presided alternately by a member of the Council of the European Union and a representative of the Government of South Africa.

During the period of provisional application of the Agreement, a representative of the European Commission shall preside on behalf of the European Community.

Article 3

Meetings

The Cooperation Council shall meet at regular intervals and when circumstances require if the Parties so agree. Equally when so agreed by the Parties, the Council may meet at Ministerial level.

Unless otherwise agreed by the Parties, each session of the Cooperation Council at Ministerial level shall be held at the usual venue for meetings of the Council of the European Union. The meetings of the Cooperation Council are jointly arranged by the Secretaries of the Cooperation Council.

Article 4

Delegations

Before each meeting, the President of the Cooperation Council shall be informed of the intended composition and of the Head of the delegation of each Party.

The Cooperation Council may invite, by agreement between the Parties, non-members to attend its meetings.

Article 5

Secretariat

An official of the General Secretariat of the Council of the European Union and an official of the South African Government shall act jointly as Secretaries of the Cooperation Council.

However, during the period of the provisional application of the Agreement, an official of the Commission shall act as co-secretary on the European side.

⁽¹⁾ OJ L 311, 4.12.1999, p. 3.

⁽²⁾ OJ L 311, 4.12.1999, p. 2.

*Article 6***Documents**

When the deliberations of the Cooperation Council are based on written supporting documents, such documents shall be numbered and circulated as documents of the Cooperation Council by the two Secretaries.

*Article 7***Correspondence**

All correspondence addressed to the Cooperation Council or to the President of the Council shall be forwarded to both Secretaries of the Cooperation Council.

The two Secretaries shall ensure that correspondence is forwarded to the President of the Cooperation Council and, where appropriate, circulated to other members of the Cooperation Council. Correspondence circulated shall be sent to the Secretariat General of the Commission, the General Secretariat of the Council of the European Union, the Permanent Representations of the Member States of the European Union and the South African Government.

Correspondence from the President of the Cooperation Council shall be sent to the recipients by the respective Secretary and, where appropriate, circulated to the other members of the Cooperation Council mentioned in the second paragraph.

*Article 8***Agenda for the meetings**

A provisional agenda for each meeting shall be drawn up by the Secretaries of the Cooperation Council. The corresponding Secretary shall forward it to the recipients referred to in Article 7, second paragraph not later than 15 days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which a request for inclusion in the agenda has been received by either of the two Secretaries not later than 21 days before the beginning of the meeting. Items shall not be written into the provisional agenda unless the supporting documentation has been forwarded to the Secretaries not later than the date of dispatch of the provisional agenda.

The Cooperation Council at the beginning of each meeting shall adopt the agenda. An item other than those appearing on the provisional agenda may be placed on the agenda if the two Parties so agree.

In agreement with the Parties, the time limits specified in paragraph 1 may be shortened in order to take account of the requirements of a particular case.

*Article 9***Minutes**

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

The minutes shall, as a general rule, indicate in respect of each item on the agenda:

1. the documentation submitted to the Cooperation Council;
2. statements the entry of which has been requested by a member of the Cooperation Council;
3. the decisions taken, the recommendations made, the statements agreed upon and the conclusions adopted on specific items.

The minutes shall also include a list of members of the Cooperation Council who participated at the meeting.

The draft minutes shall be submitted to the Cooperation Council for approval at its next meeting. The draft minutes also can be agreed in writing by both Parties. When approved, two authentic copies of the minutes shall be signed by the two Secretaries and be filed by the Parties. A copy of the minutes shall be forwarded to each of the recipients referred to in Article 7, second paragraph.

*Article 10***Decisions and recommendations**

The Cooperation Council shall take decisions and make recommendations by common agreement between the Parties. During the inter-session period, the Cooperation Council may adopt a decision or make recommendations by written procedure if both Parties so agree. A written procedure consists of an exchange of notes between the two Secretaries, acting in agreement with the Parties.

The decisions and recommendations of the Cooperation Council within the meaning of Article 97 of the Agreement shall be entitled 'decision' and 'recommendation' respectively, followed by a serial number, by the date of their adoption and by a description of their subject.

The decisions and recommendations of the Cooperation Council shall be signed by the President and authenticated by the two Secretaries and two authentic copies shall be kept in the archives of the Parties of the Cooperation Council.

Decisions and recommendations shall be transmitted through the two Secretaries to each of the recipients referred to in Article 7, second paragraph as documents of the Cooperation Council.

*Article 11***Publicity**

Unless otherwise decided, the meetings of the Cooperation Council shall not be public.

Each Party may decide on the publication of the decisions and the recommendations of the Cooperation Council in its respective official publication.

*Article 12***Languages**

The official languages of the Cooperation Council shall be the official languages of the Parties.

*Article 13***Expenses**

The European Community and South Africa shall each defray the expenses they incur by reason of their participation in the meetings of the Cooperation Council, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure.

Expenditure in connection with organisation of meetings shall be borne by the Party that hosts the meeting.

*Article 14***Committee**

One or more Cooperation Committees may be established in order to assist the Cooperation Council in the performance of its duties.

*Article 15***Entry into force**

This Decision shall enter into force on the day on which it is adopted.

Done at Brussels, 26 June 2001.

For the Cooperation Council

The President

J. RICHELLE

COMMISSION

COMMISSION DECISION

of 16 August 2001

laying down special conditions governing imports of fishery products originating in Nicaragua

(notified under document number C(2001) 2523)

(Text with EEA relevance)

(2001/632/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽¹⁾, as last amended by Directive 97/79/EC ⁽²⁾, and in particular Article 11 thereof,

Whereas:

- (1) A Commission expert has conducted an inspection visit to Nicaragua to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The provisions of Nicaragua's legislation on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular the 'Dirección General de Protección y Sanidad Agropecuaria (DGPSA) of the Ministerio Agropecuario y Forestal' is capable of effectively verifying the application of the laws in force.
- (4) The modalities for obtaining the health certificate referred to in Article 11(4)(a) of Directive 91/493/EEC must include the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the status of the person empowered to sign it.
- (5) Pursuant to Article 11(4)(b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products giving the name of the non-member country and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin, except for certain frozen products.

- (6) Pursuant to Article 11(4)(c) of Directive 91/493/EEC, a list of approved establishments, factory vessels or cold stores must be drawn up, and a list of freezer vessels equipped in accordance with points 1 to 7 of Annex II to Council Directive 92/48/EEC ⁽³⁾ must also be drawn up. These lists must be drawn up on the basis of a communication from the DGPSA to the Commission. It is therefore for the DGPSA to ensure compliance with the provisions laid down to that end in Article 11(4) of Directive 91/493/EEC.
- (7) The DGPSA has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The 'Dirección General de Protección y Sanidad Agropecuaria (DGPSA) of the Ministerio Agropecuario y Forestal' shall be the competent authority in Nicaragua for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

Article 2

Fishery and aquaculture products originating in Nicaragua must meet the following conditions:

1. each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto;

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 24, 30.1.1998, p. 31.

⁽³⁾ OJ L 187, 7.7.1992, p. 41.

2. the products must come from approved establishments, factory vessels or cold stores from registered freezer vessels listed in Annex B hereto;
3. except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word 'NICARAGUA' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

Article 3

1. Certificates as referred to in Article 2 point 1 must be drawn up in at least one official language of the Member State where the checks are carried out.
2. Certificates must bear the name, capacity and signature of the representative of the DGPSA and the latter's official stamp in a colour different from that of other endorsements.

Article 4

This Decision shall come into effect 60 days after its publication in the *Official Journal of the European Communities*.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 16 August 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

for fishery and aquaculture products originating in Nicaragua and intended for export to the European Community, excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: **NICARAGUA**

Competent authority: 'Dirección General de Protección y Sanidad Agropecuaria (DGPSA)' of the 'Ministerio Agropecuario y Forestal'

I. Details identifying the fishery products

- Description of fishery/aquaculture products ⁽¹⁾:
 - species (scientific name):
 - presentation of product and type of treatment ⁽²⁾:
- Code No (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval/registration No(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the DGPSA for export to the European Community:

.....

III. Destination of products

The products are dispatched

from:
(place of dispatch)

to:
(Country and place of destination)

by the following means of transport:

.....

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

.....

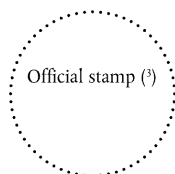
⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

- The official inspector hereby certifies that the fishery or aquaculture products specified above:
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directive 91/493/EEC, Directive 92/48/EEC and Decision 2001/632/EC

Done at ,
(Place) (Date)



.....
Signature of official inspector (3)

.....
(Name in capital letters, capacity and qualifications of person signing)

(3) The colour of the stamp and signature must be different from that of the other particulars in the certificate.'

ANNEX B

LIST OF ESTABLISHMENTS AND VESSELS

Approval No	Name	City/Region	Category
505-3	Pescafresca	ANDEN BLUEFIELDS REGION DEL ATLANTICO SUR	PP
505-4	Promarnic	PUERTO CABEZAS REGION DEL ATLANTICO NORTE	PP
505-8	Central American Fisheries	CORN ISLAND REGION DEL ATLANTICO SUR	PP
505-10	Camanica	KM.130 CARRETERA LEÓN CHINANDEGA	PP
505-13	San Gabriel	CASARES CARAZO	PP
505-15	Sahlman Seafoods of Nic.	CIUDAD EL VIEJO CHINANDEGA	PP
505-18	Promasa	CORINTO CHINANDEGA	PP
505-19	Pasenic	CORN ISLAND REGION DEL ATLANTICO SUR	PP
505-20	Mariscos Cuatro Estaciones	MANAGUA	PP
505-24	Carodi Seafoods de Nic.	PUERTO CABEZAS REGION DEL ATLANTICO NORTE	PP
505-27	Pamela Ann (Pesquera Jorge de Nicaragua, SA)	CORINTO CHINANDEGA	ZV
505-29	Procesadora de Mariscos Lat, SA	MANAGUA	PP

PP: Processing plant.
ZV: Freezer vessel.

COMMISSION DECISION

of 16 August 2001

laying down special conditions governing imports of fishery products originating in Uganda

(notified under document number C(2001) 2524)

(Text with EEA relevance)

(2001/633/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽¹⁾, as last amended by Directive 97/79/EC ⁽²⁾, and in particular Article 11 thereof,

Whereas:

- (1) A Commission expert has conducted an inspection visit to Uganda to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The provisions of legislation of Uganda on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular the 'Department of Fisheries Resources (DFR) of the Ministry of Agriculture, Animal Industries and Fisheries' is capable of effectively verifying the application of the laws in force.
- (4) The modalities for obtaining the health certificate referred to in Article 11(4)(a) of Directive 91/493/EEC must include the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the status of the person empowered to sign it.
- (5) Pursuant to Article 11(4)(b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products giving the name of the non-member country and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin, except for certain frozen products.
- (6) Pursuant to Article 11(4)(c) of Directive 91/493/EEC, a list of approved establishments, factory vessels, or cold stores must be drawn up, and a list of freezer vessels equipped in accordance with points 1 to 7 of Annex II to Council Directive 92/48/EEC ⁽³⁾ must also be drawn up. These lists must be drawn up on the basis of a communication from the DFR to the Commission. It is

therefore for the DFR to ensure compliance with the provisions laid down to that end in Article 11(4) of Directive 91/493/EEC.

- (7) Special attention must be paid to the medical checks of workers handling fishery products intended for human consumption, as laid down in Chapter III, point II(B) of the Annex to Directive 91/493/EEC. It is, therefore, necessary to have a specific mention in the health certificate accompanying the imports of fishery products from Uganda.
- (8) The DFR has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (9) The DFR has also provided guarantees that the fisheries products caught in Lake Victoria are subject to appropriate checking to detect, in particular, the presence of pesticides. The Uganda authorities guarantee the safety of the fishery products caught in Lake Victoria and intended to be imported into the European Community.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The 'Department of Fisheries Resources (DFR) of the Ministry of Agriculture, Animal Industries and Fisheries' shall be the competent authority in Uganda for verifying and certifying compliance of fishery and aquaculture products with the requirements of Directive 91/493/EEC.

Article 2

Fishery and aquaculture products originating in Uganda must meet the following conditions:

1. Each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto.

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 24, 30.1.1998, p. 31.

⁽³⁾ OJ L 187, 7.7.1992, p. 41.

2. The products must come from approved establishments, factory vessels or cold stores from registered freezer vessels listed in Annex B hereto.
3. Except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word 'UGANDA' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

Article 3

1. Certificates as referred to in Article 2 point 1 must be drawn up in at least one official language of the Member State where the checks are carried out.
2. Certificates must bear the name, capacity and signature of the representative of the DFR and the latter's official stamp in a colour different from that of other endorsements.

Article 4

Commission Decision 2000/493/EC ⁽¹⁾ is hereby repealed.

Article 5

This Decision shall come into effect 60 days after its publication in the *Official Journal of the European Communities*.

Article 6

This Decision is addressed to the Members States.

Done at Brussels, 16 August 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 199, 5.8.2000, p. 84.

ANNEX A

HEALTH CERTIFICATE

for fishery and aquaculture products originating in Uganda and intended for export to the European Community,
excluding bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

Country of dispatch: **UGANDA**

Competent authority: 'Department of Fisheries Resources (DFR) of the Ministry of Agriculture, Animal Industries and Fisheries'

I. Details identifying the fishery products

- Description of fishery/aquaculture products ⁽¹⁾:
 - species (scientific name):
 - presentation of product and type of treatment ⁽²⁾:
- Code No (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the DFR for export to the European Community:

.....
.....

III. Destination of products

The products are dispatched

from:
(Place of dispatch)

to:
(Country and place of destination)

by the following means of transport:

.....

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

.....

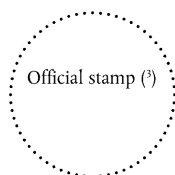
⁽¹⁾ Delete where applicable.

⁽²⁾ Live, refrigerated, frozen, salted, smoked, preserved, etc.

IV. Health attestation

- The official inspector hereby certifies that the fishery or aquaculture products specified above:
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, prepared, processed, frozen, thawed and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto;
 7. any person working on and/or handling the fishery or aquaculture products described above have satisfactorily undergone the medical supervision laid down in Chapter III, point II(B) of the Annex to Directive 91/493/EEC.
- The official inspector hereby certifies that the fishery products specified above were produced under a system of monitoring checks as laid down in Chapter V, point II.B of the Annex to Directive 91/493/EEC, and the results of these checks are satisfactory.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directive 91/493/EEC, Directive 92/48/EEC and Decision 2001/633/EC.

Done at
(Place) (Date)



Official stamp ⁽³⁾

.....
(Signature of official inspector ⁽³⁾)

.....
(Name in capital letters, capacity and qualifications of person signing)

⁽³⁾ The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX B

LIST OF ESTABLISHMENTS AND VESSELS

Approval No	Name	City/Region	Category
U03/94	Gomba Fishing Industries Ltd	Jinja	PP
U04/95	Ngege Limited	Kampala	PP
U05/96	Hwan Sung Ltd	Kampala	PP
U06/96	Uganda Fish Packers Ltd	Kampala	PP
U08/96	Byansi Fisheries Co. Ltd	Kalisizio	PP
U02/94	Greenfields (U) Ltd	Kampala	PP

PP: Processing plant.

ZV: Freezer vessel.

COMMISSION DECISION
of 16 August 2001
laying down special conditions governing imports of fishery products originating or proceeding
from Guinea

(notified under document number C(2001) 2525)

(Text with EEA relevance)

(2001/634/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽¹⁾, as last amended by Directive 97/79/EC ⁽²⁾, and in particular Article 11 thereof,

Whereas:

- (1) A Commission expert has conducted an inspection visit to Guinea to verify the conditions under which fishery products are produced, stored and dispatched to the Community.
- (2) The provisions of legislation of Guinea on health inspection and monitoring of fishery products may be considered equivalent to those laid down in Directive 91/493/EEC.
- (3) In particular, the 'Direction nationale des pêches maritimes (DNPM) of the Ministère de la pêche et de l'aquaculture' is capable of effectively verifying the application of the laws in force.
- (4) However the inspection visit to Guinea has revealed certain deficiencies in the hygienic conditions of the establishments processing and preparing fishery products. It has also revealed deficiencies in the sanitary control applied to the processing and preparation of the fishery products. Therefore, only the fishery products which have not undergone any preparation or processing operation other than chilling or freezing may be authorised for imports into the Community.
- (5) The modalities for obtaining the health certificate referred to in Article 11(4)(a) of Directive 91/493/EEC must include the definition of a model certificate, the minimum requirements regarding the language(s) in which it must be drafted and the status of the person empowered to sign it.

- (6) Pursuant to Article 11(4)(b) of Directive 91/493/EEC, a mark should be affixed to packages of fishery products giving the name of the non-member country and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin, except for certain frozen products.
- (7) Pursuant to Article 11(4)(c) of Directive 91/493/EEC a list of approved establishments, factory vessels, or cold stores must be drawn up, and a list of freezer vessels equipped in accordance with points 1 to 7 of Annex II to Council Directive 92/48/EEC ⁽³⁾ must also be drawn up. These lists must be drawn up on the basis of a communication from the DNPM to the Commission. It is therefore for the DNPM to ensure compliance with the provisions laid down to that end in Article 11(4) of Directive 91/493/EEC.
- (8) The DNPM has provided official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC with regard to the control of non-processed products, and regarding the fulfilment of hygienic requirements equivalent to those laid down by that Directive.
- (9) However, the inspection visit has revealed certain deficiencies in the procedure followed by the DNPM for the approval/suspension of establishments and vessels, therefore the modification of the list of establishments and vessels from which the imports are authorised, will require a new inspection visit on the spot by the Commission experts.
- (10) Taking into account the results of the inspection visit, the reduction in the frequency of physical checks, laid down by Commission Decision 94/360/EC of 20 May 1994 on the reduced frequency of physical checks of consignments of certain products to be implemented from non-member countries, under Council Directive 90/675/EEC ⁽⁴⁾, shall not be applied to fishery products imported from Guinea.
- (11) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ L 268, 24.9.1991, p. 15.

⁽²⁾ OJ L 24, 30.1.1998, p. 31.

⁽³⁾ OJ L 187, 7.7.1992, p. 41.

⁽⁴⁾ OJ L 158, 25.6.1994, p. 41.

HAS ADOPTED THIS DECISION:

Article 1

The 'Direction nationale des pêches maritimes (DNPM) of the Ministère de la pêche et de l'aquaculture' shall be the competent authority in Guinea for verifying and certifying compliance of fishery products with the requirements of Directive 91/493/EEC.

Article 2

Fishery products originating in Guinea must meet the following conditions:

1. They shall not have undergone any preparation or processing operation other than chilling or freezing.
2. Each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto.
3. The products must come from approved establishments, factory vessels or cold stores or from registered freezer vessels listed in Annex B hereto.
4. Except in the case of frozen fishery products in bulk and intended for the manufacture of preserved foods, all packages must bear the word 'GUINEA' and the approval/registration number of the establishment, factory vessel, cold store or freezer vessel of origin in indelible letters.

Article 3

1. Certificates as referred to in Article 2 point 1 must be drawn up in at least one official language of the Member State where the checks are carried out.

2. Certificates must bear the name, capacity and signature of the representative of the DNPM and the latter's official stamp in a colour different from that of other endorsements.

Article 4

Member States, when importing fishery products from Guinea, shall not apply to these products the reduction in the frequency of physical checks provided by Decision 94/360/EC.

Article 5

Annex B shall only be modified following the results of an inspection visit on the spot.

Article 6

This Decision shall come into effect 60 days after its publication in the *Official Journal of the European Communities*.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 16 August 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

for fishery products originating or proceeding from Guinea and intended for export to the European Community, excluding aquaculture products, bivalve molluscs, echinoderms, tunicates and marine gastropods in whatever form

Reference No:

WARNING TO THE COMMUNITY BORDER INSPECTION POST

The reduced frequency of physical checks, provided for by Decision 94/360/EC, shall not be applied to the consignments of fishery products specified below

Country of dispatch: **GUINEA**

Competent authority: 'Direction nationale des pêches maritimes (DNPM)' of the 'Ministère de la pêche et de l'aquaculture'

I. Details identifying the fishery products

- description of fishery products:
 - species (scientific name):
 - presentation of product and type of treatment ⁽¹⁾:
- code number (where available):
- type of packaging:
- number of packages:
- net weight:
- requisite storage and transport temperature:

II. Origin of products

Name(s) and official approval/registration number(s) of establishment(s), factory vessel(s), or cold store(s) approved or freezer vessel(s) registered by the DNPM for export to the Community:

.....

III. Destination of products

The products are dispatched

from:
(place of dispatch)

to:
(country and place of destination)

by the following means of transport:

.....

Name and address of dispatcher:

.....

Name of consignee and address at place of destination:

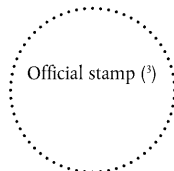
.....

⁽¹⁾ Live, refrigerated, frozen.

IV. Health attestation

- The official inspector hereby certifies that the fishery products specified above:
1. were caught and handled on board vessels in accordance with the health rules laid down by Directive 92/48/EEC;
 2. were landed, handled and where appropriate packaged, frozen and stored hygienically in compliance with the requirements laid down in Chapters II, III and IV of the Annex to Directive 91/493/EEC;
 3. have undergone health controls in accordance with Chapter V of the Annex to Directive 91/493/EEC;
 4. are packaged, marked, stored and transported in accordance with Chapters VI, VII and VIII of the Annex to Directive 91/493/EEC;
 5. do not come from toxic species or species containing biotoxins;
 6. have satisfactorily undergone the organoleptic, parasitological, chemical and microbiological checks laid down for certain categories of fishery products by Directive 91/493/EEC and in the implementing decisions thereto.
- The undersigned official inspector hereby declares that he is aware of the provisions of Directives 91/493/EEC, Directive 92/48/EEC and Decision 2001/634/EC.

Done at ,
(Place) (Date)



.....
(Signature of official inspector (²))

.....
(Name in capital letters, capacity and qualifications of person signing)

(²) The colour of the stamp and signature must be different from that of the other particulars in the certificate.

ANNEX B

LIST OF ESTABLISHMENTS AND VESSELS

Approval No	Name	City/Region	Approval limit	Category
001/N/MPA/DNPM	Chaico 7 (Soguipe)	PORT AUTONOME CONAKRY		ZV
003/N/MPA/DNPM	Elini — S (Gregui-Peche)	PORT AUTONOME CONAKRY		ZV
004/N/MPA/DNPM	Thiangui 3 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
011/N/MPA/DNPM	Takamar 6 (Soguipe)	PORT AUTONOME CONAKRY		ZV
014/N/MPA/DNPM	Ettipesca 2 (Full Fish Trading Guinea)	PORT AUTONOME CONAKRY		ZV
015/N/MPA/DNPM	Ettipesca 3 (Full Fish Trading Guinea)	PORT AUTONOME CONAKRY		ZV
016/N/MPA/DNPM	Ettipesca 6 (Full Fish Trading Guinea)	PORT AUTONOME CONAKRY		ZV
017/N/MPA/DNPM	Albarka (Asti Peche)	PORT AUTONOME CONAKRY		ZV
018/N/MPA/DNPM	Figuero 14 (Alamari)	PORT AUTONOME CONAKRY		ZV
020/N/MPA/DNPM	Espadeiro (Sopem-Guinee)	PORT AUTONOME CONAKRY		ZV
021/N/MPA/DNPM	Daniaa (Sipem-Guinee)	PORT AUTONOME CONAKRY		ZV
029/N/MPA/DNPM	Thiangui 1 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
030/N/MPA/DNPM	Thiangui 2 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
031/N/MPA/DNPM	Thiangui 5 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
032/N/MPA/DNPM	Sea Horse 1 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
033/N/MPA/DNPM	Sea Horse 2 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
034/N/MPA/DNPM	Snam 1 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
035/N/MPA/DNPM	Snam 2 (Thiangui-Peche)	PORT AUTONOME CONAKRY		ZV
036/N/MPA/DNPM	Inaara (Sipem-Guinee)	PORT AUTONOME CONAKRY		ZV
037/N/MPA/DNPM	Aroa (Sipem-Guinee)	PORT AUTONOME CONAKRY		ZV
041/N/MPA/DNPM	Mihalis (Guinee-Entreprise)	PORT AUTONOME CONAKRY		ZV
042/N/MPA/DNPM	Guendard (Sip-Bourouma)	PORT AUTONOME CONAKRY		ZV
043/N/MPA/DNPM	Grecoland I (Grecoland Fishing Company)	PORT AUTONOME CONAKRY		ZV
050/N/MPA/DNPM	Gnalen (Josemar)	PORT AUTONOME CONAKRY		ZV
051/N/MPA/DNPM	Jeong IN No 15 (Ban-Ma Peche)	PORT AUTONOME CONAKRY		ZV

Approval No	Name	City/Region	Approval limit	Category
005/E/MPA/DNPM	Nicola Peche	KIPE		PP
044/E/MPA/DNPM	Dauphin	ALMAMYA		PP
045/E/MPA/DNPM	OK - Fishing	MADINA		PP
046/E/MPA/DNPM	Progui	MADINA		PP
047/E/MPA/DNPM	Jasmin - Trading House	YENGUEMA		PP
048/E/MPA/DNPM	Sokaly - Peche	KAPORO		PP
049/E/MPA/DNPM	Safri - Peche	BONFI		PP

PP: Processing plant

ZV: Freezer vessel

COMMISSION DECISION

of 16 August 2001

amending Decision 97/296/EC drawing up the list of third countries from which the import of fishery products is authorised for human consumption

(notified under document number C(2001) 2526)

(Text with EEA relevance)

(2001/635/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995⁽¹⁾ on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs, as last amended by Decision 98/603/EC⁽²⁾, and in particular Article 2(2) thereof,

Whereas:

- (1) Commission Decision 97/296/EC⁽³⁾, as amended by Decision 2001/111/EC⁽⁴⁾, lists the countries and territories from which importation of fishery products for human consumption is authorised. Part I of the Annex lists the names of the countries and territories covered by a specific Decision and part II names those qualifying under Article 2(2) of Decision 95/408/EC.
- (2) Commission Decisions 2001/632/EC⁽⁵⁾, 2001/633/EC⁽⁶⁾, and 2001/634/EC⁽⁷⁾ set specific import conditions for fishery and aquaculture products originating in Nicaragua, Uganda and Guinea, respectively. Nicaragua, Uganda and Guinea should therefore be added to part I of the Annex.
- (3) The Republic of El Salvador and Mayotte, have provided information that they satisfy the equivalent conditions and are able to guarantee that the fishery products they will export to the Community shall meet the health requirements of Council Directive 91/493/EC. It is therefore necessary to modify the above list to include these countries in part II of the list. Nevertheless, following the information and the guarantees received from Mayotte it should be necessary to restrain the imports of fishery products from this territory to non-processed and non-prepared fresh aquaculture products only.
- (4) Following Decision 1/2001 of the EC-Faeroe Island Joint Committee of 31 January 2001 laying down the provisions to implement the Protocol on veterinary matters

supplementing the Agreement between the European Community, of the one part, and the Government of Denmark and the Home Government of the Faeroe Islands, of the other part⁽⁸⁾; the Faeroe Islands undertake to apply the provisions laid down in Council Directives 91/493/EEC and 92/48/EEC⁽⁹⁾, and their rules of application fixed in the relevant Commission decisions. Under the provisions of this Agreement it is necessary to apply to fishery products originating or proceeding from the Faeroe Islands to the EC, the provisions laid down in Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽¹⁰⁾ and, therefore, this country shall be deleted from the list of countries and territories annexed to Decision 97/296/EC.

- (5) Since Decisions 2001/632/EC, 2001/633/EC and 2001/634/EC will enter into force 60 days after their publication in the *Official Journal of the European Communities*, it is necessary to apply the same delay for the enter into force of this Decision. Nevertheless, since the imports of fishery products from Mayotte and El Salvador will be authorised for the first time by this Decision, the import of fishery products from El Salvador and Mayotte may be permitted immediately.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to this Decision replaces the Annex to Decision 97/296/EC.

Article 2

1. This Decision shall apply from 60 days after its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 243, 11.10.1995, p. 17.

⁽²⁾ OJ L 289, 28.10.1998, p. 36.

⁽³⁾ OJ L 122, 14.5.1997, p. 21.

⁽⁴⁾ OJ L 42, 13.2.2001, p. 6.

⁽⁵⁾ See page 40 of this Official Journal.

⁽⁶⁾ See page 45 of this Official Journal.

⁽⁷⁾ See page 50 of this Official Journal.

⁽⁸⁾ OJ L 268, 24.9.1991, p. 15.

⁽⁹⁾ OJ L 46, 16.2.2001, p. 24.

⁽¹⁰⁾ OJ L 187, 7.7.1992, p. 41.

2. By derogation from paragraph 1, Member States may authorise the import of fishery products from El Salvador and Mayotte from the date of the publication of this Decision in the *Official Journal of the European Communities*.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 16 August 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX

‘ANNEX

LIST OF COUNTRIES AND TERRITORIES FROM WHICH IMPORTATION OF FISHERY PRODUCTS IN ANY FORM INTENDED FOR HUMAN CONSUMPTION IS AUTHORISED**I. Countries and territories covered by a specific decision under Council Directive 91/493/EEC**

AL — ALBANIA	MR — MAURITANIA
AR — ARGENTINA	MU — MAURITIUS
AU — AUSTRALIA	MV — MALDIVES
BD — BANGLADESH	MX — MEXICO
BR — BRAZIL	MY — MALAYSIA
CA — CANADA	NA — NAMIBIA
CI — CÔTE D'IVOIRE	NG — NIGERIA
CL — CHILE	NI — NICARAGUA
CN — CHINA	NZ — NEW ZEALAND
CO — COLOMBIA	OM — OMAN
CU — CUBA	PA — PANAMA
CZ — CZECH REPUBLIC	PE — PERU
EC — ECUADOR	PH — PHILIPPINES
EE — ESTONIA	PK — PAKISTAN
FK — FALKLAND ISLANDS	PL — POLAND
GH — GHANA	RU — RUSSIA
GM — GAMBIA	SC — SEYCHELLES
GN — GUINEA CONAKRY	SG — SINGAPORE
GT — GUATEMALA	SN — SENEGAL
ID — INDONESIA	TH — THAILAND
IN — INDIA	TN — TUNISIA
IR — IRAN	TW — TAIWAN
JM — JAMAICA	TZ — TANZANIA
JP — JAPAN	UG — UGANDA
KR — SOUTH KOREA	UY — URUGUAY
LT — LITHUANIA	VE — VENEZUELA
LV — LATVIA	VN — VIETNAM
MA — MOROCCO	YE — YEMEN
MG — MADAGASCAR	ZA — SOUTH AFRICA

II. Countries and territories meeting the terms of Article 2(2) of Council Decision 95/408/EC

AG — ANTIGUA and BARBUDA ⁽¹⁾	CY — CYPRUS
AN — NETHERLANDS ANTILLES	DZ — ALGERIA
AO — ANGOLA	ER — ERITREA
AZ — AZERBAIJAN ⁽²⁾	FJ — FIJI
BJ — BENIN	GA — GABON
BS — BAHAMAS	GD — GRENADA
BY — BELARUS	GL — GREENLAND
BZ — BELIZE	HK — HONG KONG
CG — REPUBLIC OF CONGO ⁽³⁾	HN — HONDURAS
CH — SWITZERLAND	HR — CROATIA
CM — CAMEROON	HU — HUNGARY ⁽⁴⁾
CR — COSTA RICA	IL — ISRAEL

KE — KENYA	SB — SOLOMON ISLANDS
LK — SRI LANKA	SH — ST HELENA
MM — MYANMAR	SI — SLOVENIA
MT — MALTA	SR — SURINAME
MZ — MOZAMBIQUE	SV — EL SALVADOR
NC — NEW CALEDONIA	TG — TOGO
PF — FRENCH POLYNESIA	TR — TURKEY
PG — PAPUA NEW GUINEA	US — UNITED STATES OF AMERICA
PM — ST PIERRE and MIQUELON	YT — MAYOTTE ⁽⁵⁾
RO — ROMANIA	ZW — ZIMBABWE

⁽¹⁾ Authorised only for imports of fresh fish.

⁽²⁾ Authorised only for imports of caviar.

⁽³⁾ Authorised only for imports of fishery products caught, frozen and packed in their final packaging at sea.

⁽⁴⁾ Authorised only for import of live animals intended for direct human consumption.

⁽⁵⁾ Authorised only for imports of non-processed and non-prepared fresh aquaculture products.'

COMMISSION DECISION

of 6 August 2001

fixing the financial allocations to the Member States of the remaining balance for the 2000/01 marketing year, in respect of a number of hectares, for the purposes of restructuring and converting vineyards under Council Regulation (EC) No 1493/1999

(notified under document number C(2001) 2475)

(2001/636/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 last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 14 thereof,

Whereas:

(1) The rules for the restructuring and conversion of vineyards are laid down in Regulation (EC) No 1493/1999 and 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 ⁽³⁾, as last amended by Regulation (EC) No 1253/2001 ⁽⁴⁾, in particular on production potential.

(2) The detailed rules on financial planning and participation in financing the restructuring and conversion scheme laid down in Regulation (EC) No 1227/2000 stipulate that the references to a given financial year refer to the payments actually made by the Member States between 16 October and the following 15 October.

(3) In accordance with Article 14(1) of Regulation (EC) No 1493/1999, the Commission makes initial allocations to Member States each year on the basis of objective criteria, taking account of particular situations and needs and the efforts to be undertaken in the light of the scheme's objective.

(4) The Commission fixed the indicative financial allocations for the 2000/01 marketing year in Decision 2000/503/EC ⁽⁵⁾.

(5) In accordance with Article 14(2) of Regulation (EC) No 1493/1999, initial allocations must be adapted in view of real expenditure and on the basis of revised expenditure forecasts notified by the Member States, taking into account the objective of the scheme and subject to the funds available.

(6) Under Article 17(8)(a) and (b) of Regulation (EC) No 1227/2000, Member States that have incurred expenditure of less than 75 % of the initial allocation may submit a request for subsequent financing in the financial year 2001. This request is accepted to the extent that the total expenditure in the current financial year does not exceed 75 % of the initial allocation to the Member State concerned.

(7) Under Article 17(8)(c) and (d) of Regulation (EC) No 1227/2000, Member States that have incurred expenditure exceeding 75 % but less than 100 % of the initial allocation may submit a request for subsequent financing in the financial year 2001. This request is accepted to the extent that the total expenditure in the current financial year does not exceed the initial allocation to the Member State concerned.

(8) Under Article 17(8)(e) of Regulation (EC) No 1227/2000, the requests submitted by the Member States pursuant to Article 16(1)(b) are accepted on a pro rata basis, using the amount available after deducting the sum of the amounts accepted under Article 17(8)(b) and (d),

HAS ADOPTED THIS DECISION:

Article 1

The financial allocations to the Member States of the remaining balance for the 2000/01 marketing year, in respect of a number of hectares, for the restructuring and conversion of vineyards under Regulation (EC) No 1493/1999, for the period 1 July 2001 to 15 October 2001 in the financial year 2001, are set out in the Annex hereto.

⁽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.

⁽⁴⁾ OJ L 173, 27.6.2001, p. 31.

⁽⁵⁾ OJ L 201, 9.8.2000, p. 4.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 6 August 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Financial allocations to the Member States of the remaining balance for the 2000/01 marketing year, in respect of a number of hectares, for the restructuring and conversion of vineyards under Regulation (EC) No 1493/1999, for the period 1 July 2001 to 15 October 2001 of the financial year 2001

Member State	Area (ha)	Financial allocation (EUR)
Germany	361	2 802 614
Greece	0	0
Spain	7 463	49 609 812
France	5 185	37 600 000
Italy	2 010	14 725 291
Luxembourg	14	112 500
Austria	936	6 561 423
Portugal	581	3 893 210
Total	16 550	115 304 850