

English edition

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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2313/2001
of 29 November 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 30 November 2001.

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

Done at Brussels, 29 November 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 29 November 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	88,3
	063	166,5
	204	73,9
	999	109,6
0707 00 05	052	144,8
	628	142,5
	999	143,7
0709 90 70	052	139,5
	204	172,5
	999	156,0
0805 20 10	052	60,8
	204	73,8
	999	67,3
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	62,8
	204	59,9
	464	164,5
	999	95,7
0805 30 10	052	47,6
	388	63,0
	524	50,5
	600	51,4
	999	53,1
0808 10 20, 0808 10 50, 0808 10 90	052	30,2
	060	36,2
	400	93,8
	404	83,0
	720	113,8
	999	71,4
0808 20 50	052	115,5
	064	71,4
	400	86,5
	720	115,0
	999	97,1

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

**COMMISSION REGULATION (EC) No 2314/2001
of 29 November 2001**

**fixing the maximum export refund for white sugar for the 18th partial invitation to tender issued
within the framework of the standing invitation to tender provided for in Regulation (EC) No
1430/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1430/2001 of 13 July 2001 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽²⁾ requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1430/2001 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

(3) Following an examination of the tenders submitted in response to the 18th partial invitation to tender, the provisions set out in Article 1 should be adopted.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 18th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1430/2001 the maximum amount of the export refund is fixed at 40,745 EUR/100 kg.

Article 2

This Regulation shall enter into force on 30 November 2001.

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 192, 14.7.2001, p. 3.

**COMMISSION REGULATION (EC) No 2315/2001
of 29 November 2001**

fixing the representative prices and the additional import duties for molasses in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 ⁽²⁾, and in particular Article 1(2) and Article 3(1) thereof,

Whereas:

- (1) Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68 ⁽³⁾. That price should be fixed for the standard quality defined in Article 1 of the above Regulation.
- (2) The representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality. The standard quality for molasses is defined in Regulation (EEC) No 785/68.
- (3) When the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States. Under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends.
- (4) The information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market. Offer prices which can be regarded as not representative of actual market trends must also be disregarded.

- (5) If information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68.
- (6) A representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price.
- (7) Where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (8) Application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 November 2001.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 141, 24.6.1995, p. 12.

⁽³⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 29 November 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 29 November 2001 fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	9,45	—	0
1703 90 00 ⁽¹⁾	13,59	—	0

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

**COMMISSION REGULATION (EC) No 2316/2001
of 29 November 2001**

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

(2) Regulation (EC) No 1260/2001 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 28 of that Regulation. The same Article provides that the economic aspect of the proposed exports should also be taken into account.

(3) The refund on raw sugar must be fixed in respect of the standard quality. The latter is defined in Annex I, point II, to Regulation (EC) No 1260/2001. Furthermore, this refund should be fixed in accordance with Article 28(4) of Regulation (EC) No 1260/2001. Candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽²⁾. The refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

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

(5) In special cases, the amount of the refund may be fixed by other legal instruments.

(6) The refund must be fixed every two weeks. It may be altered in the intervening period.

(7) It follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 30 November 2001.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

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

Done at Brussels, 29 November 2001.

For the Commission
 Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 29 November 2001 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	34,38 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	34,69 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	34,38 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	34,69 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,3737
1701 99 10 9100	A00	EUR/100 kg	37,37
1701 99 10 9910	A00	EUR/100 kg	37,71
1701 99 10 9950	A00	EUR/100 kg	37,71
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,3737

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

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

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

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

COMMISSION REGULATION (EC) No 2317/2001
of 29 November 2001
repealing Regulation (EC) No 743/2001 prohibiting fishing for whiting by vessels flying the flag of
Sweden

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 1965/2001 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 743/2001 ⁽³⁾ lays down that fishing for whiting in the waters of Skagerrak and Kattegat by vessels flying the flag of Sweden or registered in Sweden is to be prohibited.
- (2) On 22 October 2001, Denmark transferred to Sweden 50 tonnes of whiting in the waters of Skagerrak and Kattegat. Fishing for whiting in the waters of Skagerrak

and Kattegat by vessels flying the flag of Sweden or registered in Sweden should consequently be authorised. Regulation (EC) No 743/2001 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 743/2001 is hereby repealed.

Article 2

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

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 268, 9.10.2001, p. 23.

⁽³⁾ OJ L 107, 18.4.2001, p. 3.

**COMMISSION REGULATION (EC) No 2318/2001
of 29 November 2001**

**laying down detailed rules for the application of Council Regulation (EC) No 104/2000 as regards
the recognition of producer organisations in the fishery and aquaculture sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 104/2000 of 17 December 1999 on the common organisation of the markets in fishery and aquaculture products ⁽¹⁾, amended by Commission Regulation (EC) No 939/2001 ⁽²⁾, and in particular Article 5(4) and Article 6(7) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2939/94 of 2 December 1994 laying down detailed rules for the application of Council Regulation (EEC) No 105/76 on the recognition of producers' organisations in the fishing industry ⁽³⁾, as amended by Regulation (EC) No 1762/96 ⁽⁴⁾, requires considerable amendments. It should therefore be repealed and replaced.
- (2) It is necessary to lay down the conditions and procedure for the Member States' granting of recognition to, and withdrawal of recognition from, producer organisations in such a way as to guarantee consistent application of the rules governing the common organisation of the markets in fishery and aquaculture products.
- (3) A producer organisation is required, under Article 5(2) of Regulation (EC) No 104/2000, to provide evidence that it is sufficiently active economically to merit recognition. It is therefore necessary to define the criteria for considering that condition to have been met.
- (4) It is also necessary to specify the conditions for recognising an association of producer organisations.
- (5) There is a need to provide for the laying down of common rules which members of producer organisations would be obliged to observe.
- (6) It would be advisable to specify what information must be supplied by an applicant for recognition. Deadlines for granting and refusing recognition and certain rules on the withdrawal of recognition should be laid down.
- (7) Measures should be provided for verifying compliance with the conditions attaching to recognition, and for

determining the consequences of any fraudulent application for, or use of, such recognition.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A producer organisation as defined in Article 5(1) of Regulation (EC) No 104/2000 shall be deemed to be sufficiently active economically, for the purposes of Article 5(2) thereof, if:

- (a) on the basis of its size, the total capacity of fishing vessels operating from it and the regularity and size of the landings, the area covered by the application for recognition is deemed by the Member State to be of sufficient importance; and
- (b) any of the following conditions is fulfilled:
 - (i) the number of vessels operated by members of the producer organisation is at least 20 % of the total number of vessels habitually present in that area; or
 - (ii) for the species or group of species for which recognition is sought, the producer organisation disposes of either:
 - at least 15 % by weight of the total production in its area, or
 - at least 30 % by weight of the total production in a major port or market in its area, the Member State concerned defining what is meant by 'major' for this purpose.

2. The Member States shall decide which of the conditions laid down in paragraph 1(b) shall apply in their territory.

They shall notify the Commission and interested parties of their decision within two months of publication of this Regulation.

In the event of the structure of a market being altered, the Member States may decide to change the condition. They shall notify the Commission and interested parties thereof without delay.

⁽¹⁾ OJ L 17, 21.1.2000, p. 22.

⁽²⁾ OJ L 132, 15.5.2001, p. 10.

⁽³⁾ OJ L 310, 3.12.1994, p. 12.

⁽⁴⁾ OJ L 231, 12.9.1996, p. 6.

3. Where a producer organisation is made up of producers at least 30 % of whom normally operate in one or more areas other than that in which the vessels operated by the members have their home port, that organisation shall be considered to be sufficiently active economically for the purposes of Article 5(2) of Regulation (EC) No 104/2000 if, for the species or group of species for which recognition is sought, it disposes of at least 4 % by weight of national production.

4. In the interests of more efficient management, the Member State may set at between 15 % and 30 % the percentage referred to in the first indent of paragraph 1(b)(ii), may set at between 30 % and 50 % the percentage referred to in the second indent of paragraph 1(b)(ii), and may set at between 30 % and 50 % the percentage regarding producers referred to in paragraph 3.

5. Where recognition is sought for aquaculture products, economic activity shall be considered sufficient for the purposes of Article 5(2) of Regulation (EC) No 104/2000 if the producer organisation disposes of at least 25 % of total production of the species or group of species in question, in a production area which is deemed sufficiently large by the Member State concerned on the basis of criteria established by that Member State.

In order to take account of the specific characteristics of regional production the Member State may set the percentage referred to in the first subparagraph within a bracket of 25 % to 50 %.

Member States shall, within two months of publication of this Regulation, inform the Commission of the percentage which they have chosen to apply.

Article 2

An association of producer organisations may be recognised by a Member State only on condition that:

- (a) it comprises a minimum proportion of the total number of producer organisations recognised by the Member State concerned in a given branch; and
- (b) the value of the production marketed by the association represents at least 20 % of the value of national production in that branch.

Article 3

1. Without prejudice to Commission Regulation (EC) No 2508/2000 ⁽¹⁾, the rules on fishing, production and marketing

⁽¹⁾ OJ L 289, 16.11.2000, p. 8.

referred to in Article 5(1)(c)(1) of Regulation (EC) No 104/2000 shall be drawn up in writing.

2. In accordance with Article 5(1)(c)(4) of Regulation (EC) No 104/2000, the requirement that members are to dispose of their total production through their producer organisation may be waived if products are disposed of in accordance with common rules established in advance. In such cases, these common rules must at least require compliance with the organisation's withdrawal prices.

3. By way of derogation from Article 5(1)(c)(4) of Regulation (EC) No 104/2000, the quantities of products for which members of a producer organisation have concluded contracts before becoming members do not have to be disposed of through the producer organisation, provided that the members have informed the organisation of the extent and duration of the contracts before joining, and provided that the organisation has agreed to waive the requirement.

Article 4

When seeking recognition, the applicant shall supply the following:

- (a) the constitution of the producer organisation;
- (b) the rules and regulations of the producer organisation;
- (c) the names of persons with authority to act for and on behalf of the producer organisation;
- (d) details of those of its activities on which the application for recognition is based;
- (e) evidence that it complies with Article 1 or Article 2.

Article 5

Within three months of receiving an application for recognition the Member State shall inform the producer organisation in writing of its decision. If recognition is refused, the Member State shall give reasons for the refusal.

Article 6

Where it is planned to withdraw recognition, the Member State shall notify that intention to the producer organisation, together with the reasons for the withdrawal. The Member State shall allow the producer organisation to submit its observations within a specified period.

Article 7

1. In accordance with Article 6(1)(b) of Regulation (EC) No 104/2000, Member States shall carry out a check at least once a year to ascertain that producer organisations comply with the terms and conditions for recognition.

2. Where recognition is withdrawn because the producer organisation concerned has sought or used recognition fraudulently, any aid granted under Article 15(1) of Council Regulation (EC) No 2792/1999 ⁽¹⁾ shall be recovered by the Member State.

Article 8

Regulation (EC) No 2939/94 is hereby repealed.

Article 9

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

It shall apply from 1 January 2002.

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 337, 30.12.1999, p. 10.

**COMMISSION REGULATION (EC) No 2319/2001
of 29 November 2001**

fixing the definitive aid on certain grain legumes for the 2001/02 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1577/96 of 30 July 1996 introducing a specific measure in respect of certain grain legumes ⁽¹⁾, as last amended by Council Regulation (EC) No 811/2000 ⁽²⁾, and in particular Article 6 thereof,

Whereas:

(1) Article 6(1) of Regulation (EC) No 1577/96 provides that the Commission is to determine the overrun in the maximum guaranteed area and to fix the definitive aid for the marketing year in question. Article 3 of this Regulation divides the maximum guaranteed area between lentils and chickpeas, on the one hand, and vetches, on the other hand, allowing the unused balance of one maximum guaranteed area to be reallocated to the other maximum guaranteed area before an overrun is determined.

(2) The maximum guaranteed area for lentils and chickpeas referred to in Article 3 of Regulation (EC) No 1577/96 was not exceeded in 2001/02, whereas the maximum

guaranteed area for vetches, increased by the unused balance of the maximum guaranteed area for lentils and chickpeas, was exceeded by 2,49 % in 2001/02. The aid provided for in Article 2(2) of Regulation (EC) No 1577/96 should be reduced proportionately for vetches for the marketing year in question.

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

HAS ADOPTED THIS REGULATION:

Article 1

The definitive aid for certain grain legumes for the 2001/02 marketing year shall be EUR 181,00 per hectare for lentils and chickpeas and EUR 176,60 per hectare for vetches.

Article 2

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

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 206, 16.8.1996, p. 4.

⁽²⁾ OJ L 100, 17.4.2000, p. 1.

**COMMISSION REGULATION (EC) No 2320/2001
of 29 November 2001**

**fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of
goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1987/2001 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, as last amended by Regulation (EC) No 1563/2001 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. Whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. Whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000 provides that a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1722/93 ⁽⁸⁾, as last amended by Commission Regulation (EC) No 1786/2001 ⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark stipulates that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1(1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to amended Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 30 November 2001.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 271, 12.10.2001, p. 5.

⁽⁵⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁶⁾ OJ L 208, 1.8.2001, p. 8.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 242, 12.9.2001, p. 3.

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

Done at Brussels, 29 November 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 29 November 2001 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases	— — — — —	— — — — —
1002 00 00	Rye	2,243	2,243
1003 00 90	Barley – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	— —	— —
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of: – starch: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ : – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – where goods falling within subheading 2208 ⁽³⁾ are exported – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	1,997 — 1,997 1,498 — 1,498 — 1,997 1,997 — 1,997	1,997 — 1,997 1,498 — 1,498 — 1,997 1,997 — 1,997

(EUR/100 kg)

(EUR/100 kg)			
CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly-milled rice:		
	– round grain	18,600	18,600
	– medium grain	18,600	18,600
	– long grain	18,600	18,600
1006 40 00	Broken rice	4,300	4,300
1007 00 90	Sorghum	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1520/2000 shall be applied (OJ L 177, 15.7.2000, p. 1).

⁽²⁾ The goods concerned fall under CN code 3505 10 50.

⁽³⁾ Goods listed in Annex B of Council Regulation (EEC) No 1766/92 or referred to in Article 2 of Regulation (EEC) No 2825/93.

⁽⁴⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

**COMMISSION REGULATION (EC) No 2321/2001
of 29 November 2001
determining the world market price for unginned cotton**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginned cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginned cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 ⁽³⁾. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginned cotton is to be determined in respect of a product of specific characteristics and by reference to the most favourable offers and quotations on the world market among those

considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for ginned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for unginned cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 21,445/100 kg.

Article 2

This Regulation shall enter into force on 30 November 2001.

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

**COMMISSION REGULATION (EC) No 2322/2001
of 29 November 2001**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 23 to 29 November 2001, pursuant to the invitation to tender issued in Regulation (EC) No 943/2001, the maximum refund on exportation of common wheat shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 30 November 2001.

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 133, 16.5.2001, p. 3.

COMMISSION REGULATION (EC) No 2323/2001
of 29 November 2001
fixing the maximum export refund on barley in connection with the invitation to tender issued in
Regulation (EC) No 1558/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) An invitation to tender for the refund for the export of barley to all third countries except for the United States of America and Canada was opened pursuant to Commission Regulation (EC) No 1558/2001 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

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

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 23 to 29 November 2001, pursuant to the invitation to tender issued in Regulation (EC) No 1558/2001, the maximum refund on exportation of barley shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 30 November 2001.

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 205, 31.7.2001, p. 33.

COMMISSION REGULATION (EC) No 2324/2001
of 29 November 2001
concerning tenders notified in response to the invitation to tender for the export of rye issued in
Regulation (EC) No 1005/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

and on the basis of the tenders notified, to make no award.

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (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

No action shall be taken on the tenders notified from 23 to 29 November 2001 in response to the invitation to tender for the refund for the export of rye issued in Regulation (EC) No 1005/2001.

Article 2

This Regulation shall enter into force on 30 November 2001.

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 140, 24.5.2001, p. 10.

**COMMISSION REGULATION (EC) No 2325/2001
of 29 November 2001**

**fixing the maximum reduction in the duty on maize imported in connection with the invitation to
tender issued in Regulation (EC) No 2258/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported into Spain was opened pursuant to Commission Regulation (EC) No 2258/2001⁽³⁾.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 1839/95⁽⁴⁾, as last amended by Regulation (EC) No 2235/2000⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. A contract is

awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 23 to 29 November 2001, pursuant to the invitation to tender issued in Regulation (EC) No 2258/2001, the maximum reduction in the duty on maize imported shall be 25,18 EUR/t and be valid for a total maximum quantity of 100 000 tonnes.

Article 2

This Regulation shall enter into force on 30 November 2001.

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

Done at Brussels, 29 November 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 305, 22.11.2001, p. 9.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.

COMMISSION REGULATION (EC) No 2326/2001**of 29 November 2001****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1987/2001 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.

(2) Article 13 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 cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.

(3) Article 4 of Commission Regulation (EC) No 1518/95 ⁽⁵⁾, as amended by Regulation (EC) No 2993/95 ⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

(5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.

(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) The refund must be fixed once a month. It may be altered in the intervening period.

(8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted.

(9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d) of Regulation (EEC) No 1766/92 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 271, 12.10.2001, p. 5.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 30 November 2001.

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 29 November 2001 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C01	EUR/t	27,96	1104 23 10 9100	A00	EUR/t	29,96
1102 20 10 9400 ⁽¹⁾	C01	EUR/t	23,96	1104 23 10 9300	A00	EUR/t	22,97
1102 20 90 9200 ⁽¹⁾	C01	EUR/t	23,96	1104 29 11 9000	A00	EUR/t	0,00
1102 90 10 9100	C01	EUR/t	0,00	1104 29 51 9000	A00	EUR/t	0,00
1102 90 10 9900	C01	EUR/t	0,00	1104 29 55 9000	A00	EUR/t	0,00
1102 90 30 9100	C01	EUR/t	0,00	1104 30 10 9000	A00	EUR/t	0,00
1103 12 00 9100	A00	EUR/t	0,00	1104 30 90 9000	A00	EUR/t	4,99
1103 13 10 9100 ⁽¹⁾	A00	EUR/t	35,95	1107 10 11 9000	A00	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	A00	EUR/t	27,96	1107 10 91 9000	A00	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	A00	EUR/t	23,96	1108 11 00 9200	A00	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	A00	EUR/t	23,96	1108 11 00 9300	A00	EUR/t	0,00
1103 19 10 9000	A00	EUR/t	22,43	1108 12 00 9200	A00	EUR/t	31,95
1103 19 30 9100	A00	EUR/t	0,00	1108 12 00 9300	A00	EUR/t	31,95
1103 21 00 9000	A00	EUR/t	0,00	1108 13 00 9200	A00	EUR/t	31,95
1103 29 20 9000	A00	EUR/t	0,00	1108 13 00 9300	A00	EUR/t	31,95
1104 11 90 9100	A00	EUR/t	0,00	1108 19 10 9200	A00	EUR/t	65,36
1104 12 90 9100	A00	EUR/t	0,00	1108 19 10 9300	A00	EUR/t	65,36
1104 12 90 9300	A00	EUR/t	0,00	1109 00 00 9100	A00	EUR/t	0,00
1104 19 10 9000	A00	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	A00	EUR/t	31,30
1104 19 50 9110	A00	EUR/t	31,95	1702 30 59 9000 ⁽²⁾	A00	EUR/t	23,96
1104 19 50 9130	A00	EUR/t	25,96	1702 30 91 9000	A00	EUR/t	31,30
1104 21 10 9100	A00	EUR/t	0,00	1702 30 99 9000	A00	EUR/t	23,96
1104 21 30 9100	A00	EUR/t	0,00	1702 40 90 9000	A00	EUR/t	23,96
1104 21 50 9100	A00	EUR/t	0,00	1702 90 50 9100	A00	EUR/t	31,30
1104 21 50 9300	A00	EUR/t	0,00	1702 90 50 9900	A00	EUR/t	23,96
1104 22 20 9100	A00	EUR/t	0,00	1702 90 75 9000	A00	EUR/t	32,80
1104 22 30 9100	A00	EUR/t	0,00	1702 90 79 9000	A00	EUR/t	22,77
				2106 90 55 9000	A00	EUR/t	23,96

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), amended.

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 Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14).

C01: All destinations except Poland.

COMMISSION REGULATION (EC) No 2327/2001
of 29 November 2001
fixing the export refunds on cereal-based compound feedingstuffs

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 organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 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) Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A

refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) However, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported.
- (6) The refund must be fixed once a month; whereas it may be altered in the intervening period.
- (7) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 30 November 2001.

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 29 November 2001 fixing the export refunds on cereal-based compound feedingstuffs

Product codes benefiting from export refund:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	A00	EUR/t	19,97
Cereal products excluding maize and maize products	A00	EUR/t	0,00

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

COMMISSION REGULATION (EC) No 2328/2001
of 29 November 2001
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 7(3) thereof,

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

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EC) No 1786/2001 ⁽⁶⁾, and in particular Article 3 thereof,

Whereas:

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

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

- (2) The production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable.
- (3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 30 November 2001.

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 242, 12.9.2001, p. 3.

**COMMISSION REGULATION (EC) No 2329/2001
of 29 November 2001**

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1666/2000⁽²⁾, and in particular Article 13(2) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 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 in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 602/2001⁽⁴⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.

- (4) 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.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) 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(a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 November 2001.

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

ANNEX

to the Commission Regulation of 29 November 2001 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 11 9000	—	EUR/t	—
1001 10 00 9400	—	EUR/t	—	1101 00 15 9100	C01	EUR/t	0
1001 90 91 9000	—	EUR/t	—	1101 00 15 9130	C01	EUR/t	0
1001 90 99 9000	C01	EUR/t	—	1101 00 15 9150	C01	EUR/t	0
1002 00 00 9000	A00	EUR/t	—	1101 00 15 9170	C01	EUR/t	0
1003 00 10 9000	—	EUR/t	—	1101 00 15 9180	C01	EUR/t	0
1003 00 90 9000	A00	EUR/t	—	1101 00 15 9190	—	EUR/t	—
1004 00 00 9200	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1004 00 00 9400	A00	EUR/t	0	1102 10 00 9500	C01	EUR/t	35,25
1005 10 90 9000	—	EUR/t	—	1102 10 00 9700	C01	EUR/t	27,75
1005 90 00 9000	A00	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1007 00 90 9000	—	EUR/t	—	1103 11 10 9200	A00	EUR/t	0 ⁽¹⁾
1008 20 00 9000	—	EUR/t	—	1103 11 10 9400	A00	EUR/t	0 ⁽¹⁾
				1103 11 10 9900	—	EUR/t	—
				1103 11 90 9200	A00	EUR/t	0 ⁽¹⁾
				1103 11 90 9800	—	EUR/t	—

⁽¹⁾ No refund is granted when this product contains compressed meal.

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14) as amended.

The other destinations are as follows:

C01 All destinations except for Poland.

COMMISSION REGULATION (EC) No 2330/2001
of 29 November 2001
fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13 (8) thereof,

Whereas:

- (1) Article 13 (8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, allows for the fixing of a corrective amount for the products listed in Article 1(1) (c) of Regulation (EEC) No 1766/92; that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) The world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination.
- (4) The corrective amount must be fixed at the same time as the refund and according to the same procedure; it may be altered in the period between fixings.
- (5) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (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

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

Article 2

This Regulation shall enter into force on 1 December 2001.

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

ANNEX

to the Commission Regulation of 29 November 2001 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5	6th period 6
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C01	—	-0,93	-1,86	-2,79	-3,72	—	—
1002 00 00 9000	C02	-20,00	-20,00	-20,00	-20,00	-20,00	—	—
	A05	0,00	0,00	0,00	0,00	0,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	—	-0,93	-1,86	-2,79	-3,72	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	-0,93	-1,86	-2,79	-3,72	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	-0,93	-1,86	-2,79	-3,72	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	C01	0	-1,27	-2,55	-3,82	-5,10	—	—
1101 00 15 9130	C01	0	-1,19	-2,38	-3,57	-4,76	—	—
1101 00 15 9150	C01	0	-1,10	-2,19	-3,29	-4,39	—	—
1101 00 15 9170	C01	0	-1,01	-2,03	-3,04	-4,05	—	—
1101 00 15 9180	C01	0	-0,95	-1,90	-2,85	-3,79	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9700	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	-1,40	-2,79	-4,19	-5,58	—	—
1103 11 10 9400	A00	0	-1,25	-2,49	-3,74	-4,98	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	-1,27	-2,55	-3,82	-5,10	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

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

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

The other destinations are as follows:

C01 All destinations except for Poland,

C02 Poland, Czech Republic, Slovak Republic, Hungary, Estonia, Latvia, Lithuania, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Slovenia, former Republic of Yugoslavia with the exception of Slovenia, Croatia and Bosnia and Herzegovina, Albania, Romania, Bulgaria, Armenia, Georgia, Azerbaijan, Moldova, Ukraine, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan,

A05 other non-member countries.

COMMISSION REGULATION (EC) No 2331/2001
of 29 November 2001
fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(8),

Whereas:

- (1) Article 13(8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, allows for the fixing of a corrective amount for the malt referred to

in Article 1(1)(c) of Regulation (EEC) No 1766/92. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (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 corrective amount referred to in Article 13(4) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 2001.

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

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

ANNEX

to the Commission Regulation of 29 November 2001 fixing the corrective amount applicable to the refund on malt

(EUR/t)

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

(EUR/t)

Product code	Destination	6th period 6	7th period 7	8th period 8	9th period 9	10th period 10	11th period 11
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	-7,09	—	-1,18	-2,36	-3,54	-4,72
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	-7,09	—	-1,18	-2,36	-3,54	-4,72
1107 20 00 9000	A00	-8,31	—	-1,39	-2,77	-4,16	-5,54

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

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

**COMMISSION REGULATION (EC) No 2332/2001
of 29 November 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 18 114 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 18 114 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 30 November 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, 29 November 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 29 November 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	148,00	1006 30 65 9100	R01	EUR/t	185,00
1006 20 13 9000	R01	EUR/t	148,00		R02	EUR/t	186,00
1006 20 15 9000	R01	EUR/t	148,00		R03	EUR/t	191,00
1006 20 17 9000	—	EUR/t	—		064	EUR/t	160,00
1006 20 92 9000	R01	EUR/t	148,00		A97	EUR/t	186,00
1006 20 94 9000	R01	EUR/t	148,00		021 and 023	EUR/t	186,00
1006 20 96 9000	R01	EUR/t	148,00	1006 30 65 9900	R01	EUR/t	185,00
1006 20 98 9000	—	EUR/t	—		064	EUR/t	160,00
1006 30 21 9000	R01	EUR/t	148,00		A97	EUR/t	186,00
1006 30 23 9000	R01	EUR/t	148,00	1006 30 67 9100	021 and 023	EUR/t	186,00
1006 30 25 9000	R01	EUR/t	148,00		064	EUR/t	160,00
1006 30 27 9000	—	EUR/t	—	1006 30 67 9900	064	EUR/t	160,00
1006 30 42 9000	R01	EUR/t	148,00	1006 30 92 9100	R01	EUR/t	185,00
1006 30 44 9000	R01	EUR/t	148,00		R02	EUR/t	186,00
1006 30 46 9000	R01	EUR/t	148,00		R03	EUR/t	191,00
1006 30 48 9000	—	EUR/t	—		064	EUR/t	160,00
1006 30 61 9100	R01	EUR/t	185,00		A97	EUR/t	186,00
	R02	EUR/t	186,00		064	EUR/t	160,00
	R03	EUR/t	191,00	1006 30 94 9100	R01	EUR/t	185,00
	064	EUR/t	160,00		R02	EUR/t	186,00
	A97	EUR/t	186,00		R03	EUR/t	191,00
	021 and 023	EUR/t	186,00		064	EUR/t	160,00
1006 30 61 9900	R01	EUR/t	185,00		A97	EUR/t	186,00
	A97	EUR/t	186,00		021 and 023	EUR/t	186,00
	064	EUR/t	160,00	1006 30 94 9900	R01	EUR/t	185,00
1006 30 63 9100	R01	EUR/t	185,00		A97	EUR/t	186,00
	R02	EUR/t	186,00		064	EUR/t	160,00
	R03	EUR/t	191,00	1006 30 96 9100	R01	EUR/t	185,00
	064	EUR/t	160,00		R02	EUR/t	186,00
	A97	EUR/t	186,00		R03	EUR/t	191,00
	021 and 023	EUR/t	186,00		064	EUR/t	160,00
1006 30 63 9900	R01	EUR/t	185,00		A97	EUR/t	186,00
	064	EUR/t	160,00		021 and 023	EUR/t	186,00
	A97	EUR/t	186,00	1006 30 96 9900	R01	EUR/t	185,00
					A97	EUR/t	186,00
					064	EUR/t	160,00
				1006 30 98 9100	021 and 023	EUR/t	186,00
				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: 3 881 t,
 all destinations R02 and R03: 2 655 t,
 destinations 021 and 023: 531 t,
 destination 064: 10 747 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 DIRECTIVE 2001/103/EC
of 28 November 2001**

amending Annex I to Council Directive 91/414/EEC concerning the placing of plant protection products on the market to include 2,4-dichlorophenoxy acetic acid (2,4-D) as an active substance

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, as last amended by Commission Directive 2001/1999/EC ⁽²⁾, and in particular Article 6(1) thereof,

Whereas:

(1) Commission Regulation (EEC) No 3600/92 of 11 December 1992 laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8(2) of Council Directive 91/414/EEC concerning the placing of plant protection products on the market ⁽³⁾, as last amended by Regulation (EC) No 2266/2000 ⁽⁴⁾, provides for the adoption of a list of certain active substances of plant protection products to be assessed with a view to their possible inclusion in Annex I to Directive 91/414/EEC. That list is contained in Commission Regulation (EC) No 933/94 of 27 April 1994 laying down the active substances of plant protection products and designating the rapporteur Member States for the implementation of Commission Regulation (EEC) No 3600/92 ⁽⁵⁾, as last amended by Regulation (EC) No 2230/95 ⁽⁶⁾, and includes 2,4-dichlorophenoxy acetic acid ('2,4-D').

(2) For 2,4-D the effects on human health and the environment have been assessed in accordance with the provisions laid down in Regulation (EEC) No 3600/92 for a range of uses proposed by the notifiers. Under Regulation (EC) No 933/94, Greece was designated as rapporteur Member State for 2,4-D. The rapporteur Member State submitted the relevant assessment report and recommendations to the Commission on 17 January 1997 in accordance with Article 7(1)(c) of Regulation (EEC) No 3600/92.

(3) This assessment report has been reviewed by the Member States and the Commission within the Standing Committee on Plant Health. The review was finalised on 2 October 2001 in the format of the Commission review report for 2,4-D.

(4) The dossiers and the information from the review of 2,4-D were also submitted to the Scientific Committee for Plants. In its opinion ⁽⁷⁾ of 21 May 2001 the Committee commented on the selection of a suitable animal model to be used for human risk assessment. The recommendation was taken into consideration in formulating this Directive and the relevant review report.

(5) It has appeared from the various examinations made that plant protection products containing 2,4-D may be expected to satisfy, in general, the requirements laid down in Article 5(1)(a) and (b) of Directive 91/414/EEC, in particular with regard to the uses which were examined and detailed in the Commission review report. It is therefore appropriate to include the active substance concerned in Annex I to that Directive, in order to ensure that in all Member States the authorisations of plant protection products containing 2,4-D can be granted in accordance with the provisions of Directive 91/414/EEC.

(6) A reasonable period should be provided for before an active substance is included in Annex I to Directive 91/414/EEC in order to permit Member States and the interested parties to prepare themselves to meet the new requirements which will result from the inclusion. Moreover, Directive 91/414/EEC provides that after inclusion of an active substance in Annex I thereto, Member States must, within a prescribed period, review and grant, vary or withdraw, as appropriate, the authorisations of the plant protection products containing the active substance. It is therefore necessary to stipulate such a period. A longer period should be provided for the submission and assessment of the complete dossier of each plant protection product in accordance with the uniform principles laid down in Directive 91/414/EEC. For plant protection products containing several active substances, the complete evaluation on the basis of the uniform principles can only be carried out when all the active substances concerned have been included in Annex I to Directive 91/414/EEC.

(7) The review report is required for the proper implementation by the Member States, of several sections of the uniform principles laid down in Directive 91/414/EEC. The finalised review report, except for confi-

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 304, 21.11.2001, p. 14.

⁽³⁾ OJ L 366, 15.12.1992, p. 10.

⁽⁴⁾ OJ L 259, 13.10.2000, p. 27.

⁽⁵⁾ OJ L 107, 28.4.1994, p. 8.

⁽⁶⁾ OJ L 225, 22.9.1995, p. 1.

⁽⁷⁾ Opinion of the Scientific Committee on Plants regarding the evaluation of 2,4-dichlorophenoxy acetic acid (2,4-D) in the context of Council Directive 91/414/EEC concerning the placing of plant protection products on the market — SCP/2,4d/002-final.

dential information, should be kept available or made available by the Member States for consultation by any interested parties. If the review report has to be updated to take account of technical and scientific developments, the conditions for the inclusion of the substance concerned in Annex I to Directive 91/414/EEC should also be amended in accordance with that Directive.

- (8) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 91/414/EEC is amended as set out in the Annex to this Directive.

Article 2

Member States shall keep available the review report for 2,4-D, except for confidential information within the meaning of Article 14 of Directive 91/414/EEC, for consultation by any interested parties or shall make it available to them on specific request.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive, by 1 April 2003 at the latest. They shall forthwith inform the Commission thereof.

In particular they shall, in accordance with Directive 91/414/EEC, where necessary, amend or withdraw existing author-

isations for plant protection products containing 2,4-D as active substance by that date.

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

2. With regard to evaluation and decision-making pursuant to the uniform principles provided for in Annex VI to Directive 91/414/EEC, on the basis of a dossier satisfying the requirements of Annex III thereto, the time limit for amending or withdrawing authorisations for plant protection products containing 2,4-D as the only active substance shall be 1 October 2006.

3. For plant protection products containing 2,4-D together with another active substance which is in Annex I to Directive 91/414/EEC, the period for amending or withdrawing authorisations shall expire four years after the entry into force of the Directive which amended Annex I so as to add the last of those substances to it.

Article 4

This Directive shall enter into force on 1 October 2002.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 28 November 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX

The following entries shall be added at the end of the table in Annex I to Directive 91/414/EEC:

No	Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
'27	2,4-D CAS No 94-75-7 CIPAC No 1	(2,4-dichlorophenoxy) acetic acid	960 g/kg	1.10.2002	30.9.2012	Only uses as herbicide may be authorised For the implementation of the uniform principles of Annex VI, the conclusions of the review report on 2,4-D, and in particular Appendices I and II thereof, as finalised in the Standing Committee on Plant Health on 2 October 2001 shall be taken into account. In this overall assessment Member States: — must pay particular attention to the protection of the groundwater, when the active substance is applied in regions with vulnerable soil and/or climatic conditions — must pay particular attention to the dermal absorption — must pay particular attention to the protection of non-target arthropods and must ensure that the conditions of authorisation include, where appropriate, risk mitigation measures

⁽¹⁾ Further details on identity and specification of active substance are provided in the review report.'

II

(Acts whose publication is not obligatory)

COUNCIL

**COUNCIL DECISION
of 29 November 2001
amending the Council's Rules of Procedure**

(2001/840/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Article 207(3) and Article 255(3) thereof,

Article 1

The Council's Rules of Procedure are hereby amended as follows:

Whereas:

1. Article 10 shall be replaced by the following and the text of footnote 1 shall be deleted:

'Article 10

Public access to Council documents

The specific provisions regarding public access to Council documents are set out in Annex III.;

- (1) In accordance with Article 255(2) of the Treaty, Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ⁽¹⁾ defines the general principles, conditions and limits governing the right of access to documents provided for in Article 255(1) of the Treaty.
- (2) Article 255(3) of the Treaty provides that the European Parliament, the Council and the Commission shall elaborate in their Rules of Procedure specific provisions regarding access to their documents.
- (3) On the basis of its Rules of Procedure adopted by Decision 2000/396/EC, ECSC, Euratom ⁽²⁾, the Council has adopted a series of acts regarding access to its documents. Those acts should be consolidated in a single text incorporating, in an annex to the Rules of Procedure, both the unchanged provisions and the substantive amendments to those acts and new provisions which are to be made in accordance with Article 18 of Regulation (EC) No 1049/2001,

2. Article 17(1)(g) shall be replaced by the following:

'(g) international agreements concluded by the Community.

Reference shall be made in the Official Journal to the entry into force of such agreements.;

3. the following point shall be added to Article 17(1):

'(h) international agreements concluded in accordance with Article 24 of the Treaty on European Union, unless the Council decides otherwise on the grounds of Articles 4 and 9 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ^(*).

Reference shall be made in the Official Journal to the entry into force of such agreements.

⁽¹⁾ OJ L 145, 31.5.2001, p. 43.

⁽²⁾ OJ L 149, 23.6.2000, p. 21. Decision as amended by Decision 2001/216/EC (OJ L 81, 21.3.2001, p. 30).

^(*) OJ L 145, 31.5.2001, p. 43.;

4. the following Annex shall be added:

'ANNEX III

SPECIFIC PROVISIONS REGARDING PUBLIC ACCESS TO COUNCIL DOCUMENTS

Article 1

Scope

Any natural or legal person shall have access to Council documents subject to the principles, conditions and limits laid down in Regulation (EC) No 1049/2001 and the specific provisions laid down in this Annex.

Article 2

Consultation as regards third-party documents

1. For the purpose of applying Article 4(5) and Article 9(3) of Regulation (EC) No 1049/2001 and unless it is clear, upon examination of the document in the light of Article 4(1), (2) and (3) of Regulation (EC) No 1049/2001, that it shall not be disclosed, the third party concerned shall be consulted if:

- (a) the document is a sensitive document as defined in Article 9(1) of Regulation (EC) No 1049/2001;
- (b) the document originates from a Member State and
 - was submitted to the Council before 3 December 2001; or
 - the Member State concerned requested that it not be disclosed without its prior agreement.

2. In all other cases, where the Council receives an application for a third-party document in its possession, the General Secretariat, for the purpose of applying Article 4(4) of Regulation (EC) No 1049/2001, shall consult the third party concerned unless it is clear, upon examination of the document in the light of Article 4(1), (2) and (3) of Regulation (EC) No 1049/2001, that it shall or shall not be disclosed.

3. The third party shall be consulted in writing (including by e-mail) and be given a reasonable time limit for its reply, taking into account the time limit laid down in Article 7 of Regulation (EC) No 1049/2001. In the cases referred to in paragraph 1, the third party shall be asked to give its opinion in writing.

4. Where the document does not fall within paragraph 1(a) or (b) and the General Secretariat, in the light of the third party's negative opinion, is not satisfied that Article 4(1) or (2) of Regulation (EC) No 1049/2001 is applicable, the Council shall be seized of the matter.

If the Council envisages the release of the document, the third party shall be informed immediately in writing of the Council's intention to release the document after a

time period of at least 10 working days. At the same time, the third party's attention shall be drawn to Article 243 of the Treaty establishing the European Community.

Article 3

Requests for consultation received from other institutions or from Member States

Requests for consultations with the Council made by another institution or a Member State concerning an application for a Council document shall be sent via e-mail to access@consilium.eu.int or by fax to +32(0)2 285 6361.

The General Secretariat shall give its opinion on behalf of the Council promptly, taking into account any time limit required for a decision to be made by the institution or the Member State concerned, and at the latest within five working days.

Article 4

Documents originating from Member States

Any request by a Member State under Article 4(5) of Regulation (EC) No 1049/2001 shall be made in writing to the General Secretariat.

Article 5

Referral of requests by Member States

When a Member State refers to a request to the Council, it shall be handled in accordance with Articles 7 and 8 of Regulation (EC) No 1049/2001 and the relevant provisions of this Annex. In the event of a total or partial refusal of access, the applicant shall be informed that any confirmatory application must be addressed directly to the Council.

Article 6

Address for applications

Applications for access to a document shall be addressed in writing to the Secretary-General of the Council/High Representative, rue de la Loi/Wetstraat 175, B-1048 Brussels, by e-mail to access@consilium.eu.int or by fax to +32(0)2 285 6361.

Article 7

Processing of initial applications

Subject to Article 9(2) and (3) of Regulation (EC) No 1049/2001, any application for access to a Council document shall be handled by the General Secretariat.

Article 8

Processing of confirmatory applications

Subject to Article 9(2) and (3) of Regulation (EC) No 1049/2001, any confirmatory application shall be decided upon by the Council.

Article 9

Charges

The charges for producing and sending copies of Council documents shall be set by the Secretary-General.

Article 10

Public register of Council documents

1. The General Secretariat shall be responsible for providing public access to the register of Council documents.

2. In addition to the references to documents, it shall be indicated in the register which documents drawn up after 1 July 2000 have already been released to the public. Subject to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data⁽¹⁾ and Article 16 of Regulation (EC) No 1049/2001, their content shall be made available on the Internet.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

Article 11

Documents directly accessible to the public

1. This Article shall apply to all Council documents, provided that they are not classified and without prejudice to the possibility of making a written application in accordance with Article 6 of Regulation (EC) No 1049/2001.

2. For the purpose of this Article:

- “circulation” shall mean distribution of the final version of a document to the members of the Council, their representatives or delegates;
- “legislative document” shall mean any document concerning the examination and adoption of a legislative act within the meaning of Article 7 of the Council's Rules of Procedure.

3. The General Secretariat shall make the following documents available to the public as soon as they have been circulated:

(a) documents of which neither the Council nor a Member State is the author, which have been made public by their author or with his agreement;

(b) provisional agenda of meetings of the Council in its various formations;

(c) any text adopted by the Council and intended to be published in the *Official Journal of the European Communities*.

4. Provided that they are clearly not covered by any of the exceptions laid down in Article 4 of Regulation (EC) No 1049/2001, the General Secretariat may also make the following documents available to the public as soon as they have been circulated:

(a) provisional agenda of committees and working parties;

(b) other documents, such as information notes, reports, progress reports and reports on the state of discussions in the Council or one of its preparatory bodies which do not reflect individual positions of delegations, excluding Legal Service opinions and contributions.

5. The General Secretariat shall make the following legislative documents available to the public, in addition to the documents referred to in paragraphs 3 and 4, as soon as they have been circulated:

(a) cover notes and copies of letters concerning legislative acts addressed to the Council by other institutions or bodies of the European Union or, subject to Article 4(5) of Regulation (EC) No 1049/2001, by a Member State;

(b) notes submitted to Coreper and/or to the Council for approval (“I/A” and “A” Item notes), as well as the draft legislative acts to which they refer;

(c) decisions adopted by the Council during the procedure referred to in Article 251 of the EC Treaty and joint texts approved by the Conciliation Committee.

6. After adoption of one of the decisions referred to in paragraph 5(c) or final adoption of the act concerned, the General Secretariat shall make available to the public any legislative documents relating to this act which were drawn up before one of such decisions and which are not covered by any of the exceptions laid down in Article 4(1), (2) and (3), second subparagraph, of Regulation (EC) No 1049/2001, such as information notes, reports, progress reports and reports on the state of discussions in the Council or in one of its preparatory bodies (“outcomes of proceedings”), excluding Legal Service opinions and contributions.

At the request of a Member State, documents which are covered by the first subparagraph and reflect the individual position of that Member State's delegation in the Council shall not be made available to the public under these provisions.'

Article 2

The following acts are hereby repealed:

- (a) Council Decision 93/731/EC of 20 December 1993 on public access to Council documents ⁽¹⁾,
- (b) Council Decision 2000/23/EC of 6 December 1999 on the improvement of information on the Council's legislative activities and the public register of Council documents ⁽²⁾,

- (c) Council Decision 2001/320/EC of 9 April 2001 on making certain categories of Council documents available to the public ⁽³⁾.

Article 3

This Decision shall enter into force on 3 December 2001.

Done at Brussels, 29 November 2001.

For the Council

The President

M. VANDERPOORTEN

⁽¹⁾ OJ L 340, 31.12.1993, p. 43. Decision as last amended by Decision 2000/527/EC (OJ L 212, 23.8.2000, p. 9).

⁽²⁾ OJ L 9, 13.1.2000, p. 22. Decision as amended by Decision 2000/527/EC.

⁽³⁾ OJ L 111, 20.4.2001, p. 29.

COMMISSION

COMMISSION DECISION

of 27 November 2001

amending Decision 93/452/EEC authorising the Member States to provide for derogations from certain provisions of Council Directive 2000/29/EC, in respect of plants of *Chamaecyparis* Spach, *Juniperus* L. and *Pinus* L., respectively, originating in Japan

(notified under document number C(2001) 3760)

(2001/841/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants and plant products and against their spread within the Community ⁽¹⁾, as last amended by Commission Directive 2001/33/EC ⁽²⁾, and in particular Article 15(1) thereof,

Having regard to the request made by the United Kingdom,

Whereas:

- (1) Under Directive 2000/29/EC, plants of *Chamaecyparis* Spach, *Juniperus* L. and *Pinus* L., other than fruits and seeds, originating in non-European countries, may in principle not be introduced into the Community.
- (2) Commission Decision 93/452/EEC of 15 July 1993 authorising the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of plants of *Chamaecyparis* Spach, *Juniperus* L. and *Pinus* L., respectively, originating in Japan ⁽³⁾, as last amended by Decision 98/641/EC ⁽⁴⁾, authorises Member States to provide for derogations for such plants provided that certain technical conditions are satisfied.
- (3) Since the circumstances justifying the authorisation still obtain and there is no new information giving cause for revision of the technical conditions, the authorisation should be extended.
- (4) Decision 93/452/EEC should therefore be amended accordingly.

- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 93/452/EEC is amended as follows:

1. In Article 1(2)(h), fourth indent, '98/641/EC' is replaced by '2001/841/EC'.
2. Article 3 is replaced by the following:

'Article 3

The authorisation granted in Article 1 shall apply from 1 June 1993 until 31 December 2002 in the case of *Pinus* and *Chamaecyparis* plants and from 1 December 2001 until 31 March 2002 in the case of *Juniperus* plants. It shall be revoked earlier, if it is established that the conditions laid down under Article 1(2) are not sufficient to prevent the introduction of harmful organisms, or have not been complied with.'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 November 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 127, 9.5.2001, p. 42.

⁽³⁾ OJ L 210, 21.8.1993, p. 29.

⁽⁴⁾ OJ L 304, 14.11.1998, p. 36.

COMMISSION DECISION

of 28 November 2001

amending Decision 93/402/EEC concerning animal health conditions and veterinary certification for imports of fresh meat from South American countries and in particular as regards to Brazil

(notified under document number C(2001) 3802)

(Text with EEA relevance)

(2001/842/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽¹⁾, as last amended by Regulation (EC) No 1452/2001 ⁽²⁾, and in particular Articles 15, 16(1), and 22 thereof,

Whereas:

- (1) The animal health conditions and veterinary certification for imports of fresh meat from Argentina, Brazil, Chile, Colombia, Paraguay and Uruguay are laid down by Commission Decision 93/402/EEC of 10 June 1993 concerning animal health conditions and veterinary certification for imports of fresh meat from South American countries ⁽³⁾, as last amended by Decision 2001/767/EC ⁽⁴⁾.
- (2) Outbreaks of foot-and-mouth disease were confirmed in the region of Rio Grande do Sul in Brazil starting on 9 May 2001 and a program of vaccination of bovines against foot-and-mouth disease has been introduced.
- (3) The Commission suspended the importation from the region of Rio Grande do Sul into the Community of all categories of fresh meat from those species susceptible to foot-and-mouth disease by Commission Decision 2001/410/EC ⁽⁵⁾ amending Decision 93/402/EEC with the effect of deleting the region in question from the list of Brazilian regions from which imports of such fresh meat are authorised.
- (4) A Commission mission took place, from 22 to 26 October 2001, in order to examine the epidemiological situation regarding foot-and-mouth disease and the control measures in place.

- (5) This examination showed that the competent veterinary authorities of Brazil have addressed the concerns identified during previous missions, and that the disease situation has now stabilised. It is therefore appropriate to lift the suspension of imports into the Community of deboned fresh meat for human consumption, and of certain meat and offal for direct treatment for pet food, and to reintroduce to that effect the region of Rio Grande do Sul into the list of Annex I to Decision 93/402/EEC.
- (6) Decision 2001/410/EC also provided for a clarification of the conditions applicable for Uruguay but this clarification is now consolidated by Decision 2001/767/EC and therefore Decision 2001/410/EC can be repealed in its entirety.
- (7) Council Directive 93/119/EC ⁽⁶⁾ requires that the veterinary health certificate accompanying meat to be imported from third countries to the European Community must be supplemented by an attestation certifying that the animals have been slaughtered under conditions which offer guarantees of humane treatment at least equivalent to the relevant provisions of the Directive; it is opportune to introduce this certification requirement into the model health certificate itself at the time when other amendments to the model are required.
- (8) It is also opportune to update the model veterinary certificates to require the container number and corresponding seal number to be included on the certificates and also to provide for an attestation on the protection of animals at the time of slaughter.
- (9) Decision 93/402/EEC should therefore be amended accordingly and Decision 2001/410/EC should be repealed.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ L 302, 31.12.1972, p. 28.

⁽²⁾ OJ L 198, 21.7.2001, p. 11.

⁽³⁾ OJ L 179, 22.7.1993, p. 11.

⁽⁴⁾ OJ L 288, 1.11.2001, p. 51.

⁽⁵⁾ OJ L 145, 31.5.2001, p. 49.

⁽⁶⁾ OJ L 340, 31.12.1993, p. 21.

HAS ADOPTED THIS DECISION:

Article 4

Article 1

This Decision is addressed to the Member States.

Annexes I, II and III to Decision 93/402/EEC are replaced by the corresponding Annexes to this Decision.

Article 2

Done at Brussels, 28 November 2001.

Decision 2001/410/EC is hereby repealed.

Article 3

This Decision shall apply from 1 December 2001 after being reviewed at the Standing Veterinary Committee scheduled for 20 to 21 November 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX

'ANNEX I

Description of territories of South America established for animal health certification purposes

Country	Territory		Description of territory
	Code	Version	
Argentina	AR	01/2001	Whole country
Brazil	BR	01/93	Whole country
	BR-1	02/2001	States of: Rio Grande do Sul; Paraná, Minas Gerais (except regional delegations of Oliveira, Passos, São Gonçalo de Sapucaí, Setelagoas and Bambuí), São Paulo, Espírito Santo, Mato Grosso do Sul (except for the municipalities of Sonora, Aquidauana, Bodoquena, Bonito, Caracol, Coxim, Jardim, Ladario, Miranda, Pedro Gomes, Porto Murtinho, Rio Negro, Rio Verde of Mato Grosso and Corumba), Santa Catarina, Goiás and the regional units of Cuiabá (except for the municipalities of San Antonio de Leverger, Nossa Senhora do Livramento, Pocone and Barão de Melgaço), Cáceres (except for the municipality of Cáceres), Lucas do Rio Verde, Rondonópolis (except for the municipality of Itiquira), Barra do Garças and Barra do Bugres in Mato Grosso
Chile	CL	01/93	Whole country
Colombia	CO	01/93	Whole country
	CO-1	01/93	The zone included within the following borderlines: from the point where the Murri River flows into the Atrato River, downstream along the Atrato River to where it flows into the Atlantic Ocean, from this point to the Panamanian border following the Atlantic coastline to Cabo Tiburón; from this point to the Pacific Ocean following the Colombian-Panamanian border; from this point to the mouth of the Valle River along the Pacific Coast and from this point along a straight line to the point where the Murri River flows into the Atrato River
	CO-2	01/93	The municipalities of Arboletas, Necoclí, San Pedro de Urabá, Turbo, Apartado, Chigorodo, Mutatá, Dabeiba, Uramita, Murindo, Riosucio (right bank of the Atrato River) and Frontino
	CO-3	01/93	The zone included within the following borderlines: from the mouth of the Sinu River on the Atlantic Ocean, upstream along the Sinu River to its head-waters of Alto Paramillo, from this point to Puerto Rey on the Atlantic Ocean, following the borderline between the Department of Antioquia and Córdoba, and from this point to the mouth of the Sinu River along the Atlantic Coast
Paraguay	PY	01/93	Whole country
Uruguay	UY	01/2001	Whole country'

ANIMAL HEALTH GUARANTEES REQUESTED ON CERTIFICATION ⁽¹⁾

Country	Territory	Model certificate for fresh meat				Model certificate for offal							Model certificate for de-boned fresh meat (not to be used for offal)			
		Species				of bovine animals						of ovines	Species			
		Bovine	Ovine- caprine	Porcine	Soliped	HC	MP				PF	PF	Bovine	Ovine- Caprine	Porcine	Soliped
1	2						3	4								
Argentina	AR	—	—	—	D	—	—	—	—	—	—	—	—	—	—	D
Brazil	BR	—	—	—	D	—	—	—	—	—	—	—	—	—	—	D
	BR-1	—	—	—	D	—	—	—	—	—	F ⁽⁵⁾	—	A ⁽⁵⁾	—	—	D
Chile	CL	B	B	H	D	B	B	B	B	B	B	B	A	C	H	D
Colombia	CO	—	—	—	D	—	—	—	—	—	—	—	—	—	—	D
	CO-1	—	—	—	D	—	—	—	—	—	—	—	A	—	—	D
	CO-2	—	—	—	D	—	—	—	—	—	—	—	—	—	—	D
	CO-3	—	—	—	D	—	—	—	—	—	—	—	A	—	—	D
Paraguay	PY	—	—	—	D	—	—	—	—	—	F	—	A	—	—	D
Uruguay	UY	B ⁽²⁾	B ⁽²⁾	—	D	B ⁽²⁾	B ⁽³⁾	B ⁽³⁾	B ⁽³⁾	B ⁽³⁾	F B ⁽³⁾	F B ⁽³⁾	A ⁽⁴⁾	C ⁽⁴⁾	—	D

⁽¹⁾ The letters (A, B, C, D, E, F, G and H) appearing on the table, are referring to the models of animal health guarantees as described in Annex III Part 2 of this Decision, to be applied for each product and origin in accordance with Article 2 of this Decision; a dash (—) indicates that imports are not authorised.

HC: Human consumption.

MP: Destined for heat-treated meat products industry:

1 = hearts.

2 = livers.

3 = masseter muscles.

4 = tongues.

PF: Destined for the pet food industry.

⁽²⁾ Only to be used for meat from animals slaughtered before the 23 March 2001.

⁽³⁾ Only to be used for offal from animals slaughtered before the 23 April 2001.

⁽⁴⁾ Only to be used for de-boned meat from animals slaughtered before the 23 April 2001 and/or after the 1 November 2001.

⁽⁵⁾ In the case of Rio Grande do Sul only to be used for de-boned meat or offal for pet food from animals slaughtered before the 9 May 2001 and/or after the 30 November 2001.’

‘ANNEX III

PART 1

ANIMAL HEALTH CERTIFICATE

Not to the importer: this certificate is for veterinary purposes only and must accompany the consignment until it reaches the border inspection post.

Country of destination:

Reference No of the public health certificate ⁽¹⁾:

Exporting country: Territory code:

Ministry:

Department:

References:

(optional)

I. Identification of meat

Meat of:

(animal species)

Nature of cuts:

Type of packaging:

Number of cuts or packages:

Net weight:

II. Origin of meat

Address(es) and veterinary approval number(s) ⁽²⁾ of the approved slaughterhouse(s):

.....

.....

Address(es) and veterinary approval number(s) ⁽²⁾ of the approved cutting plant(s):

.....

.....

Address(es) and veterinary approval number(s) ⁽²⁾ of the approved cold store(s):

.....

.....

III. Destination of meat

The meat will be sent from:

(place of loading)

to:

(country and place of destination)

by the following means of transport ⁽³⁾:

Name and address of consignor:

Name and address of consignee:

Name and address of the processing establishment ⁽⁴⁾:

⁽¹⁾ Optional.

⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in implementation of Article 19(a) of Council Directive 72/462/EEC.

⁽³⁾ For aircraft the flight number and for ships the name should be given where known; for bulk containers the number of the container and the number of the seal must be indicated.

⁽⁴⁾ For offal described in Article 1(c) intended for the manufacture of heat-treated, meat-based products or for heat-treated pet food.

PART 2

Model A

IV. Attestation of health

I the undersigned, official veterinarian, certify that:

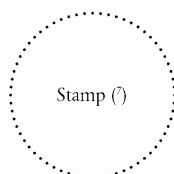
1. The de-boned fresh meat ⁽⁵⁾ described above is obtained from:
 - animals which have remained in the territory described in Annex I of Commission Decision 93/402/EEC with code ..., version No ... for at least three months before being slaughtered or since birth in the case of animals less than three months old,
 - animals having spent this period in a region in which foot-and-mouth disease vaccination programmes of bovine animals is regularly carried out and officially controlled,
 - animals which come from holdings which are not under official restriction for health reasons where, there has been no outbreak of foot-and-mouth disease in the previous 60 days, and around which, within a radius of 25 km there has been no case of foot-and-mouth disease for 30 days,
 - animals which have remained in their holding of origin for at least forty days before departure and which have been transported direct to the approved slaughterhouse concerned without passing through a market, without contact with animals which do not comply with the conditions required for export of their meat to the Community, and if conveyed in a means of transport, the latter has been cleaned and disinfected before loading,
 - animals which have passed the ante-mortem health inspection, referred to in Chapter VI of Annex I to Directive 64/433/EEC as amended, at the slaughterhouse during the 24 hours before slaughter and have in particular been subject to examination of the mouth and feet and showed no evidence of foot-and-mouth disease,
2. The de-boned fresh meat is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of meat for export to the European Community has only been authorized after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishment(s) under the control of an official veterinarian.
3. The deboned fresh meat described above originates from carcasses
 - (i) which have matured at an ambient temperature of more than + 2 °C for at least 24 hours before the bones were removed and
 - (ii) in which, after maturation and before the bones were removed, the pH value measured electronically in the middle of the longissimus dorsi muscle has been recorded as less than 6,0 in each case.
4. Date of animal slaughter ⁽⁶⁾

V. Attestation on protection on animals

I, the undersigned official veterinarian, hereby certify that:

1. I have read and understood Council Directive 93/119/EC,
2. The meat is derived from animals which have been treated in the slaughterhouse before and at the time of slaughter in accordance with the relevant provisions of Council Directive 93/119/EC.

Done at, on
(place) (date)



.....
(signature of official veterinarian) ⁽⁷⁾

.....
(name in capital letters, title and qualifications of signatory) ⁽⁷⁾

⁽⁵⁾ De-boned fresh meat: meat as laid down in the definition of Article 1 of the Commission Decision 94/302/EC.

⁽⁶⁾ Member States shall not authorize the importation of meat obtained from animals slaughtered prior to the date of authorization of that territory under Annex I or during a period when restrictive measures have been implemented by the Commission.

⁽⁷⁾ The signature and the stamp must be in a different colour to that of the printing.

Model C**IV. Attestation of health**

I the undersigned, official veterinarian, certify that:

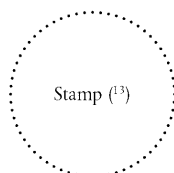
1. The de-boned fresh meat of ovine and caprine species ⁽¹⁰⁾ ⁽¹¹⁾ described above is obtained from:
 - animals which have remained in the territory described in Annex I of Commission Decision 93/402/EEC with code ..., version No ... for at least three months before being slaughtered or since birth in the case of animals less than three months old,
 - animals having spent this period in a region in which foot-and-mouth disease vaccination programmes of bovine animals is regularly carried out and officially controlled,
 - animals which come from holdings which are not under official restriction for health reasons where, there has been no outbreak of foot-and-mouth disease in the previous 90 days, and around which, within a radius of 50 km there has been no case of foot-and-mouth disease for 60 days,
 - animals which have remained in their holding of origin for at least forty days before departure and which have been transported direct to the approved slaughterhouse concerned without passing through a market, without contact with animals which do not comply with the conditions required for export of their meat to the Community, and if conveyed in a means of transport, the latter has been cleaned and disinfected before loading,
 - animals which have passed the ante-mortem health inspection, referred to in chapter VI of Annex I to Directive 64/433/EEC as amended, at the slaughterhouse during the 24 hours before slaughter and have in particular been subject to examination of the mouth and feet and showed no evidence of foot-and-mouth disease,
 - animals which have not come from a holding which for health reasons is subject to prohibition as a result of an outbreak of ovine or caprine brucellosis during the previous six weeks.
2. The de-boned fresh meat is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of meat for export to the European Community has only been authorized after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishment(s) under the control of an official veterinarian.
3. The deboned fresh meat described above originates from carcasses
 - (i) which have matured at an ambient temperature of more than + 2 °C for at least 24 hours before the bones were removed and
 - (ii) in which, after maturation and before the bones were removed, the pH value measured electronically in the middle of the longissimus dorsi muscle has been recorded as less than 6,0 in each case.
4. Date of animal slaughter ⁽¹²⁾

V. Attestation on protection of animals

I, the undersigned official veterinarian, hereby certify that:

1. I have read and understood Council Directive 93/119/EC,
2. The meat is derived from animals which have been treated in the slaughterhouse before and at the time of slaughter in accordance with the relevant provisions of Council Directive 93/119/EC.

Done at, on
(place) (date)



.....
(signature of official veterinarian) ⁽¹³⁾

.....
(name in capital letters, title and qualification of signatory) ⁽¹³⁾

⁽¹⁰⁾ De-boned fresh meat: meat as laid down in the definition of Article 1 of Commission Decision 94/302/EC.

⁽¹¹⁾ This meat shall not enter the importing Community territory for at least 21 days from the date of slaughter.

⁽¹²⁾ Member States shall not authorize the importation of meat obtained from animals slaughtered prior to the date of authorization of that territory under Annex I or during a period when restrictive measures have been implemented by the Commission.

⁽¹³⁾ The signature and the stamp must be in a different colour to that of the printing.

Model D**IV. Attestation of health**

I the undersigned, official veterinarian, certify that the fresh meat described above is obtained from animals which have remained in the territory described in Annex I of Commission Decision 93/402/EEC with code ..., version No ... for at least three months before being slaughtered or since birth in the case of animals less than three months old.

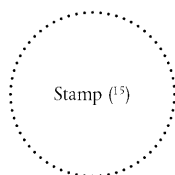
Date of animal slaughter ⁽¹⁴⁾

V. Attestation on protection of animals

I, the undersigned official veterinarian, hereby certify that:

1. I have read and understood Council Directive 93/119/EC,
2. The meat is derived from animals which have been treated in the slaughterhouse before and at the time of slaughter in accordance with the relevant provisions of Council Directive 93/119/EC.

Done at (place), on (date)



.....
(signature of official veterinarian) ⁽¹⁵⁾

.....
(name in capital letters, title and qualification of signatory) ⁽¹⁵⁾

⁽¹⁴⁾ Member States shall not authorize the importation of meat obtained from animals slaughtered prior to the date of authorization of that territory under Annex I or during a period when restrictive measures have been implemented by the Commission.

⁽¹⁵⁾ The signature and the stamp must be in a different colour to that of the printing.

Model E**IV. Attestation of health**

I the undersigned, official veterinarian, certify that:

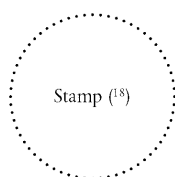
1. The offal ⁽¹⁶⁾ described above is obtained from:
 - bovine animals which have remained in the territory described in Annex I of Commission Decision 93/402/EEC with code ... version No ... for at least three months before being slaughtered or since birth in the case of animals less than three months old,
 - bovine animals having spent this period in a region in which foot-and-mouth disease vaccination programmes of bovine animals is regularly carried out and officially controlled,
 - bovine animals which come from holdings which are not under official restriction for health reasons where, there has been no outbreak of foot-and-mouth disease in the previous 12 months, and around which, within a radius of 100 km there has been no case of foot-and-mouth disease for 12 months,
 - bovine animals which have remained in their holding of origin for at least forty days before departure and which have been transported direct to the approved slaughterhouse concerned without passing through a market, without contact with animals which do not comply with the conditions required for export of their meat to the Community, and if conveyed in a means of transport, the latter has been cleaned and disinfected before loading,
 - bovine animals which have passed the ante-mortem health inspection, referred to in Chapter VI of Annex I to Directive 64/433/EEC as amended, at the slaughterhouse during the 24 hours before slaughter and have in particular been subject to examination of the mouth and feet and showed no evidence of foot-and-mouth disease.
2. The offal is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of meat for export to the European Community has only been authorised after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishment(s) under the control of an official veterinarian.
3. The offal described above has matured at a room temperature of more than + 2 °C for at least three hours, or, in the case of masseter muscles, for at least 24 hours.
4. Date of animal slaughter ⁽¹⁷⁾

V. Attestation on protection of animals

I, the undersigned official veterinarian, hereby certify that:

1. I have read and understood Council Directive 93/119/EC,
2. The meat is derived from animals which have been treated in the slaughterhouse before and at the time of slaughter in accordance with the relevant provisions of Council Directive 93/119/EC.

Done at, on
(place) (date)



.....
(signature of official veterinarian) ⁽¹⁸⁾

.....
(name in capital letters, title and qualification of signatory) ⁽¹⁸⁾

⁽¹⁶⁾ Only the offal of bovine animals intended for manufacture of heat-treated meat products is authorized for human consumption, in accordance with Article 3 of Decision 93/402/EEC.

⁽¹⁷⁾ Member States shall not authorize the importation of meat obtained from animals slaughtered prior to the date of authorization of that territory under Annex I or during a period when restrictive measures have been implemented by the Commission.

⁽¹⁸⁾ The signature and the stamp must be in a different colour of that of the printing.

Model G**IV. Attestation of health**

I the undersigned, official veterinarian, certify that:

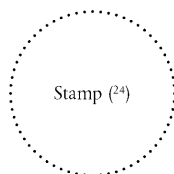
1. The offal described above is obtained from:
 - ovine animals ⁽²²⁾ which have remained in the territory described in Annex I to Commission Decision 93/402/EEC with code ..., version No ... for at least three months before being slaughtered or since birth in the case of animals less than three months old,
 - ovine animals having spent this period in a region in which foot-and-mouth disease vaccination programs of bovine animals are regularly carried out and officially controlled,
 - ovine animals which come from holdings where there has been no outbreak of foot-and-mouth disease in the previous 60 days and around which, within a radius of 25 km, there has been no case of foot-and-mouth disease for 30 days,
 - ovine animals which have passed the ante-mortem health inspection referred to in Chapter VI of Annex I to Directive 64/433/EEC at a slaughterhouse during the 24 hours before slaughter and have in particular been subject to examination of the mouth and feet and have shown no evidence of foot-and-mouth disease.
2. The offal is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of offal for export to the European Community has only been authorized after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishment(s) under the control of an official veterinarian.
3. The offal described above has matured at an ambient temperature of more than + 2 °C for at least three hours.
4. Date of slaughter ⁽²³⁾

V. Attestation on protection of animals

I, the undersigned official veterinarian, hereby certify that:

1. I have read and understood Council Directive 93/119/EC,
2. The meat is derived from animals which have been treated in the slaughterhouse before and at the time of slaughter in accordance with the relevant provisions of Council Directive 93/119/EC.

Done at, on
(place) (date)



.....
(signature of official veterinarian) ⁽²⁴⁾

.....
(name in capital letters, title and qualification of signatory) ⁽²⁴⁾

⁽²²⁾ Only the following offal of ovine animals intended exclusively for the manufacture of heat-treated pet food is authorized for importation: livers from which lymphatic glands, adhering connective tissue and fat have been completely removed. Trimmed lungs from which the trachea and main bronchi and the mediastinal and bronchial lymphatic glands have been removed and other offal without bone or cartilage from which lymphatic glands, adhering connective tissue, fat and mucus have been completely removed may also be imported. Such importation is only permitted subject to the system of channelling and to the checks and treatments laid down in Commission Decision 93/402/EEC.

⁽²³⁾ Member States shall not authorize the importation of meat obtained from animals slaughtered prior to the date of authorization of that territory under Annex I or during a period when restrictive measures have been implemented by the Commission.

⁽²⁴⁾ The signature and the stamp must be in a different colour to that of the printing.

Model H**IV. Attestation of health**

I the undersigned, official veterinarian, certify that:

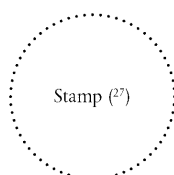
1. the territory described in Annex I to Commission Decision 93/402/EEC with code ..., version No ..., has been free for 12 months from classical swine fever, rinderpest, foot-and-mouth disease, African swine fever, swine vesicular disease and porcine enteroviral encephalomyelitis in domestic pigs and during the same period no vaccinations against these diseases have taken place;
2. the fresh meat ⁽²⁵⁾ described above is obtained from porcine animals:
 - which have remained in the territory as described under IV.1 for at least three months before being slaughtered or since birth in the case of animals less than three months old,
 - which come from holdings in which there has been no outbreak of foot-and-mouth disease or swine vesicular disease in the previous 30 days or swine fever in the previous 40 days and around which, within a radius of 10 km there has been no case of these diseases for 30 days,
 - which have been transported from their holdings of origin to the approved slaughterhouse concerned without contact with animals which do not comply with the conditions required for export of their meat to the Community, and, if conveyed in a means of transport, that the latter has been cleaned and disinfected before loading,
 - which have passed the ante-mortem health inspection referred to in Directive 72/462/EEC at the slaughterhouse during the 24 hours before slaughter and, in particular, have showed no evidence of foot-and-mouth disease,
 - which have not come from a holding which for health reasons is subject to prohibition as a result of an outbreak of porcine brucellosis during the previous six weeks.
3. The fresh meat described above is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of meat for export to the Community has been authorised only after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishments under the control of an official veterinarian.
4. Date of animal slaughter ⁽²⁶⁾

V. Attestation on protection of animals

I, the undersigned official veterinarian, hereby certify that:

1. I have read and understood Council Directive 93/119/EC,
2. The meat is derived from animals which have been treated in the slaughterhouse before and at the time of slaughter in accordance with the relevant provisions of Council Directive 93/119/EC.

Done at, on
(place) (date)



.....
(signature of official veterinarian) ⁽²⁷⁾

.....
(name in capital letters, title and qualification of signatory) ⁽²⁷⁾

⁽²⁵⁾ Fresh meat: meat as laid down in the definition of Article 1 of Decision 94/302/EC.

⁽²⁶⁾ Member States shall not authorise the importation of meat obtained from animals slaughtered prior to the date of authorisation of that territory under Annex I or during a period when restrictive measures have been implemented by the Commission.

⁽²⁷⁾ The signature and the stamp must be in a different colour to that of the printing.

COMMISSION DECISION
of 29 November 2001
providing for a compulsory beef labelling system in Luxembourg

(notified under document number C(2001) 3783)

(Only the French text is authentic)

(2001/843/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97 ⁽¹⁾, and in particular Article 13(4) thereof,

Whereas:

- (1) Article 13(3) of Regulation (EC) No 1760/2000 provides for the possibility, up until 31 December 2001, that Member States where sufficient details are available in the identification and registration system for bovine animals, may decide that for beef from animals born, fattened and slaughtered in the same Member State, supplementary items of information must also be indicated on labels.
- (2) Commission Decision 1999/375/EC ⁽²⁾ recognises the fully operation character of the Luxembourg database for bovine animals.

- (3) Luxembourg has applied to the Commission for approval for such a compulsory beef labelling system in accordance with Article 13(4) of Regulation (EC) No 1760/2000,

HAS ADOPTED THIS DECISION:

Article 1

The Luxembourg request, as summarised in the Annex, for the introduction of a compulsory labelling system for beef from animals born, fattened and slaughtered on its territory, is approved in accordance with Article 13(4) of Regulation (EC) No 1760/2000.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 29 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 204, 11.8.2000, p. 1.

⁽²⁾ OJ L 144, 9.6.1999, p. 34.

ANNEX

Labelling of beef and beef products with an indication of Luxembourgish origin

Beef and beef products from bovine animals born, raised and slaughtered in Luxembourg shall be labelled with an indication of Luxembourgish origin.

The indication of Luxembourgish origin shall be given as either 'Origin: Luxembourg' or as an indication that the animal, from which the beef was derived, was born, raised and slaughtered in Luxembourg.

CORRIGENDA**Corrigendum to Council Regulation (EC) No 466/2001 of 8 March 2001 setting maximum levels for certain contaminants in foodstuffs**

(Official Journal of the European Communities L 77 of 16 March 2001)

On page 9, Annex 1, Section 3: Heavy metals, against the entry 3.1.13, in the column headed 'Product':

for: '... Council Regulation (EEC) No 1601/91 ...',

read: '... Council Regulation (EEC) No 1601/91 ⁽²³⁾ ...'.

Corrigendum to Commission Regulation (EC) No 1777/2001 of 7 September 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

(Official Journal of the European Communities L 240 of 8 September 2001)

On page 5, in Article 1, last paragraph of the quoted matter, fourth and fifth lines:

for: '... the recommended daily intake ...',

read: '... the recommended daily allowance ...'.

Corrigendum to Commission Decision 2001/351/EC determining analysis methods, sampling plans and maximum limits for mercury in fishery products

(Official Journal of the European Communities L 77 of 16 March 2001)

On page 22, in recital 1, Annex 1, Section 3: Heavy metals, against the entry 3.1.13, in the column headed 'Product':

for: 'Commission Regulation (EC) No 466/2000 ...',

read: 'Commission Regulation (EC) No 466/2001 ...'.
