

Official Journal

of the European Communities

ISSN 0378-6978

L 272

Volume 44

13 October 2001

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 2000/2001 of 12 October 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
Commission Regulation (EC) No 2001/2001 of 12 October 2001 fixing the maximum purchasing price for butter for the 37th invitation to tender carried out under the standing invitation to tender governed by Regulation (EC) No 2771/1999	3
Commission Regulation (EC) No 2002/2001 of 12 October 2001 fixing the maximum aid for concentrated butter for the 256th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90	4
Commission Regulation (EC) No 2003/2001 of 12 October 2001 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 84th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97	5
Commission Regulation (EC) No 2004/2001 of 12 October 2001 suspending the buying-in of butter in certain Member States	7
Commission Regulation (EC) No 2005/2001 of 12 October 2001 fixing the export refunds on rice and broken rice and suspending the issue of export licences	8
Commission Regulation (EC) No 2006/2001 of 12 October 2001 fixing the maximum buying-in price and the quantities of beef to be bought in under the 276th partial invitation to tender as a general intervention measure pursuant to Regulation (EEC) No 1627/89	11
Commission Regulation (EC) No 2007/2001 of 12 October 2001 on an invitation to tender for the refund on export of wholly milled round grain rice to certain third countries	13
Commission Regulation (EC) No 2008/2001 of 12 October 2001 opening an invitation to tender for the refund on export of wholly milled medium grain and long grain A rice to certain European third countries	15

Commission Regulation (EC) No 2009/2001 of 12 October 2001 opening an invitation to tender for the refund on export of wholly milled, medium grain and long grain A rice to certain third countries	17
Commission Regulation (EC) No 2010/2001 of 12 October 2001 opening an invitation to tender for the refund on export of wholly milled long grain rice to certain third countries	19
Commission Regulation (EC) No 2011/2001 of 12 October 2001 on a tendering procedure for the subsidy on consignments of husked long grain rice to Réunion	21
★ Commission Regulation (EC) No 2012/2001 of 12 October 2001 on the rate of interest to be used for calculating the costs of financing intervention measures comprising buying-in, storage and disposal	23
★ Commission Regulation (EC) No 2013/2001 of 12 October 2001 concerning the provisional authorisation of a new additive use and the permanent authorisation of an additive in feedingstuffs ⁽¹⁾	24
Commission Regulation (EC) No 2014/2001 of 12 October 2001 fixing the maximum purchase price for beef under the 12th partial invitation to tender pursuant to Regulation (EC) No 690/2001	29
★ Commission Regulation (EC) No 2015/2001 of 12 October 2001 amending Regulation (EC) No 2235/2000 as regards the period of application of certain provisions of Regulations (EC) No 1839/95 and (EC) No 1249/96	31
★ Directive 2001/84/EC of the European Parliament and of the Council of 27 September 2001 on the resale right for the benefit of the author of an original work of art	32

II Acts whose publication is not obligatory

Commission

2001/725/EC:

★ Commission Decision of 28 September 2001 terminating the anti-dumping proceeding concerning imports of colour television receivers originating in Turkey (notified under document number C(2001) 2916)	37
---	----

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2000/2001
of 12 October 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 13 October 2001.

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 12 October 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	85,5
	999	85,5
0707 00 05	052	104,2
	999	104,2
0709 90 70	052	87,0
	999	87,0
0805 30 10	052	64,2
	388	53,2
	524	55,6
	528	59,2
	999	58,0
0806 10 10	052	84,8
	064	96,6
	388	113,3
	400	202,8
	512	76,0
	999	114,7
0808 10 20, 0808 10 50, 0808 10 90	060	39,0
	066	28,5
	388	77,4
	400	62,8
	512	92,2
	800	176,6
	804	94,1
	999	81,5
0808 20 50	052	109,3
	999	109,3

⁽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 2001/2001
of 12 October 2001**

**fixing the maximum purchasing price for butter for the 37th invitation to tender carried out under
the standing invitation to tender governed by Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 13 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 1614/2001 ⁽⁴⁾, provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed in relation to the interven-

tion price applicable and that it may also be decided not to proceed with the invitation to tender.

- (2) As a result of the tenders received, the maximum buying-in price should be fixed as set out below.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 37th invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 9 October 2001, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 13 October 2001.

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 214, 8.8.2001, p. 20.

**COMMISSION REGULATION (EC) No 2002/2001
of 12 October 2001**

**fixing the maximum aid for concentrated butter for the 256th special invitation to tender opened
under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽³⁾, as last amended by Regulation (EC) No 124/1999 ⁽⁴⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; the end-use security must be fixed accordingly.

- (2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 256th special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

- | | |
|---------------------|-----------------|
| — maximum aid: | EUR 105/100 kg, |
| — end-use security: | EUR 116/100 kg. |

Article 2

This Regulation shall enter into force on 13 October 2001.

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

**COMMISSION REGULATION (EC) No 2003/2001
of 12 October 2001**

fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 84th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽³⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁴⁾, to sell by invitation to tender certain quantities of butter that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price

or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices and the maximum aid and processing securities applying for the 84th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 October 2001.

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 12 October 2001 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 84th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Processing security		Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Maximum aid	Butter ≥ 82 %		85	81	—	81
	Butter < 82 %		83	79	—	—
	Concentrated butter		105	101	105	101
	Cream		—	—	36	34
Processing security	Butter		94	—	—	—
	Concentrated butter		116	—	116	—
	Cream		—	—	40	—

**COMMISSION REGULATION (EC) No 2004/2001
of 12 October 2001
suspending the buying-in of butter in certain Member States**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 1614/2001 ⁽⁴⁾, and in particular Article 2 thereof,

Whereas:

- (1) Article 2 of Regulation (EC) No 2771/1999 lays down that buying-in by invitation to tender is to be opened or suspended by the Commission in a Member State, as appropriate, once it is observed that, for two weeks in succession, the market price in that Member State is below or equal to or above 92 % of the intervention price.
- (2) Commission Regulation (EC) No 1956/2001 suspending the buying-in of butter in certain Member States ⁽⁵⁾ establishes the most recent list of Member States in

which intervention is suspended. This list must be adjusted as a result of the market prices communicated by Spain under Article 8 of Regulation (EC) No 2771/1999. In the interests of clarity, the list in question should be replaced and Regulation (EC) No 1956/2001 should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Buying-in of butter by invitation to tender as provided for in Article 6(1) of Regulation (EC) No 1255/1999 is hereby suspended in Belgium, Luxembourg, Denmark, Germany, France, Greece, the Netherlands, Austria, Portugal, Finland and the United Kingdom.

Article 2

Regulation (EC) No 1956/2001 is hereby repealed.

Article 3

This Regulation shall enter into force on 13 October 2001.

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 214, 8.8.2001, p. 20.

⁽⁵⁾ OJ L 266, 6.10.2001, p. 9.

**COMMISSION REGULATION (EC) No 2005/2001
of 12 October 2001**

fixing the export refunds on rice and broken rice and suspending the issue of export licences

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 1987/2001 ⁽²⁾, and in particular the second subparagraph of Article 13(3) and (15) thereof,

Whereas:

(1) Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(3) Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.

(4) Export possibilities exist for a quantity of 17 197 tonnes of rice to certain destinations. The procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 409/2001 ⁽⁵⁾ should be used. Account should be taken of this when the refunds are fixed.

(5) Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated.

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(7) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.

(8) The refund must be fixed at least once a month; whereas it may be altered in the intervening period.

(9) It follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto.

(10) For the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted.

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 17 197 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 13 October 2001.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 271, 12.10.2001, p. 5.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 60, 1.3.2001, p. 27.

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 12 October 2001 fixing the export refunds on rice and broken rice and suspending the issue of export licences

Product code	Destination	Unit of measurement	Amount of refunds (1)	Product code	Destination	Unit of measurement	Amount of refunds (1)
1006 20 11 9000	R01	EUR/t	149,00	1006 30 65 9100	R01	EUR/t	186,00
1006 20 13 9000	R01	EUR/t	149,00		R02	EUR/t	192,00
1006 20 15 9000	R01	EUR/t	149,00		R03	EUR/t	197,00
1006 20 17 9000	—	EUR/t	—		064	EUR/t	150,00
1006 20 92 9000	R01	EUR/t	149,00		A97	EUR/t	192,00
1006 20 94 9000	R01	EUR/t	149,00		021 and 023	EUR/t	192,00
1006 20 96 9000	R01	EUR/t	149,00	1006 30 65 9900	R01	EUR/t	186,00
1006 20 98 9000	—	EUR/t	—		064	EUR/t	150,00
1006 30 21 9000	R01	EUR/t	149,00		A97	EUR/t	192,00
1006 30 23 9000	R01	EUR/t	149,00	1006 30 67 9100	021 and 023	EUR/t	192,00
1006 30 25 9000	R01	EUR/t	149,00		064	EUR/t	150,00
1006 30 27 9000	—	EUR/t	—	1006 30 67 9900	064	EUR/t	150,00
1006 30 42 9000	R01	EUR/t	149,00	1006 30 92 9100	R01	EUR/t	186,00
1006 30 44 9000	R01	EUR/t	149,00		R02	EUR/t	192,00
1006 30 46 9000	R01	EUR/t	149,00		R03	EUR/t	197,00
1006 30 48 9000	—	EUR/t	—		064	EUR/t	150,00
1006 30 61 9100	R01	EUR/t	186,00		A97	EUR/t	192,00
	R02	EUR/t	192,00		064	EUR/t	150,00
	R03	EUR/t	197,00	1006 30 94 9100	R01	EUR/t	186,00
	064	EUR/t	150,00		R02	EUR/t	192,00
	A97	EUR/t	192,00		R03	EUR/t	197,00
	021 and 023	EUR/t	192,00		064	EUR/t	150,00
1006 30 61 9900	R01	EUR/t	186,00		A97	EUR/t	192,00
	A97	EUR/t	192,00		021 and 023	EUR/t	192,00
	064	EUR/t	150,00	1006 30 94 9900	R01	EUR/t	186,00
1006 30 63 9100	R01	EUR/t	186,00		A97	EUR/t	192,00
	R02	EUR/t	192,00		064	EUR/t	150,00
	R03	EUR/t	197,00	1006 30 96 9100	R01	EUR/t	186,00
	064	EUR/t	150,00		R02	EUR/t	192,00
	A97	EUR/t	192,00		R03	EUR/t	197,00
	021 and 023	EUR/t	192,00		064	EUR/t	150,00
1006 30 63 9900	R01	EUR/t	186,00		A97	EUR/t	192,00
	064	EUR/t	150,00		021 and 023	EUR/t	192,00
	A97	EUR/t	192,00	1006 30 96 9900	R01	EUR/t	186,00
					A97	EUR/t	192,00
					064	EUR/t	150,00
				1006 30 98 9100	021 and 023	EUR/t	192,00
				1006 30 98 9900	—	EUR/t	—
				1006 40 00 9000	—	EUR/t	—

(1) The procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 applies to licences applied for under that Regulation for quantities according to the destination:
 destination R01: 4 412 t,
 all destinations R02 and R03: 2 802 t,
 destinations 021 and 023: 763 t,
 destination 064: 8 920 t,
 destination A97: 300 t.

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

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

The other destinations are defined as follows:

R01 Switzerland, Liechtenstein, communes of Livigno and Campione d'Italia.

R02 Morocco, Algeria, Tunisia, Malta, Egypt, Israel, Lebanon, Libya, Syria, Ex-Spanish Sahara, Cyprus, Jordan, Iraq, Iran, Yemen, Kuwait, United Arab Emirates, Oman, Bahrain, Qatar, Saudi Arabia, Eritrea, West Bank/Gaza Strip, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovenia, Slovakia, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Yugoslavia, Former Yugoslav Republic of Macedonia, Albania, Romania, Bulgaria, Georgia, Armenia, Azerbaijan, Moldova, Ukraine, Kazakstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan.

R03 Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Uruguay, Paraguay, Brazil, Venezuela, Canada, Mexico, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Cuba, Bermuda, South Africa, Australia, New Zealand, Hong Kong SAR, Singapore, A40, A11 except Suriname, Guyana, Madagascar.

**COMMISSION REGULATION (EC) No 2006/2001
of 12 October 2001**

fixing the maximum buying-in price and the quantities of beef to be bought in under the 276th partial invitation to tender as a general intervention measure pursuant to Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1512/2001 ⁽²⁾, and in particular Article 47(8) thereof,

Whereas:

(1) Commission Regulation (EC) No 562/2000 of 15 March 2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef ⁽³⁾, as last amended by Regulation (EC) No 1564/2001 ⁽⁴⁾, lays down buying standards. Pursuant to the above Regulation, an invitation to tender was opened under Article 1(1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EC) No 1957/2001 ⁽⁶⁾.

(2) Article 13(1) of Regulation (EC) No 562/2000 lays down that a maximum buying-in price is to be fixed for quality R3, where appropriate, under each partial invitation to tender in the light of tenders received while Article 13(2) of that Regulation states that a decision may be taken to make no award. In accordance with Article 36 of that Regulation, only tenders quoting prices not exceeding the maximum buying-in price and not exceeding the average national or regional market price, plus the amount referred to in Article 1(6) of Commission Regulation (EC) No 1209/2001 of 20 June 2001 derogating from Regulation (EC) No 562/2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef ⁽⁷⁾, as last amended by Regulation (EC) No 1922/2001 ⁽⁸⁾, are to be accepted.

(3) Once tenders submitted in respect of the 276th partial invitation to tender have been considered pursuant to Article 47(8) of Regulation (EC) No 1254/1999, and taking account of the requirements for reasonable support of the market and the seasonal trend in slaughtering and prices, the maximum buying-in price and the quantities which may be bought in should be fixed.

(4) Article 1(7) of Regulation (EC) No 1209/2001 also opens buying-in of carcasses and half-carcasses of store cattle and lays down special rules in addition to those laid down for the buying-in of other products. Under the 276th partial invitation to tender, no offer has been submitted.

(5) In view of the scale of the quantities which could be awarded under the next partial invitation to tender, the application of the possibility provided for in Article 16(2) or Regulation (EC) No 562/2000 of extending the period during which the intervention products are to be delivered is warranted.

(6) In the light of developments, this Regulation should enter into force immediately.

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

HAS ADOPTED THIS REGULATION:

Article 1

Under the 276th partial invitation to tender opened pursuant to Regulation (EEC) No 1627/89:

(a) for category A:

- the maximum buying-in price shall be EUR 216,80/100 kg of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses, half-carcasses and forequarters accepted shall be 1 962 t;

(b) for category C:

- the maximum buying-in price is fixed at EUR 221,50/100 kg of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses, half-carcasses and forequarters shall be 1 654 t.

Article 2

The first sentence of Article 16(2) of Regulation (EC) No 562/2000 notwithstanding under the second invitation to tender of October 2001, the time limit for delivery to intervention stores is extended to 24 calendar days.

Article 3

This Regulation shall enter into force on 13 October 2001.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 201, 26.7.2001, p. 1.

⁽³⁾ OJ L 68, 16.3.2000, p. 22.

⁽⁴⁾ OJ L 208, 1.8.2001, p. 14.

⁽⁵⁾ OJ L 159, 10.6.1989, p. 36.

⁽⁶⁾ OJ L 266, 6.10.2001, p. 10.

⁽⁷⁾ OJ L 165, 21.6.2001, p. 15.

⁽⁸⁾ OJ L 261, 29.9.2001, p. 52.

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

Done at Brussels, 12 October 2001.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 2007/2001

of 12 October 2001

on an invitation to tender for the refund on export of wholly milled round grain rice to certain third countries

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⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Examination of the balance sheet shows that exportable amounts of rice are currently held by producers. This situation could affect the normal development of producer prices during the 2001/02 marketing year.
- (2) In order to remedy this situation, it is appropriate to make use of export refunds to zones which may be supplied by the Community. The special situation of the rice market makes it necessary to limit the quantities of rice benefiting from the refunds, and therefore to apply Article 13 of Regulation (EC) No 3072/95 enabling the amount of refund to be fixed by tendering procedure.
- (3) It should be stated that the provisions of Commission Regulation (EEC) No 584/75 of 6 March 1975 laying down detailed rules for the application of the system of tendering for export refunds on rice ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, apply to this invitation to tender.
- (4) In order to avoid disturbances on the markets of the producing countries, the markets of destination should be limited to Zones I to VI, excluding Turkey and Hungary, and Zone VIII, excluding Guyana, Madagascar and Surinam, noted in the Annex to Commission Regulation (EEC) No 2145/92 ⁽⁵⁾, as amended by Regulation (EC) No 3304/94 ⁽⁶⁾.
- (5) Pursuant to Article 14 of Commission Regulation (EC) No 2808/98 of 22 December 1998 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture ⁽⁷⁾, as last amended by Regulation (EC) No 2452/2000 ⁽⁸⁾, amounts quoted in tenders submitted in response to invitations to tender organised under an instrument forming part of the common agricultural policy must be expressed in euro; Article 5(1) of that Regulation provides that in such cases the operative event for the agricultural exchange rate is the final day

for the submission of tenders; paragraphs 3 and 4 of that Article specify the operative events applicable to advances and securities.

- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender is opened for the refund on export of wholly milled round grain rice falling within CN codes 1006 30 61 and 1006 30 92, referred to in Article 13 of Regulation (EC) No 3072/95, for Zones I to VI (except for Turkey and Hungary) and for Zone VIII (except for Guyana, Madagascar and Surinam), as specified in the Annex to Regulation (EEC) No 2145/92.

2. The invitation to tender shall be open until 27 June 2002. During that period weekly invitations to tender shall be issued and the date for submission of tenders shall be determined in the notice of invitation to tender.

3. The invitation to tender shall take place in accordance with the provisions of Regulation (EEC) No 584/75 and with the following provisions.

Article 2

A tender shall be admissible only if it covers a quantity for export of at least 50 tonnes but not more than 3 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 584/75 shall be EUR 30 per tonne.

Article 4

1. Notwithstanding the provisions of Article 23(1) of Commission Regulation (EC) No 1291/2000 ⁽⁹⁾, export licences issued within this invitation to tender shall, for the purposes of determining their period of validity, be considered as having been issued on the day the tender was submitted.

2. The licences shall be valid from their date of issue, within the meaning of paragraph 1, until the end of the fourth month following.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁴⁾ OJ L 35, 15.2.1995, p. 8.

⁽⁵⁾ OJ L 214, 30.7.1992, p. 20.

⁽⁶⁾ OJ L 341, 30.12.1994, p. 48.

⁽⁷⁾ OJ L 349, 24.12.1998, p. 36.

⁽⁸⁾ OJ L 282, 8.11.2000, p. 9.

⁽⁹⁾ OJ L 152, 24.6.2000, p. 1.

Article 5

Tenders submitted must reach the Commission through the Member States not later than one and a half hours after expiry of the time limit for weekly submission of tenders as laid down in the notice of invitation to tender. They must be transmitted in accordance with the table given in the Annex.

If no tenders are submitted, the Member States shall inform the Commission accordingly within the same time limit as that given in the above subparagraph.

Article 6

The time set for submitting tenders shall be Belgian time.

Article 7

1. On the basis of tenders submitted, the Commission shall decide in accordance with the procedure referred to in Article 22 of Regulation (EC) No 3072/95:

- either to fix a maximum export refund, taking account of the criteria laid down in Article 13 of Regulation (EC) No 3072/95,
- or not to take any action on the tenders.

2. Where a maximum export refund is fixed, an award shall be made to the tenderer or tenderers whose tenders are at or below the maximum export refund level.

Article 8

The time limit for submission of tenders for the first partial invitation to tender shall expire on 25 October 2001 at 10 a.m.

The final date for submission of tenders is hereby fixed at 27 June 2002.

Article 9

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

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Weekly invitation to tender for the refund on export of wholly milled round grain rice to certain third countries

(Closing date for the submission of tenders (date/time))

1	2	3
Serial number of tenderers	Quantities in tonnes	Amount of export refund in euro per tonne
1		
2		
3		
4		
5		
etc.		

**COMMISSION REGULATION (EC) No 2008/2001
of 12 October 2001**

opening an invitation to tender for the refund on export of wholly milled medium grain and long grain A rice to certain European third countries

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 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⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Examination of the balance sheet shows that exportable amounts of rice are currently held by producers. This situation could affect the normal development of producer prices during the 2001/02 marketing year.
- (2) In order to remedy this situation, it is appropriate to make use of export refunds to zones which may be supplied by the Community. The special situation of the rice market makes it necessary to limit the refunds, and therefore to apply Article 13 of Regulation (EC) No 3072/95 enabling the refund amount to be fixed by tendering procedure.
- (3) It should be stated that the provisions of Commission Regulation (EEC) No 584/75 of 6 March 1975 laying down detailed rules for the application of the system of tendering for export refunds on rice ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, apply to this invitation to tender.
- (4) In order to avoid disturbances on the markets of the producing countries, the invitation to tender should be limited to certain countries.
- (5) Pursuant to Article 14 of Commission Regulation (EC) No 2808/98 of 22 December 1998 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture ⁽⁵⁾, as last amended by Regulation (EC) No 2452/2000 ⁽⁶⁾, amounts quoted in tenders submitted in response to invitations to tender organised under an instrument forming part of the common agricultural policy must be expressed in euro. Article 5(1) of that Regulation provides that in such cases the operative event for the agricultural exchange rate is the final day for the submission of tenders. Paragraphs 3 and 4 of that Article specify the operative events applicable to advances and securities.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

1. An invitation to tender is opened for the refund on export of wholly milled, medium grain and long grain A rice falling within CN codes 1006 30 63, 1006 30 65, 1006 30 94 and 1006 30 96, as referred to in Article 13 of Regulation (EC) No 3072/95, to Bulgaria, Estonia, Latvia, Lithuania, Poland, the Czech Republic, Romania, Slovenia and Slovakia.

2. The invitation to tender referred to in paragraph 1 shall be open until 27 June 2002. During that period weekly invitations to tender shall be issued and the date for submission of tenders shall be determined in the notice of invitation to tender.

3. The invitation to tender shall take place in accordance with the provisions of Regulation (EEC) No 584/75 and with the following provisions.

Article 2

A tender shall be admissible only if it covers a quantity for export of at least 50 tonnes but not more than 3 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 584/75 shall be EUR 30 per tonne.

Article 4

1. Notwithstanding the provisions of Article 23(1) of Commission Regulation (EC) No 1291/2000 ⁽⁷⁾, export licences issued under this invitation to tender shall, for the purposes of determining their period of validity, be considered as having been issued on the day the tender was submitted.

2. The licences shall be valid from their date of issue, within the meaning of paragraph 1, until the end of the fourth month following that date.

Article 5

Tenders submitted must reach the Commission through the Member States not later than one and a half hours after expiry of the deadline for weekly submission of tenders as laid down in the notice of invitation to tender. They must be transmitted in accordance with the table given in the Annex.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁴⁾ OJ L 35, 15.2.1995, p. 8.

⁽⁵⁾ OJ L 349, 24.12.1998, p. 36.

⁽⁶⁾ OJ L 282, 8.11.2000, p. 9.

⁽⁷⁾ OJ L 152, 24.6.2000, p. 1.

If no tenders are submitted, the Member States shall inform the Commission accordingly within the same deadline as that given in the above subparagraph.

Article 6

The time set for submitting tenders shall be Belgian time.

Article 7

1. On the basis of tenders submitted, the Commission shall decide in accordance with the procedure referred to in Article 22 of Regulation (EC) No 3072/95:

— either to fix a maximum export refund, taking account of the criteria laid down in Article 13 of Regulation (EC) No 3072/95,

— or not to take any action on the tenders.

2. Where a maximum export refund is fixed, an award shall be made to the tenderer or tenderers whose tenders are at or below the maximum export refund level.

Article 8

The deadline for submission of tenders for the first partial invitation to tender shall be 10 a.m. on 25 October 2001.

The final date for submission of tenders is hereby fixed at 27 June 2002.

Article 9

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

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Weekly invitation to tender for the refund on export of wholly milled medium grain and long grain A rice to certain European third countries

Deadline for the submission of tenders (date/time)

1	2	3
Serial number of tenderers	Quantities in tonnes	Amount of export refund (in euro per tonne)
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EC) No 2009/2001**of 12 October 2001****opening an invitation to tender for the refund on export of wholly milled, medium grain and long grain A rice to certain third countries**

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⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Examination of the balance sheet shows that exportable amounts of rice are currently held by producers. This situation could affect the normal development of producer prices during the 2001/02 marketing year.
- (2) In order to remedy this situation, it is appropriate to make use of export refunds to zones which may be supplied by the Community. The special situation of the rice market makes it necessary to limit the refunds, and therefore to apply Article 13 of Regulation (EC) No 3072/95 enabling the refund amount to be fixed by tendering procedure.
- (3) It should be stated that the provisions of Commission Regulation (EEC) No 584/75 of 6 March 1975 laying down detailed rules for the application of the system of tendering for export refunds on rice ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, apply to this invitation to tender.
- (4) In order to avoid disturbances on the markets of the producing countries, the invitation to tender should be limited to certain zones specified in the Annex to Commission Regulation (EEC) No 2145/92 ⁽⁵⁾, as amended by Regulation (EC) No 3304/94 ⁽⁶⁾.
- (5) Pursuant to Article 14 of Commission Regulation (EC) No 2808/98 of 22 December 1998 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture ⁽⁷⁾, as last amended by Regulation (EC) No 2452/2000 ⁽⁸⁾, amounts quoted in tenders submitted in response to invitations to tender organised under an instrument forming part of the common agricultural policy must be expressed in euro. Article 5(1) of that Regulation provides that in such cases the operative event for the agricultural exchange rate is the final day for the submission of tenders. Paragraphs 3 and 4 of

that Article specify the operative events applicable to advances and securities.

- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender is opened for the refund on export of wholly milled, medium grain and long grain A rice falling within CN codes 1006 30 63, 1006 30 65, 1006 30 94 and 1006 30 96, as referred to in Article 13 of Regulation (EC) No 3072/95, for Zones I to VI (except Bulgaria, Estonia, Latvia, Lithuania, Poland, the Czech Republic, Romania, Slovenia, Slovakia, Hungary and Turkey) and for Zone VIII (except for Guyana, Madagascar and Surinam), as specified in the Annex to Regulation (EEC) No 2145/92.

2. The invitation to tender shall be open until 27 June 2002. During that period weekly invitations to tender shall be issued and the date for submission of tenders shall be determined in the notice of invitation to tender.

3. The invitation to tender shall take place in accordance with the provisions of Regulation (EEC) No 584/75 and with the following provisions.

Article 2

A tender shall be admissible only if it covers a quantity for export of at least 50 tonnes but not more than 3 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 584/75 shall be EUR 30 per tonne.

Article 4

1. Notwithstanding the provisions of Article 23(1) of Commission Regulation (EC) No 1291/2000 ⁽⁹⁾, export licences issued within this invitation to tender shall, for the purposes of determining their period of validity, be considered as having been issued on the day the tender was submitted.

2. The licences shall be valid from their date of issue, within the meaning of paragraph 1, until the end of the fourth month following.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁴⁾ OJ L 35, 15.2.1995, p. 8.

⁽⁵⁾ OJ L 214, 30.7.1992, p. 20.

⁽⁶⁾ OJ L 341, 30.12.1994, p. 48.

⁽⁷⁾ OJ L 349, 24.12.1998, p. 36.

⁽⁸⁾ OJ L 282, 8.11.2000, p. 9.

⁽⁹⁾ OJ L 152, 24.6.2000, p. 1.

Article 5

Tenders submitted must reach the Commission through the Member States not later than one and a half hours after expiry of the deadline for weekly submission of tenders as laid down in the notice of invitation to tender. They must be transmitted in accordance with the table given in the Annex.

If no tenders are submitted, the Member States shall inform the Commission accordingly within the same deadline as that given in the above subparagraph.

Article 6

The time set for submitting tenders shall be Belgian time.

Article 7

1. On the basis of tenders submitted, the Commission shall decide in accordance with the procedure referred to in Article 22 of Regulation (EC) No 3072/95:

- either to fix a maximum export refund, taking account of the criteria laid down in Article 13 of Regulation (EC) No 3072/95,
- or not to take any action on the tenders.

2. Where a maximum export refund is fixed, an award shall be made to the tenderer or tenderers whose tenders are at or below the maximum export refund level.

Article 8

The deadline for submission of tenders for the first partial invitation to tender shall be 10 a.m. on 25 October 2001.

The final date for submission of tenders is hereby fixed at 27 June 2002.

Article 9

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

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Weekly invitation to tender for the refund on export of wholly milled, medium grain and long grain A rice to certain third countries

Deadline for the submission of tenders (date/time)

1	2	3
Serial number of tenderers	Quantities in tonnes	Amount of export refund (in euro per tonne)
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EC) No 2010/2001**of 12 October 2001****opening an invitation to tender for the refund on export of wholly milled long grain rice to certain third countries**

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⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Examination of the balance sheet shows that exportable amounts of rice are currently held by producers. This situation could affect the normal development of producer prices during the 2001/2002 marketing year.
- (2) In order to remedy this situation, it is appropriate to make use of export refunds to zones which may be supplied by the Community. The special situation of the rice market makes it necessary to limit the refunds, and therefore to apply Article 13 of Regulation (EC) No 3072/95 enabling the refund amount to be fixed by tendering procedure.
- (3) It should be stated that the provisions of Commission Regulation (EEC) No 584/75 of 6 March 1975 laying down detailed rules for the application of the system of tendering for export refunds on rice ⁽³⁾, as last amended by Regulation (EC) No 299/95 ⁽⁴⁾, apply to this invitation to tender.
- (4) In order to avoid disturbances on the markets of the producing countries, the markets of destination should be limited to certain zones specified in the Annex to Commission Regulation (EEC) No 2145/92 ⁽⁵⁾, as amended by Regulation (EC) No 3304/94 ⁽⁶⁾.
- (5) Pursuant to Article 14 of Commission Regulation (EC) No 2808/98 of 22 December 1998 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture ⁽⁷⁾, as last amended by Regulation (EC) No 2452/2000 ⁽⁸⁾, amounts quoted in tenders submitted in response to invitations to tender organised under an instrument forming part of the common agricultural policy must be expressed in euro. Article 5(1) of that Regulation provides that in such cases the operative event for the agricultural exchange rate is the final day for the submission of tenders. Paragraphs 3 and 4 of

that Article specify the operative events applicable to advances and securities.

- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. An invitation to tender is opened for the refund on export of wholly milled long grain rice falling within CN code 1006 30 67, as referred to in Article 13 of Regulation (EC) No 3072/95, for Zones I to VI (except for Turkey and Hungary) and for Zone VIII (except for Guyana, Madagascar and Surinam), as specified in the Annex to Regulation (EEC) No 2145/92.

2. The invitation to tender shall be open until 27 June 2002. During that period weekly invitations to tender shall be issued and the date for submission of tenders shall be determined in the notice of invitation to tender.

3. The invitation to tender shall take place in accordance with the provisions of Regulation (EEC) No 584/75 and with the following provisions.

Article 2

A tender shall be admissible only if it covers a quantity for export of at least 50 tonnes but not more than 3 000 tonnes.

Article 3

The security referred to in Article 3 of Regulation (EEC) No 584/75 shall be EUR 30 per tonne.

Article 4

1. Notwithstanding the provisions of Article 23(1) of Commission Regulation (EC) No 1291/2000 ⁽⁹⁾, export licences issued under this invitation to tender shall, for the purposes of determining their period of validity, be considered as having been issued on the day the tender was submitted.

2. The licences shall be valid from their date of issue, within the meaning of paragraph 1, until the end of the fourth month following that date.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁴⁾ OJ L 35, 15.2.1995, p. 8.

⁽⁵⁾ OJ L 214, 30.7.1992, p. 20.

⁽⁶⁾ OJ L 341, 30.12.1994, p. 48.

⁽⁷⁾ OJ L 349, 24.12.1998, p. 36.

⁽⁸⁾ OJ L 282, 8.11.2000, p. 9.

⁽⁹⁾ OJ L 152, 24.6.2000, p. 1.

Article 5

Tenders submitted must reach the Commission through the Member States not later than one and a half hours after expiry of the deadline for weekly submission of tenders as laid down in the notice of invitation to tender. They must be transmitted in accordance with the table given in the Annex.

If no tenders are submitted, the Member States shall inform the Commission accordingly within the same deadline as that given in the above subparagraph.

Article 6

The time set for submitting tenders shall be Belgian time.

Article 7

1. On the basis of tenders submitted, the Commission shall decide in accordance with the procedure referred to in Article 22 of Regulation (EC) No 3072/95:

- either to fix a maximum export refund, taking account of the criteria laid down in Article 13 of Regulation (EC) No 3072/95,
- or not to take any action on the tenders.

2. Where a maximum export refund is fixed, an award shall be made to the tenderer or tenderers whose tenders are at or below the maximum export refund level.

Article 8

The deadline for submission of tenders for the first partial invitation to tender shall be 10 a.m. on 25 October 2001.

The final date for submission of tenders is hereby fixed at 27 June 2002.

Article 9

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

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Weekly invitation to tender for the refund on export of wholly milled long grain rice to certain third countries

Deadline for the submission of tenders (date/time)

1	2	3
Serial number of tenderers	Quantities in tonnes	Amount of export refund (in euro per tonne)
1		
2		
3		
4		
5		
etc.		

**COMMISSION REGULATION (EC) No 2011/2001
of 12 October 2001**

on a tendering procedure for the subsidy on consignments of husked long grain rice to Réunion

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⁾, and in particular Article 10(1) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2692/89 ⁽³⁾, as amended by Regulation (EC) No 1453/1999 ⁽⁴⁾, lays down detailed rules for exports of rice to Réunion.
- (2) Examination of the supply situation on the island of Réunion shows a shortage of rice. In view of the availability of rice on the Community market, Réunion should be allowed to obtain supplies on that market. Because of the special situation of Réunion, it is appropriate to limit the quantities to be delivered and, therefore, to fix the amount of the subsidy by tendering procedure.
- (3) Pursuant to Article 14 of Commission Regulation (EC) No 2808/98 of 22 December 1998 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture ⁽⁵⁾, as last amended by Regulation (EC) No 2452/2000 ⁽⁶⁾, amounts quoted in tenders submitted in response to invitations to tender organised under an instrument forming part of the common agricultural policy must be expressed in euro. Article 5(1) of that Regulation provides that in such cases the operative event for the agricultural exchange rate is the final day for the submission of tenders. Paragraphs 3 and 4 of that Article specify the operative events applicable to advances and securities.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby opened for the subsidy for consignments of husked long grain rice falling within CN

code 1006 20 98, referred to in Article 10(1) of Regulation (EC) No 3072/95, to Réunion.

2. The tendering procedure referred to in paragraph 1 shall be open until 27 June 2002. During that period, weekly invitations to tender shall be made for which the date for submission of tenders shall be set out in the notice of invitation to tender.

3. The tendering procedure shall take place in accordance with the provisions of Regulation (EEC) No 2692/89 and this Regulation.

Article 2

A tender shall be admissible only if it covers a quantity of at least 50 tonnes but not more than 3 000 tonnes.

Article 3

The security referred to in Article 7(3)(a) of Regulation (EEC) No 2692/89 shall be EUR 30 per tonne.

Article 4

The subsidy documents issued in the context of this tendering procedure shall, for the purposes of determining their period of validity, be considered as having been issued on the final day of the period for the submission of tenders.

Article 5

Tenders must reach the Commission via the Member States not later than one and a half hours after expiry of the deadline for weekly submission of tenders as laid down in the notice of invitation to tender. They must be transmitted in accordance with the table given in the Annex.

If no tenders are submitted, Member States shall inform the Commission accordingly within the same deadline as that given in the proceeding paragraph.

Article 6

The time laid down for submitting tenders shall be Belgian time.

Article 7

1. On the basis of tenders submitted, the Commission shall decide in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95:

- either to fix a maximum subsidy,
- or not to take any action on the tenders.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 261, 7.9.1989, p. 8.

⁽⁴⁾ OJ L 167, 2.7.1999, p. 19.

⁽⁵⁾ OJ L 349, 24.12.1998, p. 36.

⁽⁶⁾ OJ L 282, 8.11.2000, p. 9.

2. Where a maximum subsidy is fixed, an award shall be made to the tenderer or tenderers whose tenders are at or below the maximum subsidy level.

Article 8

The deadline for submission of tenders for the first partial invitation to tender shall expire on 25 October 2001 at 10 a.m.

The final date for submission of tenders shall be 27 June 2002.

Article 9

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

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Weekly invitation to tender for the subsidy for consignments of husked long grain rice to Réunion

Deadline for the submission of tenders (date/time)

1	2	3
Serial numbers of tenderers	Quantities (tonnes)	Amount of subsidy (in euro per tonne)
1		
2		
3		
4		
5		
etc.		

COMMISSION REGULATION (EC) No 2012/2001**of 12 October 2001****on the rate of interest to be used for calculating the costs of financing intervention measures comprising buying-in, storage and disposal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽¹⁾, as last amended by Regulation (EC) No 1259/96 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Article 3 of Commission Regulation (EEC) No 411/88 of 12 February 1988 on the method and the rate of interest to be used for calculating the costs of financing intervention measures comprising buying-in, storage and disposal ⁽³⁾, as last amended by Regulation (EC) No 2623/1999 ⁽⁴⁾, lays down that the uniform interest rate used for calculating the costs of financing intervention measures is to correspond to the three months' and twelve months' forward Euribor rates with a weighting of one third and two thirds respectively.
- (2) The Commission fixes this rate before the beginning of each EAGGF Guarantee Section accounting year on the basis of the rates recorded in the six months preceding fixing.
- (3) Article 4(1) of Regulation (EEC) No 411/88 lays down that if the rate of interest costs borne by a Member State is lower for at least six months than the uniform interest

rate fixed for the Community a specific interest rate is to be fixed for that Member State. The Member State notified these costs to the Commission before the end of the accounting year; where no costs are notified by a Member State, the rate to be applied is determined on the basis of the reference interest rates set out in the Annex to the said Regulation.

- (4) The interest rates for the 2002 accounting year must be set, in line with those provisions.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the EAGGF Committee,

HAS ADOPTED THIS REGULATION:

Article 1

For expenditure incurred during the 2002 EAGGF Guarantee Section accounting year, the interest rate referred to in Article 3 of Regulation (EEC) No 411/88 shall be 4,4 %.

Article 2

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

It shall apply from 1 October 2001.

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 216, 5.8.1978, p. 1.

⁽²⁾ OJ L 163, 2.7.1996, p. 10.

⁽³⁾ OJ L 40, 13.2.1988, p. 25.

⁽⁴⁾ OJ L 318, 11.12.1999, p. 14.

COMMISSION REGULATION (EC) No 2013/2001
of 12 October 2001
concerning the provisional authorisation of a new additive use and the permanent authorisation of
an additive in feedingstuffs
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾, as last amended by Directive 2001/46/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 3 thereof,

Whereas:

- (1) Directive 70/524/EEC provides that new uses of additives may be authorised following the review of an application made in accordance with Article 4 of the Directive.
- (2) Article 9e(1) of Directive 70/524/EEC provides that provisional authorisation of a new use of an additive may be given if the conditions of Article 3a(b) to (e) are satisfied and if it is reasonable to assume, in view of the available results, that when used in animal nutrition it has one of the effects referred to in Article 2(a). Such provisional authorisations may be given for a period up to four years in the case of additives referred to in Part II of Annex C to Directive 70/524/EEC.
- (3) The assessment of the dossier submitted in respect of the new use of the enzyme preparation described in Annex I shows that it satisfies those conditions and may therefore be authorised on a provisional basis for a four-year period.
- (4) The assessment of this dossier also shown that certain precautions should be taken in order to avoid exposure of workers to these additives. Such protection should be assured by the application of Community legislation on the safety and health of workers at work.
- (5) The Scientific Committee for Animal Nutrition has delivered a favourable opinion with regard to the safety of this enzyme preparation.
- (6) The Chernobyl accident caused radioactive caesium fallout, which contaminated forage in certain regions of northern Europe. Due to the long physical half-life of radiocaesium, this fallout still affects animal production.

This emergency situation still continues in particular in Norway. The substance listed in Annex II to this Regulation may be used to decontaminate affected forage. The competent authorities of Norway therefore supported a dossier, seeking an extension of the period of authorisation of this substance.

- (7) This additive is intended to be used only in contaminated areas for a limited period of time. Under normal conditions there is no need for the use of this additive, however, it should be kept available in case of similar future accidents in the Community.
- (8) As no adverse effects were detected during its national use at Member State level nor since the provisional authorisation which was given at Community level in 1996, all conditions in Article 3a of Directive 70/524/EEC are met. Therefore a permanent authorisation of this additive belonging to the group of radionuclide binders listed in Annex II should be given.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS REGULATION:

Article 1

The preparation belonging to the group 'Enzymes' listed in Annex I is authorised for use as additive in animal nutrition under the conditions laid down in Annex I.

Article 2

The additive belonging to the group 'Radionuclide binders', listed in Annex II is authorised for use as additive in animal nutrition under the conditions laid down in Annex II.

Article 3

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 14 October 2001.

⁽¹⁾ OJ L 270, 14.12.1970, p. 1.

⁽²⁾ OJ L 234, 1.9.2001, p. 55.

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

Done at Brussels, 12 October 2001.

For the Commission
David BYRNE
Member of the Commission

ANNEX I

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					Units of activity/kg of complete feedingstuff			
54	Endo-1,3(4)-beta-glucanase: EC 3.2.1.6 Endo-1,4-beta-glucanase: EC 3.2.1.4 Alpha-amylase: EC 3.2.1.1 Endo-1,4-beta-xylanase: EC 3.2.1.8	Preparation of endo-1,3(4)-beta-glucanase produced by <i>Aspergillus aculeatus</i> (CBS 589.94), endo-1,4-beta-glucanase produced by <i>Trichoderma longibrachiatum</i> (CBS 592.94), alpha-amylase produced by <i>Bacillus amyloliquefaciens</i> (DSM 9553) and endo-1,4-beta-xylanase produced by <i>Trichoderma viride</i> (NIBH FERM BP 4842) having a minimum activity of: Endo-1,3(4)-beta-glucanase: 10 000 U ⁽¹⁾ /g Endo-1,4-beta-glucanase: 120 000 U ⁽²⁾ /g Alpha-amylase: 400 U ⁽³⁾ /g Endo-1,4-beta-xylanase: 210 000 U ⁽⁴⁾ /g	Turkeys for fattening	—	Endo-1,3(4)- beta-glucanase: 500 U Endo-1,4-beta- glucanase: 6 000 U Alpha- amylase: 20 U Endo-1,4-beta- xylanase: 10 500 U	— — — —	1. In the directions for use of the additive and premixture, indicate the storage temperature, storage life, and stability to pelleting. 2. Recommended dose per kilo-gram of complete feedingstuff: endo-1,3(4)-beta-glucanase: 500 to 1 500 U endo-1,4-beta-glucanase: 6 000 to 18 000 U alpha-amylase: 20 to 60 U endo-1,4-beta-xylanase: 10 500 to 31 500 U 3. For use in compound feed rich in non-starch polysaccharides (mainly beta-glucans and arabinoxylans), e.g. containing more than 30 % wheat.	13.10.2005

⁽¹⁾ 1 U is the amount of enzyme which liberates 0,0056 micromoles of reducing sugars (glucose equivalents) from barley beta-glucan per minute at pH 7,5 and 30 °C.

⁽²⁾ 1 U is the amount of enzyme which liberates 0,0056 micromoles of reducing sugars (glucose equivalents) from carboxymethylcellulose per minute at pH 4,8 and 50 °C.

⁽³⁾ 1 U is the amount of enzyme which hydrolyses 1 micromole of glucosidic linkages from water insoluble cross-linked starch polymer per minute at pH 7,5 and 37 °C.

⁽⁴⁾ 1 U is the amount of enzyme which liberates 0,0067 micromoles of reducing sugars (xylose equivalents) from birchwood xylan per minute at pH 5,3 and 50 °C.

ANNEX II

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					mg/kg of complete feedingstuff			
Radionuclide binders								
1. Radioactive caesium binders (¹³⁷ Cs and ¹³⁴ Cs)								
1.1	Ferric (III) ammonium hexacyanoferrate (II)	NH ₄ Fe(III)[Fe(II)(CN) ₆]	Ruminants (domestic and wild)	—	50	500	Indicate in the instructions for use: ‘Only for limited geographical areas in case of contamination with radionuclides’ ‘The quantity of ferric (III) ammonium hexacyanoferrate (II) in the daily ration must be between 10 mg and 150 mg for 10 kg of body weight’	Without time limit
			Calves prior to the start of rumination	—	50	500	Indicate in the instructions for use: ‘Only for limited geographical areas in case of contamination with radionuclides’ ‘The quantity of ferric (III) ammonium hexacyanoferrate (II) in the daily ration must be between 10 mg and 150 mg for 10 kg of body weight’	Without time limit
			Lambs prior to the start of rumination	—	50	500	Indicate in the instructions for use: ‘Only for limited geographical areas in case of contamination with radionuclides’ ‘The quantity of ferric (III) ammonium hexacyanoferrate (II) in the daily ration must be between 10 mg and 150 mg for 10 kg of body weight’	Without time limit
			Kids prior to the start of rumination	—	50	500	Indicate in the instructions for use: ‘Only for limited geographical areas in case of contamination with radionuclides’ ‘The quantity of ferric (III) ammonium hexacyanoferrate (II) in the daily ration must be between 10 mg and 150 mg for 10 kg of body weight’	Without time limit

No (or EC No)	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
					mg/kg of complete feedingstuff			
			Pigs (domestic and wild)	—	50	500	Indicate in the instructions for use: 'Only for limited geographical areas in case of contamination with radionuclides' 'The quantity of ferric (III) ammonium hexacyanoferrate (II) in the daily ration must be between 10 mg and 150 mg for 10 kg of body weight'	Without time limit

**COMMISSION REGULATION (EC) No 2014/2001
of 12 October 2001**

**fixing the maximum purchase price for beef under the 12th partial invitation to tender pursuant to
Regulation (EC) No 690/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1512/2001 ⁽²⁾,

Having regard to Commission Regulation (EC) No 690/2001 of 3 April 2001 on special market support measures in the beef sector ⁽³⁾, as amended by Regulation (EC) No 1648/2001 ⁽⁴⁾, and in particular Article 3(1) thereof,

Whereas:

a period of three weeks between the 13th and 14th individual tender has been fixed in Annex III to the Regulation. For the purpose of supporting the beef market on a permanent basis throughout that period it should be provided that delivery of quantities awarded under the 13th partial invitation to tender on 22 October may be delivered until 16 November 2001.

- (5) Due to the urgency of the support measures, this Regulation should enter into force immediately.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

(1) In application of Article 2(2) of Regulation (EC) No 690/2001, Commission Regulation (EC) No 713/2001 of 10 April 2001 on the purchase of beef under Regulation (EC) No 690/2001 ⁽⁵⁾, as last amended by Regulation (EC) No 1764/2001 ⁽⁶⁾, establishes the list of Member States in which the tendering is open for the 12th partial invitation to tender on 8 October 2001.

(2) In accordance with Article 3(1) of Regulation (EC) No 690/2001, where appropriate, a maximum purchase price for the reference class shall be fixed in the light of the tenders received, taking into account the provisions of Article 3(2) of that Regulation.

(3) Because of the need to support the market for beef in a reasonable way a maximum purchase price should be fixed in the Member States concerned. In the light of the different level of market prices in those Member States, different maximum purchase prices should be fixed.

(4) Article 4(2) of Regulation (EC) No 690/2001 lays down that delivery of the quantity awarded under each individual tender shall take place within 17 days of the publication of the maximum buying-in price. However,

Article 1

Under the 12th partial invitation to tender on 8 October 2001 opened under Regulation (EC) No 690/2001 the following maximum purchase prices shall be fixed:

- Germany: EUR 154,00/100 kg,
- Ireland: EUR 184,80/100 kg,
- Spain: EUR 157,16/100 kg,
- France: EUR 205,00/100 kg,
- Luxembourg: EUR 160,00/100 kg,
- Belgium: EUR 163,90/100 kg.

Article 2

Notwithstanding Article 4(2) of Regulation (EC) No 690/2001 delivery of the quantity awarded under the 13th partial invitation to tender of 22 October 2001 may take place until 16 November 2001.

Article 3

This Regulation shall enter into force on 13 October 2001.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 201, 26.7.2001, p. 1.

⁽³⁾ OJ L 95, 5.4.2001, p. 8.

⁽⁴⁾ OJ L 219, 14.8.2001, p. 21.

⁽⁵⁾ OJ L 100, 11.4.2001, p. 3.

⁽⁶⁾ OJ L 239, 7.9.2001, p. 13.

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

Done at Brussels, 12 October 2001.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 2015/2001
of 12 October 2001
amending Regulation (EC) No 2235/2000 as regards the period of application of certain provisions
of Regulations (EC) No 1839/95 and (EC) No 1249/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 10(4) and Article 12(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1839/95 of 26 July 1995 laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal ⁽³⁾, as last amended by Regulation (EC) No 2235/2000 ⁽⁴⁾, lays down provisions on the administration of the imports concerned.
- (2) Article 2(5) of Commission Regulation (EC) No 1249/96 of 28 June 1996 on rules of application (cereal sector import duties) for Council Regulation (EEC) No 1766/92 ⁽⁵⁾, as last amended by Regulation (EC) No 2235/2000, provides, on certain conditions, for a reduction of EUR 24 per tonne in the import duty on flint maize. In view of the movement of the price for flint maize on the world market, Regulation (EC) No 2235/2000 increases the reduction in the duty originally provided for by

Regulation (EC) No 1249/96. The level of the securities provided for by Regulation (EC) No 1249/96 was adjusted accordingly.

- (3) The measures provided for by Regulation (EC) No 2235/2000 were adopted for a trial period of one year with a view to resolving the problems encountered in administering the quotas referred to in Regulation (EC) No 1839/95. Given that those problems have been resolved to the satisfaction of the various parties involved during the trial period, the provisions of Regulation (EC) No 2235/2000 should be applied on a permanent basis.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The second paragraph of Article 3 of Regulation (EC) No 2235/2000 is deleted.

Article 2

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

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

Done at Brussels, 12 October 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁴⁾ OJ L 256, 10.10.2000, p. 13.

⁽⁵⁾ OJ L 161, 29.6.1996, p. 125.

DIRECTIVE 2001/84/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 27 September 2001
on the resale right for the benefit of the author of an original work of art

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾, and in the light of the joint text approved by the Conciliation Committee on 6 June 2001,

Whereas:

- (1) In the field of copyright, the resale right is an unassignable and inalienable right, enjoyed by the author of an original work of graphic or plastic art, to an economic interest in successive sales of the work concerned.
- (2) The resale right is a right of a productive character which enables the author/artist to receive consideration for successive transfers of the work. The subject-matter of the resale right is the physical work, namely the medium in which the protected work is incorporated.
- (3) The resale right is intended to ensure that authors of graphic and plastic works of art share in the economic success of their original works of art. It helps to redress the balance between the economic situation of authors of graphic and plastic works of art and that of other creators who benefit from successive exploitations of their works.
- (4) The resale right forms an integral part of copyright and is an essential prerogative for authors. The imposition of such a right in all Member States meets the need for providing creators with an adequate and standard level of protection.
- (5) Under Article 151(4) of the Treaty the Community is to take cultural aspects into account in its action under other provisions of the Treaty.
- (6) The Berne Convention for the Protection of Literary and Artistic Works provides that the resale right is available only if legislation in the country to which the author belongs so permits. The right is therefore optional and subject to the rule of reciprocity. It follows from the case-law of the Court of Justice of the European

Communities on the application of the principle of non-discrimination laid down in Article 12 of the Treaty, as shown in the judgment of 20 October 1993 in Joined Cases C-92/92 and C-326/92 *Phil Collins and Others* ⁽⁴⁾, that domestic provisions containing reciprocity clauses cannot be relied upon in order to deny nationals of other Member States rights conferred on national authors. The application of such clauses in the Community context runs counter to the principle of equal treatment resulting from the prohibition of any discrimination on grounds of nationality.

- (7) The process of internationalisation of the Community market in modern and contemporary art, which is now being speeded up by the effects of the new economy, in a regulatory context in which few States outside the EU recognise the resale right, makes it essential for the European Community, in the external sphere, to open negotiations with a view to making Article 14b of the Berne Convention compulsory.
- (8) The fact that this international market exists, combined with the lack of a resale right in several Member States and the current disparity as regards national systems which recognise that right, make it essential to lay down transitional provisions as regards both entry into force and the substantive regulation of the right, which will preserve the competitiveness of the European market.
- (9) The resale right is currently provided for by the domestic legislation of a majority of Member States. Such laws, where they exist, display certain differences, notably as regards the works covered, those entitled to receive royalties, the rate applied, the transactions subject to payment of a royalty, and the basis on which these are calculated. The application or non-application of such a right has a significant impact on the competitive environment within the internal market, since the existence or absence of an obligation to pay on the basis of the resale right is an element which must be taken into account by each individual wishing to sell a work of art. This right is therefore a factor which contributes to the creation of distortions of competition as well as displacement of sales within the Community.
- (10) Such disparities with regard to the existence of the resale right and its application by the Member States have a direct negative impact on the proper functioning of the internal market in works of art as provided for by Article 14 of the Treaty. In such a situation Article 95 of the Treaty constitutes the appropriate legal basis.

⁽¹⁾ OJ C 178, 21.6.1996, p. 16 and OJ C 125, 23.4.1998, p. 8.

⁽²⁾ OJ C 75, 10.3.1997, p. 17.

⁽³⁾ Opinion of the European Parliament of 9 April 1997 (OJ C 132, 28.4.1997, p. 88), confirmed on 27 October 1999, Council Common Position of 19 June 2000 (OJ C 300, 20.10.2000, p. 1) and Decision of the European Parliament of 13 December 2000 (OJ C 232, 17.8.2001, p. 173). Decision of the European Parliament of 3 July 2001 and Decision of the Council of 19 July 2001.

⁽⁴⁾ [1993] ECR I-5145.

- (11) The objectives of the Community as set out in the Treaty include laying the foundations of an ever closer union among the peoples of Europe, promoting closer relations between the Member States belonging to the Community, and ensuring their economic and social progress by common action to eliminate the barriers which divide Europe. To that end the Treaty provides for the establishment of an internal market which presupposes the abolition of obstacles to the free movement of goods, freedom to provide services and freedom of establishment, and for the introduction of a system ensuring that competition in the common market is not distorted. Harmonisation of Member States' laws on the resale right contributes to the attainment of these objectives.
- (12) The Sixth Council Directive (77/388/EEC) of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — common system of value added tax: uniform basis of assessment ⁽¹⁾, progressively introduces a Community system of taxation applicable *inter alia* to works of art. Measures confined to the tax field are not sufficient to guarantee the harmonious functioning of the art market. This objective cannot be attained without harmonisation in the field of the resale right.
- (13) Existing differences between laws should be eliminated where they have a distorting effect on the functioning of the internal market, and the emergence of any new differences of that kind should be prevented. There is no need to eliminate, or prevent the emergence of, differences which cannot be expected to affect the functioning of the internal market.
- (14) A precondition of the proper functioning of the internal market is the existence of conditions of competition which are not distorted. The existence of differences between national provisions on the resale right creates distortions of competition and displacement of sales within the Community and leads to unequal treatment between artists depending on where their works are sold. The issue under consideration has therefore transnational aspects which cannot be satisfactorily regulated by action by Member States. A lack of Community action would conflict with the requirement of the Treaty to correct distortions of competition and unequal treatment.
- (15) In view of the scale of divergences between national provisions it is therefore necessary to adopt harmonising measures to deal with disparities between the laws of the Member States in areas where such disparities are liable to create or maintain distorted conditions of competition. It is not however necessary to harmonise every provision of the Member States' laws on the resale right and, in order to leave as much scope for national decision as possible, it is sufficient to limit the harmonisation exercise to those domestic provisions that have the most direct impact on the functioning of the internal market.
- (16) This Directive complies therefore, in its entirety, with the principles of subsidiarity and proportionality as laid down in Article 5 of the Treaty.
- (17) Pursuant to Council Directive 93/98/EEC of 29 October 1993 harmonising the term of protection of copyright and certain related rights ⁽²⁾, the term of copyright runs for 70 years after the author's death. The same period should be laid down for the resale right. Consequently, only the originals of works of modern and contemporary art may fall within the scope of the resale right. However, in order to allow the legal systems of Member States which do not, at the time of the adoption of this Directive, apply a resale right for the benefit of artists to incorporate this right into their respective legal systems and, moreover, to enable the economic operators in those Member States to adapt gradually to the aforementioned right whilst maintaining their economic viability, the Member States concerned should be allowed a limited transitional period during which they may choose not to apply the resale right for the benefit of those entitled under the artist after his death.
- (18) The scope of the resale right should be extended to all acts of resale, with the exception of those effected directly between persons acting in their private capacity without the participation of an art market professional. This right should not extend to acts of resale by persons acting in their private capacity to museums which are not for profit and which are open to the public. With regard to the particular situation of art galleries which acquire works directly from the author, Member States should be allowed the option of exempting from the resale right acts of resale of those works which take place within three years of that acquisition. The interests of the artist should also be taken into account by limiting this exemption to such acts of resale where the resale price does not exceed EUR 10 000.
- (19) It should be made clear that the harmonisation brought about by this Directive does not apply to original manuscripts of writers and composers.
- (20) Effective rules should be laid down based on experience already gained at national level with the resale right. It is appropriate to calculate the royalty as a percentage of the sale price and not of the increase in value of works whose original value has increased.
- (21) The categories of works of art subject to the resale right should be harmonised.

⁽¹⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 1999/85/EC (OJ L 277, 28.10.1999, p. 34).

⁽²⁾ OJ L 290, 24.11.1993, p. 9.

- (22) The non-application of royalties below the minimum threshold may help to avoid disproportionately high collection and administration costs compared with the profit for the artist. However, in accordance with the principle of subsidiarity, the Member States should be allowed to establish national thresholds lower than the Community threshold, so as to promote the interests of new artists. Given the small amounts involved, this derogation is not likely to have a significant effect on the proper functioning of the internal market.
- (23) The rates set by the different Member States for the application of the resale right vary considerably at present. The effective functioning of the internal market in works of modern and contemporary art requires the fixing of uniform rates to the widest possible extent.
- (24) It is desirable to establish, with the intention of reconciling the various interests involved in the market for original works of art, a system consisting of a tapering scale of rates for several price bands. It is important to reduce the risk of sales relocating and of the circumvention of the Community rules on the resale right.
- (25) The person by whom the royalty is payable should, in principle, be the seller. Member States should be given the option to provide for derogations from this principle in respect of liability for payment. The seller is the person or undertaking on whose behalf the sale is concluded.
- (26) Provision should be made for the possibility of periodic adjustment of the threshold and rates. To this end, it is appropriate to entrust to the Commission the task of drawing up periodic reports on the actual application of the resale right in the Member States and on the impact on the art market in the Community and, where appropriate, of making proposals relating to the amendment of this Directive.
- (27) The persons entitled to receive royalties must be specified, due regard being had to the principle of subsidiarity. It is not appropriate to take action through this Directive in relation to Member States' laws of succession. However, those entitled under the author must be able to benefit fully from the resale right after his death, at least following the expiry of the transitional period referred to above.
- (28) The Member States are responsible for regulating the exercise of the resale right, particularly with regard to the way this is managed. In this respect management by a collecting society is one possibility. Member States should ensure that collecting societies operate in a transparent and efficient manner. Member States must also ensure that amounts intended for authors who are nationals of other Member States are in fact collected and distributed. This Directive is without prejudice to arrangements in Member States for collection and distribution.
- (29) Enjoyment of the resale right should be restricted to Community nationals as well as to foreign authors whose countries afford such protection to authors who are nationals of Member States. A Member State should have the option of extending enjoyment of this right to foreign authors who have their habitual residence in that Member State.
- (30) Appropriate procedures for monitoring transactions should be introduced so as to ensure by practical means that the resale right is effectively applied by Member States. This implies also a right on the part of the author or his authorised representative to obtain any necessary information from the natural or legal person liable for payment of royalties. Member States which provide for collective management of the resale right may also provide that the bodies responsible for that collective management should alone be entitled to obtain information,

HAVE ADOPTED THIS DIRECTIVE:

CHAPTER I

SCOPE

Article 1

Subject matter of the resale right

1. Member States shall provide, for the benefit of the author of an original work of art, a resale right, to be defined as an inalienable right, which cannot be waived, even in advance, to receive a royalty based on the sale price obtained for any resale of the work, subsequent to the first transfer of the work by the author.
2. The right referred to in paragraph 1 shall apply to all acts of resale involving as sellers, buyers or intermediaries art market professionals, such as salesrooms, art galleries and, in general, any dealers in works of art.
3. Member States may provide that the right referred to in paragraph 1 shall not apply to acts of resale where the seller has acquired the work directly from the author less than three years before that resale and where the resale price does not exceed EUR 10 000.
4. The royalty shall be payable by the seller. Member States may provide that one of the natural or legal persons referred to in paragraph 2 other than the seller shall alone be liable or shall share liability with the seller for payment of the royalty.

*Article 2***Works of art to which the resale right relates**

1. For the purposes of this Directive, 'original work of art' means works of graphic or plastic art such as pictures, collages, paintings, drawings, engravings, prints, lithographs, sculptures, tapestries, ceramics, glassware and photographs, provided they are made by the artist himself or are copies considered to be original works of art.

2. Copies of works of art covered by this Directive, which have been made in limited numbers by the artist himself or under his authority, shall be considered to be original works of art for the purposes of this Directive. Such copies will normally have been numbered, signed or otherwise duly authorised by the artist.

CHAPTER II

PARTICULAR PROVISIONS*Article 3***Threshold**

1. It shall be for the Member States to set a minimum sale price from which the sales referred to in Article 1 shall be subject to resale right.

2. This minimum sale price may not under any circumstances exceed EUR 3 000.

*Article 4***Rates**

1. The royalty provided for in Article 1 shall be set at the following rates:

- (a) 4 % for the portion of the sale price up to EUR 50 000;
- (b) 3 % for the portion of the sale price from EUR 50 000,01 to EUR 200 000;
- (c) 1 % for the portion of the sale price from EUR 200 000,01 to EUR 350 000;
- (d) 0,5 % for the portion of the sale price from EUR 350 000,01 to EUR 500 000;
- (e) 0,25 % for the portion of the sale price exceeding EUR 500 000.

However, the total amount of the royalty may not exceed EUR 12 500.

2. By way of derogation from paragraph 1, Member States may apply a rate of 5 % for the portion of the sale price referred to in paragraph 1(a).

3. If the minimum sale price set should be lower than EUR 3 000, the Member State shall also determine the rate applicable to the portion of the sale price up to EUR 3 000; this rate may not be lower than 4 %.

*Article 5***Calculation basis**

The sale prices referred to in Articles 3 and 4 are net of tax.

*Article 6***Persons entitled to receive royalties**

1. The royalty provided for under Article 1 shall be payable to the author of the work and, subject to Article 8(2), after his death to those entitled under him/her.

2. Member States may provide for compulsory or optional collective management of the royalty provided for under Article 1.

*Article 7***Third-country nationals entitled to receive royalties**

1. Member States shall provide that authors who are nationals of third countries and, subject to Article 8(2), their successors in title shall enjoy the resale right in accordance with this Directive and the legislation of the Member State concerned only if legislation in the country of which the author or his/her successor in title is a national permits resale right protection in that country for authors from the Member States and their successors in title.

2. On the basis of information provided by the Member States, the Commission shall publish as soon as possible an indicative list of those third countries which fulfil the condition set out in paragraph 1. This list shall be kept up to date.

3. Any Member State may treat authors who are not nationals of a Member State but who have their habitual residence in that Member State in the same way as its own nationals for the purpose of resale right protection.

*Article 8***Term of protection of the resale right**

1. The term of protection of the resale right shall correspond to that laid down in Article 1 of Directive 93/98/EEC.

2. By way of derogation from paragraph 1, those Member States which do not apply the resale right on (the entry into force date referred to in Article 13), shall not be required, for a period expiring not later than 1 January 2010, to apply the resale right for the benefit of those entitled under the artist after his/her death.

3. A Member State to which paragraph 2 applies may have up to two more years, if necessary to enable the economic operators in that Member State to adapt gradually to the resale right system while maintaining their economic viability, before it is required to apply the resale right for the benefit of those entitled under the artist after his/her death. At least 12 months before the end of the period referred to in paragraph 2, the Member State concerned shall inform the Commission giving its reasons, so that the Commission can give an opinion, after appropriate consultations, within three months following the receipt of such information. If the Member State does not follow the opinion of the Commission, it shall within one month inform the Commission and justify its decision. The notification and justification of the Member State and the opinion of the Commission shall be published in the *Official Journal of the European Communities* and forwarded to the European Parliament.

4. In the event of the successful conclusion, within the periods referred to in Article 8(2) and (3), of international negotiations aimed at extending the resale right at international level, the Commission shall submit appropriate proposals.

Article 9

Right to obtain information

The Member States shall provide that for a period of three years after the resale, the persons entitled under Article 6 may require from any art market professional mentioned in Article 1(2) to furnish any information that may be necessary in order to secure payment of royalties in respect of the resale.

CHAPTER III

FINAL PROVISIONS

Article 10

Application in time

This Directive shall apply in respect of all original works of art as defined in Article 2 which, on 1 January 2006, are still protected by the legislation of the Member States in the field of copyright or meet the criteria for protection under the provisions of this Directive at that date.

Article 11

Revision clause

1. The Commission shall submit to the European Parliament, the Council and the Economic and Social Committee not later than 1 January 2009 and every four years thereafter a report on the implementation and the effect of this Directive, paying particular attention to the competitiveness of the market in modern and contemporary art in the Community, especially as regards the position of the Community in relation to relevant markets that do not apply the resale right and the fostering of artistic creativity and the management procedures in the Member States. It shall examine in particular its impact on the internal market and the effect of the introduction of the resale right in those Member States that did not apply the right in national law prior to the entry into force of this Directive. Where appropriate, the Commission shall submit proposals for adapting the minimum threshold and the rates of royalty to take account of changes in the sector, proposals relating to the maximum amount laid down in Article 4(1) and any other proposal it may deem necessary in order to enhance the effectiveness of this Directive.

2. A Contact Committee is hereby established. It shall be composed of representatives of the competent authorities of the Member States. It shall be chaired by a representative of the Commission and shall meet either on the initiative of the Chairman or at the request of the delegation of a Member State.

3. The task of the Committee shall be as follows:

- to organise consultations on all questions deriving from application of this Directive,
- to facilitate the exchange of information between the Commission and the Member States on relevant developments in the art market in the Community.

Article 12

Implementation

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 January 2006. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the provisions of national law which they adopt in the field covered by this Directive.

Article 13

Entry into force

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

Article 14

Addressees

This Directive is addressed to the Member States.

Done at Brussels, 27 September 2001.

For the European Parliament

The President

N. FONTAINE

For the Council

The President

C. PICQUÉ

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 September 2001

terminating the anti-dumping proceeding concerning imports of colour television receivers originating in Turkey

(notified under document number C(2001) 2916)

(2001/725/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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⁾, as last amended by Council Regulation (EC) No 2238/2000 ⁽²⁾, and in particular Article 9 thereof,

After consulting the Advisory Committee,

Whereas:

A. PROCEDURE

- (1) In June 2000, the Commission received a complaint concerning the alleged injurious dumping by imports of colour television receivers (CTVs) originating in or exported from Turkey.
- (2) The complaint was lodged by the Producers of European Televisions in Cooperation (Poetic) acting on behalf of Community producers representing a major proportion of the total Community production of CTVs pursuant to Article 4(1) and Article 5(4) of Regulation (EC) No 384/96 (the basic Regulation).
- (3) The complaint contained *prima facie* evidence of the existence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of an anti-dumping proceeding.
- (4) The Commission, after consultation, by a notice published in the *Official Journal of the European Communities* ⁽³⁾, accordingly initiated an anti-dumping proceeding

concerning imports into the Community of CTVs, currently classifiable within CN codes ex 8528 12 52, 8528 12 54, 8528 12 56, 8528 12 58, ex 8528 12 62 and 8528 12 66 and originating in or exported from Turkey.

- (5) It should be noted that in April 2000, two review investigations under Article 11(2) and (3) of the basic Regulation had been initiated regarding the anti-dumping measures applicable to imports of CTVs originating in the People's Republic of China, the Republic of Korea, Malaysia, Singapore and Thailand ⁽⁴⁾.
- (6) The Commission officially advised the exporting producers, importers and representative associations of importers or exporters known to be concerned, the representatives of the exporting country, the representative consumer organisations and the complainant Community producers. 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.
- (7) The Commission sought and verified all information it deemed necessary for the purpose of its investigation. Verification visits were carried out at the premises of the following companies:

(a) *Community producers*

Tecnimagen SA, Barcelona, Spain,

Grundig AG, Nuremberg, Germany,

Philips Consumer Electronics, Eindhoven, The Netherlands,

Industrie Formenti Italia Spa, Lissone, Italy,

Seleco Formenti Spa, Pordenone, Italy;

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 257, 11.10.2000, p. 2.

⁽³⁾ OJ C 202, 15.7.2000, p. 4.

⁽⁴⁾ OJ C 94, 1.4.2000, p. 2.

(b) Exporters/producers and related sales companies in Turkey

Profile Telra Elektronik Sanayi ve Ticaret AS, Istanbul (including the related sales companies PRO-EKS Dis Ticaret AS, Istanbul, Savunma Gerecleri AS, Istanbul, Elektrotek Elektronik Aletler Limited, Istanbul),

Beko Elektronik AS, Istanbul (including the related sales company Ram Dis Ticaret, Istanbul),

Vestel Elektronik Sanayi ve Ticaret AS, Manisa (including the related sales companies: Vestel Dis Ticaret AS, Istanbul, Vestel Dis Ticaret AS Ege Serbest Bolge SB, Izmir, Vestel Bilisim Teknolojileri Sanayi ve Ticaret AS, Istanbul, Vestel Komunikasyon Sanayi ve Ticaret AS, Izmir),

Izmir Elektronik Sanayi ve Ticaret AS, Izmir;

(c) Related importers in the Community

Beko (UK) Ltd, Watford, United Kingdom,

Beko Electronics Espana SL, Barcelona, Spain,

Vestel Holland BV, Rotterdam, Netherlands,

Vestel Iberia, Madrid, Spain;

(d) Unrelated importers in the Community

Alba plc Barking, United Kingdom.

country of assembly represents at least 45 % of the ex-works price of the CTV. When the 45 % rule is not met, the CTV originates in the country of origin of parts whose ex-works price represents more than 35 % of the ex-works price of the CTV.

(11) When applying the specific non-preferential origin rules in the present investigation, it was established that the origin of all CTVs exported to the Community between 1 July 1999 and 30 June 2000 (investigation period or IP) was other than Turkish. Exports to the Community were instead found to have their origin in the exporting countries subjected to the review investigations mentioned in recital 5, the Community or other third countries not subject to any investigation. In particular, it was found that for the exports of the investigated companies which correspond to all exports of CTVs from Turkey to the Community during the IP, the 45 % added value rule was not met. Thus, the origin had to be determined on the basis of the 35 % value rule of the non-originating parts/materials.

(12) On the basis of the 35 % value rule of the non-originating parts/materials it was established that the origin of the cathode-ray colour television picture tube (CPT) virtually determined the origin of the CTVs, since the ex-works price of the CPT represented, in all cases, at least 35 % of the ex-works price of the CTV. It should be noted that there is no production of CPTs in Turkey and, therefore, all CPTs are imported. Accordingly, the origin examination concluded that the CTVs exported from Turkey during the IP were of the origins of the CPTs used in their assembly.

B. FINDINGS ON ORIGIN

- (8) CTVs frequently incorporate components and parts originating in countries other than the country of manufacture or assembly of the finished product, with the result that CTVs may be considered as originating in a country other than the country of manufacture or assembly. Thus, in accordance with the Community's consistent practice and pursuant to Article 1(3) of the basic Regulation, the examination of the origin of the CTVs exported from Turkey formed part of the anti-dumping investigation.
- (9) Origin was examined in the light of Article 22 of Council Regulation (EEC) No 2913/92 ⁽¹⁾ of 12 October 1992 establishing the Community Customs Code, which establishes that the non-preferential rules of origin apply to all non-preferential commercial policy instruments, such as anti-dumping.
- (10) In accordance with Article 39 and Annex 11 of Commission Regulation (EEC) No 2454/93 ⁽²⁾ laying down provisions for the implementation of the Community Customs code, specific non-preferential rules of origin apply for CTVs. According to these rules, a CTV is considered to originate in the country where the added value of the assembly operations, and, if applicable, the incorporation of parts originating in the

C. TERMINATION OF THE PROCEEDING

- (13) In view of the above findings on origin, the Commission concludes that the anti-dumping proceeding concerning imports of CTVs originating in Turkey should be terminated without the imposition of anti-dumping measures.
- (14) All interested parties received disclosure of the findings on origin and were given an opportunity to comment and to be heard. One interested party contested the applicability of the non-preferential rules of origin in the case of Turkey, given the EC-Turkey Customs Union. However, neither Decision No 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the Customs Union ⁽³⁾, nor the Community Customs Code provides for a derogation from the applicability of the non-preferential rules of origin in the case of imports from countries which are in a customs union with the Community.

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 253, 11.10.1993, p. 1.

⁽³⁾ OJ L 35, 13.2.1996, p. 1.

- (15) Finally, the Community industry argued that the origin criteria was irrelevant since the basic Regulation allowed the imposition of anti-dumping measures on the basis of the country of provenance. It should be noted that it is the consistent practice of the Community to impose anti-dumping measures solely on products originating in a third country. This was also the case in previous investigation on imports of the same product ⁽¹⁾,

HAS ADOPTED THIS DECISION:

Sole Article

The anti-dumping proceeding concerning imports of colour television receivers currently classifiable within CN codes ex 8528 12 52, 8528 12 54, 8528 12 56, 8528 12 58, ex 8528 12 62 and 8528 12 66 and originating in Turkey is hereby terminated.

Done at Brussels, 28 September 2001.

For the Commission

Pascal LAMY

Member of the Commission

⁽¹⁾ Council Regulation (EC) No 710/95 of 27 March 1995 (OJ L 73, 1.4.1995, p. 3).