

Official Journal

of the European Communities

ISSN 0378-6978

L 16

Volume 45

18 January 2002

English edition

Legislation

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2002/38/EC:

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 75/2002
of 17 January 2002
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 18 January 2002.

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

Done at Brussels, 17 January 2002.

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 17 January 2002 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	116,2
	204	111,3
	212	110,5
	624	242,6
	999	145,2
0707 00 05	052	199,9
	220	249,0
	628	242,2
0709 90 70	999	230,4
	052	205,3
	204	311,1
	220	212,2
0805 10 10, 0805 10 30, 0805 10 50	999	242,9
	052	53,9
	204	57,1
	212	51,3
	220	48,4
	508	13,4
	999	44,8
0805 20 10	052	58,3
	204	98,8
	999	78,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	56,6
	204	85,3
	464	94,0
	624	77,0
	999	78,2
0805 50 10	052	53,8
	600	47,7
	999	50,8
0808 10 20, 0808 10 50, 0808 10 90	060	39,6
	400	109,8
	404	96,7
	720	110,9
	728	105,5
0808 20 50	999	92,5
	400	118,4
	512	64,6
	720	88,1
	999	90,4

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 76/2002**of 17 January 2002****introducing prior Community surveillance of imports of certain iron and steel products covered by the ECSC and EC Treaties originating in certain third countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3285/94 of 22 December 1994 on common rules for imports and repealing Regulation (EC) No 518/94 ⁽¹⁾, as last amended by Regulation (EC) No 2474/2000 ⁽²⁾, and in particular Article 11 thereof,

Having regard to Council Regulation (EC) No 519/94 of 7 March 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3420/83 ⁽³⁾, as last amended by Regulation (EC) No 1138/98 ⁽⁴⁾, and in particular Article 9(1) thereof,

Consultations having taken place within the committees set up under the Regulations referred to above,

Whereas:

- (1) In accordance with Regulations (EC) No 3285/94 and (EC) No 519/94, products covered by the Treaty establishing the European Coal and Steel Community are subject to the common rules for imports, and it is therefore necessary that the arrangements for Community surveillance measures in respect of ECSC products be adopted in accordance with those Regulations.
- (2) The situation on the steel market has worsened considerably in 2001 under the combined impact of a number of factors, chief among them being a marked downturn in the world economy evident from the outset of the year and the recession that began to affect some economies, including that of the United States, in the latter half of the year.
- (3) The steel market has also been unsettled by the uncertainty and hedging caused by the possibility of import restrictions on the US market following the US administration's 'Section 201' safeguard investigation.

- (4) Should import restrictions actually be applied on the US market, they are likely to cause major fluctuations in the structure of international trade, and in particular the deflection of trade towards the Community market. Such deflection could seriously harm the Community steel industry.

- (5) Available economic indicators and estimates for 2001 show the following trends:

(A) *Production.* Production of crude steel in the Community in 2001 is expected to be about 159 million tonnes. This estimate is not only 2,5 % lower than production in 2000 (163,2 million tonnes), it is also lower than the levels recorded in 1997 (159,4 million tonnes) and 1998 (159,7 million tonnes).

(B) *Imports.* Imports of ECSC iron and steel products into the Community from all third countries will remain appreciably the same as in 2000, at about 25 million tonnes. By way of comparison, Community imports of these products totalled 12,2 million tonnes in 1996. This means that steel imports into the Community have more than doubled in the past five years.

(C) *Exports.* At a probable level of about 21 million tonnes, Community exports of ECSC iron and steel products in 2001 are about 8 % down on the previous year. By way of comparison, Community imports of these products amounted to 28 million tonnes in 1996. Community exports to the US and Canada have been hit particularly hard, falling by an estimated 36 % and 32 % respectively. This trend will worsen in 2002 if restrictions are introduced on the US market. For 2001 as a whole, the Community is expected to be a net importer of iron and steel products, with a trade deficit in excess of 4 million tonnes. In 1996 the Community recorded a trade surplus of the order of 15,8 million tonnes.

(D) *Prices.* Prices for iron and steel products in 2001 were 18 % lower on average than in 2000.

⁽¹⁾ OJ L 349, 31.12.1994, p. 53.

⁽²⁾ OJ L 286, 11.11.2000, p. 1.

⁽³⁾ OJ L 67, 10.3.1994, p. 89.

⁽⁴⁾ OJ L 159, 3.6.1998, p. 1.

- (6) Since the scope of the Section 201 safeguard investigation includes pipes and tubes, the possibility of US restrictions on these products cannot be excluded. Prior surveillance should therefore be extended to pipes and tubes.
- (7) The Community's external trade statistics are not available within the periods established by Commission Regulation (EC) No 1917/2000 ⁽¹⁾, as amended by Regulation (EC) No 1669/2001 ⁽²⁾.
- (8) The interests of the Community require that imports of certain iron and steel products should be subject to prior Community surveillance in order to provide statistical information permitting rapid analysis of import trends.
- (9) The completion of the internal market requires that the formalities to be accomplished by Community importers be identical wherever the goods may be cleared.
- (10) Release for free circulation of the products covered by this Regulation should be made subject to presentation of a surveillance document meeting uniform criteria.
- (11) That document should, on simple application by the importer, be endorsed by the authorities of the Member States within a certain period but without the importer thereby acquiring any right to import. The document should therefore be valid only as long as the import rules remain unchanged.
- (12) The surveillance documents issued for the purposes of Community surveillance must be valid throughout the Community, regardless of the Member State of issue.
- (13) The Member States and the Commission should exchange the information resulting from Community surveillance as fully as possible.
- (14) The issue of surveillance documents, while subject to standard conditions at Community level, is to be the responsibility of the national authorities.
- (15) It should be reiterated that for certain iron and steel products the issue of a surveillance document is subject to presentation of an export document in accordance with arrangements established within the framework of double-checking agreements with certain third countries, and the present Regulation does not apply to products originating in those countries which are subject to such a double-checking system,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 2002 the release for free circulation in the Community of iron and steel products covered by the ECSC and EC Treaties listed in Annex I shall be subject to prior Community surveillance in accordance with Articles 11 and 12 of Regulation (EC) No 3285/94 and Articles 9 and 10 of Regulation (EC) No 519/94. This applies to imports originating in all non-member countries other than the countries of the European Free Trade Association (EFTA), countries which are parties to the Agreement on the European Economic Area (EEA), and Turkey. Products which are subject to a double-checking agreement established between a non-member country and the Community shall be subject to the conditions established by that agreement and not to this Regulation.

2. The classification of the products covered by this Regulation is based on the tariff and statistical nomenclature of the Community (hereinafter called the 'combined nomenclature', or in abbreviated form 'CN'). The origin of the products covered by this Regulation shall be determined in accordance with the rules in force in the Community.

Article 2

1. The release for free circulation in the Community of the products referred to in Article 1 shall be subject to presentation of a surveillance document issued by the relevant authorities of a Member State.

2. The surveillance document referred to in paragraph 1 shall be issued automatically by the competent authorities in the Member States, without charge and for any quantities requested, within five working days of presentation of an application by any Community importer, wherever it may be established in the Community. This application shall be deemed to have been received by the competent national authority no later than three working days after submission, unless it is proven otherwise.

3. A surveillance document issued by one of the authorities listed in Annex II shall be valid throughout the Community.

4. The surveillance document shall be made out on a form corresponding to the model at Annex I of Regulation (EC) No 3285/94 ⁽³⁾ on common rules for imports or in Annex IV to Regulation (EC) No 519/94 on common rules for imports from certain third countries. The importer's application shall include the following elements:

⁽¹⁾ OJ L 229, 9.9.2000, p. 14.

⁽²⁾ OJ L 224, 21.8.2001, p. 3.

⁽³⁾ As modified by Council Regulation (EC) 139/96 of 22 January 1996 (OJ L 21, 27.7.1996, p. 7), and taking into account the provisions of Article 2 of Council Regulation (EC) No 1103/97 of 17 June 1997 on certain provisions relating to the introduction of the euro (OJ L 162, 19.6.1997, p. 1).

- (a) the name and full address of the applicant (including telephone and fax numbers, and possible identification number used by the competent national authorities) and VAT registration number, if subject to VAT;
- (b) if applicable, the name and full address of the declarant or representative of the applicant (including telephone and fax numbers);
- (c) the full name and address of the exporter;
- (d) the exact description of the goods, including:
 - their trade name,
 - the combined nomenclature (CN) code(s),
 - the country of origin,
 - the country of consignment;
- (e) the net weight expressed in kg, and the quantity in the unit prescribed where other than net weight, by combined nomenclature heading;
- (f) the cif value of the goods in euro at the Community frontier by combined nomenclature heading;
- (g) whether the products concerned are seconds or of substandard quality⁽¹⁾;
- (h) the proposed period and place of customs clearance;
- (i) whether the application is a repeat of a previous application concerning the same contract;
- (j) the following declaration, dated and signed by the applicant with the transcription of his name in capital letters:

'I, the undersigned, certify that the information provided in this application is true and given in good faith, and that I am established in the Community.'

The importer shall also submit a copy of the contract of sale or purchase and of the pro forma invoice. If so requested, for example in cases where the goods are not directly purchased in the country of production, the importer shall present a certificate of production issued by the producing steel mill.

5. Surveillance documents may be used only for such time as arrangements for liberalisation of imports remain in force in respect of the transactions concerned. Without prejudice to possible changes in the import regulations in force or decisions taken in the framework of an agreement or the management of a quota:

- the period of validity of the surveillance document is hereby fixed at four months,
- unused or partly used surveillance documents may be renewed for an equal period.

6. The importer shall return surveillance documents to the issuing authority at the end of their period of validity.

7. The competent authorities may allow the submission of declarations or requests to be transmitted or printed by electronic means, under the conditions fixed by them. However, all

documents and evidence must be available to the competent authorities.

8. The surveillance document may be issued by electronic means as long as the customs offices involved have access to the document via a computer network.

Article 3

1. A finding that the unit price at which the transaction is effected varies from that indicated in the surveillance document by less than 5 % in either direction or that the total quantity of the products presented for import exceeds the quantity given in the surveillance document by less than 5 % shall not preclude the release for free circulation of the products in question.

2. Applications for surveillance documents and the documents themselves shall be confidential. They shall be restricted to the competent authorities and the applicant.

Article 4

1. The Member States shall communicate to the Commission:

- (a) on as regular and up-to-date a basis as possible and at least by the last day of each month, details of the quantities and values (calculated in euro) for which surveillance documents have been issued;
- (b) within six weeks of the end of each month, details of imports during that month, in accordance with Article 32 of Regulation No (EC) 1917/2000.

The information provided by Member States shall be broken down by product, CN code and by country.

2. The Member States shall give notification of any anomalies or cases of fraud which they discover and, where relevant, the basis on which they have refused to grant a surveillance document.

Article 5

Any notices to be given under this Regulation shall be given to the Commission of the European Communities and shall be communicated electronically via the integrated network set up for this purpose, unless for imperative technical reasons it is necessary to use other means of communication temporarily.

Article 6

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

This Regulation shall apply from 1 January to 31 December 2002.

⁽¹⁾ Under the criteria given in OJ C 180, 11.7.1991, p. 4.

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

Done at Brussels, 17 January 2002.

For the Commission

Pascal LAMY

Member of the Commission

ANNEX

LIST OF PRODUCTS SUBJECT TO PRIOR SURVEILLANCE (2002)

7208 10 00	7210 11 10	7213 10 00	7216 50 99
7208 25 00	7210 12 11	7213 20 00	7216 99 10
7208 26 00	7210 12 19	7213 91 10	7225 11 00
7208 27 00	7210 20 10	7213 91 20	7225 19 10
7208 36 00	7210 30 10	7213 91 41	7225 19 90
7208 37 10	7210 41 10	7213 91 49	7225 20 20
7208 37 90	7210 49 10	7213 91 70	7225 30 00
7208 38 10	7210 50 10	7213 91 90	7225 40 20
7208 38 90	7210 61 10	7213 99 10	7225 40 50
7208 39 10	7210 69 10	7213 99 90	7225 40 80
7208 39 90			7225 50 00
7208 40 10	7210 70 31		7226 11 10
7208 40 90	7210 70 39	7214 20 00	7226 11 90 (*)
7208 51 10	7210 90 31	7214 30 00	7226 19 10
7208 51 30	7210 90 33	7214 91 10	7226 19 30
7208 51 50	7210 90 38	7214 91 90	7226 19 90 (*)
7208 51 91		7214 99 10	7226 91 10
7208 51 99	7211 13 00	7214 99 31	7226 91 90
7208 52 10	7211 14 10	7214 99 39	7226 99 20
7208 52 91	7211 14 90	7214 99 50	7227 90 10
7208 52 99	7211 19 20	7214 99 61	7228 10 10
7208 53 10	7211 19 90	7214 99 69	7228 10 30
7208 53 90	7211 23 10	7214 99 80	7228 20 11
7208 54 10	7211 23 51	7214 99 90	7228 20 19
7208 54 90	7211 23 91 (*)		7228 20 30
7208 90 10	7211 23 99 (*)	7215 90 10	7228 30 20
	7211 29 20		7228 30 41
7209 15 00	7211 29 50 (*)	7216 10 00	7228 30 49
7209 16 10	7211 29 90 (*)	7216 21 00	7228 30 61
7209 16 90	7211 90 11	7216 22 00	7228 30 69
7209 17 10	7211 90 90 (*)	7216 31 11	7228 30 70
7209 17 90		7216 31 19	7228 30 89
7209 18 10		7216 31 91	7228 60 10
7209 18 91	7212 10 10	7216 31 99	7228 70 10
7209 18 99	7212 10 91	7216 32 11	7228 70 31
7209 25 00	7212 20 11	7216 32 19	7228 80 10
7209 26 10	7212 30 11	7216 32 91	7228 80 90
7209 26 90	7212 40 10	7216 32 99	7301 10 00
7209 27 10	7212 40 91	7216 33 10	Complete CN
7209 27 90	7212 50 31	7216 33 90	Heading 7304 (*)
7209 28 10	7212 50 51	7216 40 10	Complete CN
7209 28 90	7212 60 11	7216 40 90	Heading 7306 (*)
7209 90 10	7212 60 91	7216 50 10	7307 93 11 (*)
		7216 50 91	7307 93 19 (*)
			7307 99 30 (*)
			7307 99 90 (*)

(*) Products covered by the EC Treaty.

LISTA DE LAS AUTORIDADES NACIONALES COMPETENTES
LISTE OVER KOMPETENTE NATIONALE MYNDIGHEDER
LISTE DER ZUSTÄNDIGEN BEHÖRDEN DER MITGLIEDSTAATEN
ΔΙΕΥΘΥΝΣΕΙΣ ΤΩΝ ΑΡΧΩΝ ΕΚΔΟΣΗΣ ΑΔΕΙΩΝ ΤΩΝ ΚΡΑΤΩΝ ΜΕΛΩΝ
LIST OF THE COMPETENT NATIONAL AUTHORITIES
LISTE DES AUTORITÉS NATIONALES COMPÉTENTES
ELENCO DELLE COMPETENTI AUTORITÀ NAZIONALI
LIJST VAN BEVOEGDE NATIONALE INSTANTIES
LISTA DAS AUTORIDADES NACIONAIS COMPETENTES
LUETTELO TOIMIVALTAISISTA KANSALLISISTA VIRANOMAISISTA
FÖRTECKNING ÖVER BEHÖRIGA NATIONELLA MYNDIGHETER

BELGIQUE/BÈLGIE

Ministère des affaires économiques
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B-1040 Bruxelles
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Ministerie van Economische Zaken
Bestuur van de Economische Betrekkingen
Dienst Vergunningen
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Erhvervsfremme Styrelsen
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Bundesamt für Wirtschaft und Ausfuhrkontrolle
(BAFA)
Frankfurter Straße 29-35
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Service des industries manufacturières
DIGITIP
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F-75572 Paris cedex 12
Fax (33-1) 53 44 91 81

IRELAND

Department of Enterprise, Trade and Employment
Import/Export Licensing, Block C
Earlsfort Centre
Hatch Street
Dublin 2
Fax: (353-1) 631 28 26

ITALIA

Ministero delle Attività produttive
Direzione generale per la politica commerciale e per
la gestione del regime degli scambi
Viale America 341
I-00144 Roma
Fax (39) 06 59 93 22 35/06 59 93 26 36

LUXEMBOURG

Ministère des affaires étrangères
Office des licences
BP 113
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Belastingdienst douane
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Ministério da Economia
Direcção-Geral das Relações Económicas Internacionais
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Box 6803
S-113 86 Stockholm
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UNITED KINGDOM

Department of Trade and Industry
Import Licensing Branch
Queensway House, West Precinct
Billingham, Cleveland
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Fax: (44-1642) 533 557

COMMISSION REGULATION (EC) No 77/2002**of 17 January 2002****amending Annexes I and III to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin****(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, as last amended by Commission Regulation (EC) No 2162/2001 ⁽²⁾, and in particular Articles 6, 7 and 8 thereof,

Whereas:

- (1) In accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals.
- (2) Maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs.
- (3) In establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue).
- (4) For the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney. However, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues.

- (5) In the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey.
- (6) Acetylisovaleryltylosin and methylprednisolone should be inserted into Annex I to Regulation (EEC) No 2377/90.
- (7) In order to allow for the completion of scientific studies, the duration of the validity of the provisional maximum residue limits previously defined in Annex III to Regulation (EEC) No 2377/90 should be extended for cypermethrin.
- (8) An adequate period should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive 81/851/EEC ⁽³⁾, as last amended by Commission Directive 2000/37/EC ⁽⁴⁾, to take account of the provisions of this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THE FOLLOWING REGULATION:

Article 1

Annexes I and III to Regulation (EEC) No 2377/90 are hereby amended as set out in the Annex hereto.

Article 2

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

It shall apply from the 60th day following its publication.

⁽¹⁾ OJ L 224, 18.8.1990, p. 1.

⁽²⁾ OJ L 291, 8.11.2001, p. 9.

⁽³⁾ OJ L 317, 6.11.1981, p. 1.

⁽⁴⁾ OJ L 139, 10.6.2000, p. 25.

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

Done at Brussels, 17 January 2002.

For the Commission
Erkki LIIKANEN
Member of the Commission

A. Annex I to Regulation (EEC No 2377/90 is amended as follows:

1. Anti-infectious agents

1.2. Antibiotics

1.2.4. Macrolides

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Acetylisovaleryltylosin	Sum of acetyl-isovaleryltylosin and 3-O-acetyltylosin	Porcine	50 µg/kg 50 µg/kg 50 µg/kg 50 µg/kg	Muscle Skin and fat Liver Kidney'	

5. Corticoides

5.1. Glucocorticoids

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Methylprednisolone	Methylprednisolone	Bovine	10 µg/kg 10 µg/kg 10 µg/kg 10 µg/kg	Muscle Fat Liver Kidney	Not for use in animals from which milk is produced for human consumption'

B. Annex III to Regulation (EEC) No 2377/90 is amended as follows:

2. Antiparasitic agents

2.2. Agents acting against ectoparasites

2.2.3. Pyrethroids

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Cypermethrin	Cypermethrin (sum of isomers)	Salmonidae	50 µg/kg	Muscle and skin in natural proportions	Provisional MRLs expire on 1.7.2003'

COMMISSION DECISION No 78/2002/ECSC**of 17 January 2002****derogating from High Authority Recommendation No 1/64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community (169th derogation)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

maintain existing trade flows between the Community and non-member countries.

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular the third paragraph of Article 71 thereof,

(4) These are special cases in the commercial policy field justifying the authorisation of derogations pursuant to Article 3 of Recommendation No 1/64.

Having regard to High Authority Recommendation No 1/64 of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community ⁽¹⁾, as last amended by Recommendation 88/27/ECSC ⁽²⁾, and in particular Article 3 thereof,

(5) It is necessary to make sure that the tariff quotas granted will have no other function than to meet the specific needs of certain processing industries.

(6) The Governments of the Member States have been consulted on the tariff quota set out below.

Whereas:

(7) Commission Regulation (EC) No 1427/97 ⁽³⁾, which amends Regulation (EEC) No 2454/93 ⁽⁴⁾ laying down provisions for the implementation of the Community Customs Code, fixes rules for managing tariff quotas to be used in chronological order of the dates of declarations,

(1) Certain iron and steel products indispensable to the manufacture of certain goods and having very special physical and chemical characteristics are not produced in the Community, or are produced in insufficient quantities. For a number of years this insufficiency has been overcome by duty-free tariff quotas. Since Community producers are still not in a position to comply with users' present quality requirements, it is necessary to open a duty-free tariff quota at a level guaranteeing the supply of users.

HAS ADOPTED THIS DECISION:

(2) Import of these products on preferential terms is unlikely to cause injury to iron and steel undertakings in the Community which produce directly competing products.

Article 1

(3) These tariff quotas are unlikely to jeopardise the objectives of Recommendation No 1/64, but will help to

1. Member States are hereby authorised to derogate from the obligations arising pursuant to Article 1 of High Authority Recommendation No 1/64 to the extent necessary to suspend at the levels indicated the customs duties on the products set out below, within the quantities of the tariff quota set out below:

Order number	CN code	TARIC code	Description	Quota (tonnes)	Quota duty (%)	End of quota period
09.2921	(a)		Flat-rolled products of iron or non alloy steel, of a width of 600 mm or more, cold-rolled (cold-reduced) not clad, plated or coated:	200	0	31.12.2002
	ex 7209 16 90	10	Of a thickness exceeding 1 mm but less than 3 mm			
	ex 7209 17 90	10	Of a thickness of 0,5 mm or more but not exceeding 1 mm			

⁽¹⁾ OJ 8, 22.1.1964, p. 99/64.

⁽²⁾ OJ L 15, 20.1.1988, p. 13.

⁽³⁾ OJ L 196, 24.7.1997, p. 31.

⁽⁴⁾ OJ L 253, 11.10.1993, p. 1.

Order number	CN code	TARIC code	Description	Quota (tonnes)	Quota duty (%)	End of quota period
09.2922	(b)		Flat-rolled products of stainless steel, of a width of 600 mm or more not further worked than cold-rolled (cold-reduced):	700	0	31.12.2002
	ex 7219 32 10	11 12	Of a thickness of 3 mm or more but not exceeding 4,75 mm; containing by weight 2,5 % or more of nickel			
	ex 7219 33 10	11 12	Of a thickness exceeding 1 mm but less than 3 mm; containing by weight 2,5 % or more of nickel			
	ex 7219 34 10	11 12	Of a thickness of 0,5 mm or more but not exceeding 1 mm; containing by weight 2,5 % or more of nickel			
09.2927	(c)		Flat-rolled products of stainless steel, of a width of 600 mm or more not further worked than cold-rolled (cold-reduced):	1 080	0	31.12.2002
	ex 7219 33 10	13 14 15 16 17 18	Of a thickness exceeding 1 mm but less than 3 mm; containing by weight 2,5 % or more of nickel			
	ex 7219 34 10	13 14 15 16 17 18	Of a thickness of 0,5 mm or more but not exceeding 1 mm; containing by weight 2,5 % or more of nickel			

2. The abovementioned products must, in addition, comply with the following physical specifications:

(a) Products with CN codes ex 7209 16 90 and ex 7209 17 90:

High carbon steel with a carbon content by weight of 0,64-0,70 % for the production of assembly/conveyor belts with a permissible operating temperature of 400 °C. Tensile strength 1 200 N/mm² (± 10 %). Other elements or properties following special technical specification (HM 1708).

(b) Products with CN codes ex 7219 32 10 11/12, ex 7219 33 10 11/12 and ex 7219 34 10 11/12:

'NICRO' stainless steel for the production of assembly/conveyor belts with a permissible operating temperature of 350 °C.

Type (i): tensile strength 1 050 N/mm² (± 10 %). Chemical composition: maximum carbon content 0,06 %, 13 % chromium content, 4 % nickel content.

Other elements or properties following special technical specification (HM 1708).

Type (ii): tensile strength 1 200 N/mm² (± 15 %). Chemical composition: maximum carbon content 0,15 %, 17 % chromium content, 7 % nickel content.

Other elements or properties following special technical specification (HM 1708).

(c) Products with CN codes ex 7219 33 10 13/14/15/16/17/18 and ex 7219 34 10 13/14/15/16/17/18:

Stainless steel for the production of assembly/conveyor belts.

Type (i): tensile strength 1 200 N/mm². Chemical composition: 0,1 % carbon content, 0,6 % silicon content, 1,4 % manganese content, 17,5 % chromium content, 7,5 % nickel content.

Other elements or properties following special technical specification (HM 1712).

Type (ii): tensile strength 1 200 N/mm². Chemical composition: 0,06 % carbon content, 0,6 % silicon content, 1,4 % manganese content, 18,5 % chromium content, 8,5 % nickel content.

Other elements or properties following special technical specification.

Type (iii): tensile strength 1 000 N/mm². Chemical composition: 0,05 % carbon content, 0,6 % silicon content, 1,7 % manganese content, 17,5 % chromium content, 12,5 % nickel content, 2,7 % molybdenum content.

Other elements or properties following special technical specification.

Type (iv): tensile strength 1 080 N/mm². Chemical composition: maximum carbon content 0,05 %, maximum silicon content 1 %, 13 % chromium content, 4 % nickel content, 0,3 % titanium content.

Other elements or properties following special technical specification (HM 1710).

Type (v): tensile strength 1 150 N/mm². Chemical composition: maximum carbon content 0,08 %, 1,5 % silicon content, 14 % chromium content, 7 % nickel content, 0,7 % copper content.

Other elements or properties following special technical specification (HM 1701).

Type (vi): tensile strength 1 200 N/mm². Chemical composition: 0,03 % carbon content, 0,6 % silicon content, 15,25 % chromium content, 4,9 % nickel content, 3,25 % copper content.

Other elements or properties following special technical specification.

NB: the composition of products (a), (b) and (c)(i) to (vi) may vary within the limits of the standards in force relating to analysis.

Article 2

Member States are hereby authorised to derogate from the obligations arising pursuant to Article 1 of High Authority Recommendation No 1/64 to the extent necessary to suspend at the levels indicated the customs duties on the products set out below, within the quantities of the tariff quota set out below:

Order Number	CN code	TARIC code	Description	Quota (tonnes)	Quota duty (%)	End of quota period
09.2923	a) ex 7227 90 95	15	Special wire rod for the manufacture of oil-tempered valve spring wire with a diameter of 5 mm or more but not exceeding 15 mm, of other alloy steel containing by weight: 0,5 % or more but not more than 0,8 % of carbon 0,1 % or more but not more than 1,7 % of silicon 0,5 % or more but not more than 0,8 % of manganese 0,03 % or less of sulphur 0,03 % or less of phosphorus 0,4 % or more but not more than 0,8 % of chrome 0,1 % or more but not more than 0,3 % of vanadium	5 000	0	31.12.2002

Article 3

The tariff quotas referred to in Articles 1 and 2 shall be managed by the Commission, in accordance with Articles 308a to 308c of Regulation (EEC) No 2454/93. The Commission may make any appropriate administrative measures to ensure that they are managed efficiently.

Article 4

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volume so permits.

Article 5

Following the expiry of the Treaty establishing the European Coal and Steel Community on 23 July 2002, the relevant provisions of the Treaty establishing the European Community shall apply.

Article 6

The Member States and the Commission shall cooperate closely to ensure that this Decision is complied with.

Article 7

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

It shall apply from 1 January until 31 December 2002.

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

Done at Brussels, 17 January 2002.

For the Commission

Pascal LAMY

Member of the Commission

COMMISSION REGULATION (EC) No 79/2002
of 17 January 2002
concerning the issue of A licences for the import of garlic

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1047/2001 of 30 May 2001 introducing a system of import licences and certificates of origin and establishing the method for managing the tariff quotas for garlic imported from third countries ⁽¹⁾, as amended by Regulation (EC) No 1865/2001 ⁽²⁾,

Whereas:

- (1) Article 8(1) of Regulation (EC) No 1047/2001 provides that if quantities covered by applications for A licences exceed the quantities available, the Commission is to fix a simple reduction percentage and suspend the issue of such licences covered by subsequent applications.
- (2) Quantities applied for on 14 and 15 January 2002 under Article 4(1) of Regulation (EC) No 1047/2001 for products originating in China exceed the quantities available. The extent to which A licences can be issued, and whether the issue of those licences should be suspended for any subsequent applications, should therefore be determined,

Article 1

A import licences covered by applications under Article 1(1), of Regulation (EC) No 1047/2001 for products originating in China on 14 and 15 January 2002 and forwarded to the Commission on 16 January 2002 shall be issued, with the entry referred to in Article 1(2) of that Regulation, at the rate of:

- 14,648 % of the quantity applied for, for traditional importers,
- 0,575 % of the quantity applied for, for new importers.

Article 2

The issue of A import licences relating to the quarter running from 1 March 2002 to 31 May 2002 covered by applications under Regulation (EC) No 1047/2001 for products originating in China is hereby suspended for applications lodged after 16 January 2002. Applications for the quarter running from 1 June 2002 to 31 August 2002 may be lodged from 8 April 2002.

Article 3

This Regulation shall enter into force on 18 January 2002.

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

Done at Brussels, 17 January 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 145, 31.5.2001, p. 35.

⁽²⁾ OJ L 254, 22.9.2001, p. 3.

COMMISSION REGULATION (EC) No 80/2002
of 17 January 2002
concerning the issue of A licences for the import of garlic

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1047/2001 of 30 May 2001 introducing a system of import licences and certificates of origin and establishing the method for managing the tariff quotas for garlic imported from third countries ⁽¹⁾, as last amended by Regulation (EC) No 1865/2001 ⁽²⁾,

Whereas:

- (1) Article 8(1) of Regulation (EC) No 1047/2001 provides that if quantities covered by applications for A licences exceed the quantities available, the Commission is to fix a simple reduction percentage and suspend the issue of such licences covered by subsequent applications.
- (2) Quantities applied for on 14 and 15 January 2002 under Article 4(1) of Regulation (EC) No 1047/2001 for products originating in Argentina exceed the quantities available. The extent to which A licences can be issued, and whether the issue of those licences should be suspended for any subsequent applications, should therefore be determined,

Article 1

A import licences covered by applications under Article 1(1), of Regulation (EC) No 1047/2001 for products originating in Argentina on 14 and 15 January 2002 and forwarded to the Commission on 16 January 2002 shall be issued, with the entry referred to in Article 1(2) of that Regulation, at the rate of:

- 48,594 % of the quantity applied for, for traditional importers,
- 5,110 % of the quantity applied for, for new importers.

Article 2

The issue of A import licences relating to the quarter running from 1 March 2002 to 31 May 2002 covered by applications under Regulation (EC) No 1047/2001 for products originating in Argentina is hereby suspended for applications lodged after 16 January 2002. Applications for the quarter running from 1 June 2002 to 31 August 2002 may be lodged from 8 April 2002.

Article 3

This Regulation shall enter into force on 18 January 2002.

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

Done at Brussels, 17 January 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 145, 31.5.2001, p. 35.

⁽²⁾ OJ L 254, 22.9.2001, p. 3.

COMMISSION REGULATION (EC) No 81/2002
of 17 January 2002
concerning the issue of A licences for the import of garlic

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1047/2001 of 30 May 2001 introducing a system of import licences and certificates of origin and establishing the method for managing the tariff quotas for garlic imported from third countries ⁽¹⁾, as last amended by Regulation (EC) No 1865/2001 ⁽²⁾,

Whereas:

- (1) Article 8(1) of Regulation (EC) No 1047/2001 provides that if quantities covered by applications for A licences exceed the quantities available, the Commission is to fix a simple reduction percentage and suspend the issue of such licences covered by subsequent applications.
- (2) Quantities applied for on 14 and 15 January 2002 under Article 4(1) of Regulation (EC) No 1047/2001 for products originating in all third countries other than China and Argentina exceed the quantities available. The extent to which A licences can be issued, and whether the issue of those licences should be suspended for any subsequent applications, should therefore be determined,

Article 1

A import licences covered by applications under Article 1(1), of Regulation (EC) No 1047/2001 for products originating in all third countries other than China and Argentina on 14 and 15 January 2002 and forwarded to the Commission on 16 January 2002 shall be issued, with the entry referred to in Article 1(2) of that Regulation, at the rate of:

- 19,966 % of the quantity applied for, for traditional importers,
- 5,372 % of the quantity applied for, for new importers.

Article 2

The issue of A import licences relating to the quarter running from 1 March 2002 to 31 May 2002 covered by applications under Regulation (EC) No 1047/2001 for products originating in all third countries other than China and Argentina is hereby suspended for applications lodged after 16 January 2002. Applications for the quarter running from 1 June 2002 to 31 August 2002 may be lodged from 8 April 2002.

Article 3

This Regulation shall enter into force on 18 January 2002.

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

Done at Brussels, 17 January 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 145, 31.5.2001, p. 35.

⁽²⁾ OJ L 254, 22.9.2001, p. 3.

COMMISSION REGULATION (EC) No 82/2002
of 17 January 2002
on issuing A2 export licences for 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 1961/2001 of 8 October 2001 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2427/2001 ⁽²⁾ set the indicative refund rates and the indicative quantities for A2 export licences, other than those applied for in the context of food aid.
- (2) For tomatoes, in view of the economic situation and taking account of information received by operators via their applications for A2 licences, the definitive refund rate should be set at a different rate from the indicative rate. The percentage for the issuing of licences for the quantities applied for should also be set. The definitive rate may not be more than 50 % more than the indicative rate.
- (3) Pursuant to Article 3(5) of Regulation (EC) No 1961/2001, applications for rates in excess of the cor-

responding definitive rates shall be considered null and void,

HAS ADOPTED THIS REGULATION:

Article 1

1. For A2 export licences for which applications have been submitted pursuant to Article 1 of Regulation (EC) No 2427/2001 the actual date of application referred to in the second subparagraph of Article 3(1) of Regulation (EC) No 1961/2001 is hereby set at 18 January 2002.

2. The licences referred to in the first paragraph shall be issued at the definitive refund rate and at the percentage for the quantities applied for as indicated in the Annex to this Regulation.

3. Pursuant to Article 3(5) of Regulation (EC) No 1961/2001, applications referred to in the first paragraph for rates in excess of the corresponding definitive rate set out in the Annex shall be considered null and void.

Article 2

This Regulation shall enter into force on 18 January 2002.

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

Done at Brussels, 17 January 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 268, 9.10.2001, p. 8.

⁽²⁾ OJ L 328, 13.12.2001, p. 22.

ANNEX

Product	Definitive refund rates (EUR/t net)	Percentages for the issuing of licences
Tomatoes	20	100 %

COMMISSION REGULATION (EC) No 83/2002
of 17 January 2002
on the issuing of system A3 export licences in the fruit and vegetables sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1961/2001 of 8 October 2001 laying down detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, and in particular Article 4(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2427/2001 ⁽²⁾ opens an invitation to tender setting the indicative refund rates and indicative quantities for system A3 export licences other than those tendered for as part of food aid.
- (2) In the light of the tenders submitted, the maximum refund rates and the percentages for reducing the quantities awarded for tenders quoting those maximum rates should be set.
- (3) In the case of oranges, lemons and apples, the maximum rate necessary to award licences for the indicative

quantity up to the quantities tendered for is not more than one-and-a-half times the indicative refund rate,

HAS ADOPTED THIS REGULATION:

Article 1

In the case of oranges, lemons and apples, the maximum refund rates and the percentages for reducing the quantities awarded under the invitation to tender opened by Regulation (EC) No 2427/2001 shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 18 January 2002.

Done at Brussels, 17 January 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Product	Maximum refund rate (EUR/t net)	Percentage awarded of quantities tendered for quoting the maximum refund rate
Oranges	37	66 %
Lemons	19	100 %
Apples	17	22 %

⁽¹⁾ OJ L 268, 9.10.2001, p. 8.

⁽²⁾ OJ L 328, 13.12.2001, p. 22.

COMMISSION REGULATION (EC) No 84/2002
of 17 January 2002
on the issuing of export licences for products processed from 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 1429/95 of 23 June 1995 on implementing rules for export refunds on products processed from fruit and vegetables other than those granted for added sugars ⁽¹⁾, as last amended by Regulation (EC) No 1962/2001 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2029/2001 ⁽³⁾ specifies the quantities which may be covered by applications submitted for export licences with advance fixing of the refund other than those applied for in connection with food aid.
- (2) Article 4 of Regulation (EC) No 1429/95 lays down the conditions under which special measures may be taken by the Commission to prevent an overrun in the quantities for which export licence applications may be submitted.
- (3) In view of the information available to the Commission as of today, the quantity of 293 tonnes of glacé cherries in the Annex to Regulation (EC) No 2029/2001, reduced or increased by the quantities referred to in Article 4(1)

of Regulation (EC) No 1429/95, would be exceeded if licences were issued with advanced fixing of refunds without restriction in response to applications submitted since 11 January 2002. A reducing factor should accordingly be applied to the quantities applied for on 11 January 2002, and applications for export licences with advance fixing of refunds submitted subsequently with a view to such licences being issued during the current period should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

Export licences with advance fixing of the refund for glacé cherries for which applications were submitted on 11 January 2002 pursuant to Article 1 of Regulation (EC) No 2029/2001 shall be issued for 37,6 % of the quantities applied for.

Applications for export licences with advance fixing of refunds for the above product submitted after 11 January 2002 and before 22 February 2002 shall be rejected.

Article 2

This Regulation shall enter into force on 18 January 2002.

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

Done at Brussels, 17 January 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 141, 24.6.1995, p. 28.

⁽²⁾ OJ L 268, 9.10.2001, p. 19.

⁽³⁾ OJ L 274, 17.10.2001, p. 11.

COMMISSION REGULATION (EC) No 85/2002**of 17 January 2002****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 18 January 2002.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 141, 24.6.1999, 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, 17 January 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 17 January 2002 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⁾	8,40	—	0
1703 90 00 ⁽¹⁾	13,35	—	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 86/2002**of 17 January 2002****fixing the maximum export refund for white sugar for the 23rd 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 23rd 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 23rd 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 39,678 EUR/100 kg.

Article 2

This Regulation shall enter into force on 18 January 2002.

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

Done at Brussels, 17 January 2002.

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 87/2002
of 17 January 2002
altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 42/2002 ⁽²⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 42/2002 to the information known to the Commission that the export refunds at present in

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 42/2002 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 January 2002.

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

Done at Brussels, 17 January 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 7, 11.1.2002, p. 16.

ANNEX

to the Commission Regulation of 17 January 2002 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	34,73 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	33,74 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	34,73 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	33,74 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,3775
1701 99 10 9100	A00	EUR/100 kg	37,75
1701 99 10 9910	A00	EUR/100 kg	36,68
1701 99 10 9950	A00	EUR/100 kg	36,68
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,3775

⁽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 28(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 2020/2001 (OJ L 273, 16.10.2001, p. 6).

COMMISSION REGULATION (EC) No 88/2002
of 17 January 2002
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 11 to 17 January 2002, 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 18 January 2002.

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

Done at Brussels, 17 January 2002.

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 89/2002
of 17 January 2002
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 11 to 17 January 2002, 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 18 January 2002.

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

Done at Brussels, 17 January 2002.

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 90/2002
of 17 January 2002
fixing the maximum export refund on rye in connection with the invitation to tender 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 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 11 to 17 January 2002, pursuant to the invitation to tender issued in Regulation (EC) No 1005/2001, the maximum refund on exportation of rye shall be EUR 29,99/t.

Article 2

This Regulation shall enter into force on 18 January 2002.

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

Done at Brussels, 17 January 2002.

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 91/2002
of 17 January 2002
fixing the maximum reduction in the duty on maize imported in connection with the invitation to
tender issued in Regulation (EC) No 9/2002

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 9/2002⁽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 11 to 17 January 2002, pursuant to the invitation to tender issued in Regulation (EC) No 9/2002, the maximum reduction in the duty on maize imported shall be 27,69 EUR/t and be valid for a total maximum quantity of 25 000 tonnes.

Article 2

This Regulation shall enter into force on 18 January 2002.

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

Done at Brussels, 17 January 2002.

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 3, 5.1.2002, p. 29.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.

DIRECTIVE 2001/100/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 7 December 2001
amending Council Directive 70/220/EEC on the approximation of the laws of the Member States on
measures to be taken against air pollution by emissions from motor vehicles
(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

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

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

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾,

Whereas:

- (1) Council Directive 70/220/EEC ⁽⁴⁾ is one of the separate directives under the type-approval procedure laid down by Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽⁵⁾.
- (2) Directive 98/69/EC of the European Parliament and of the Council of 13 October 1998 relating to measures to be taken against air pollution by emissions from motor vehicles and amending Council Directive 70/220/EEC ⁽⁶⁾ introduced specific emission limits for carbon monoxide and hydrocarbons in combination with a new test to measure those emissions at low temperatures in order to adapt the behaviour of the emission control system of vehicles of category M₁ and category N₁, class I, with positive-ignition engines to the ambient conditions experienced in practice.
- (3) The Commission has determined appropriate low temperature emission limits for vehicles of category N₁ class II and III with positive-ignition engines. It is now also appropriate to include within the scope of the low temperature test vehicles of category M₁ with positive-ignition engines designed to carry more than six occu-

pants and vehicles of category M₁ with positive-ignition engines whose maximum mass exceeds 2 500 kg, which were previously excluded.

- (4) Because of their emission characteristics, it is appropriate to exempt vehicles with positive-ignition engines that run only on gas fuel (LPG or NG) from the low temperature test. Vehicles where the petrol system is fitted for emergency purposes or starting only and where the petrol tank cannot contain more than 15 litres of petrol, should be regarded as vehicles that can run only on a gaseous fuel.
- (5) It is appropriate to align the test for low temperature emissions with the test for emissions at a normal ambient temperature. The test at low temperature is therefore restricted to vehicles of category M and N with a maximum mass not exceeding 3 500 kg.
- (6) Directive 70/220/EEC should be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Annexes I and VII to Directive 70/220/EEC are hereby amended in accordance with the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive within nine months of its entry into force. They shall forthwith inform the Commission thereof.

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

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

⁽¹⁾ OJ C 365 E, 19.12.2000, p. 268.

⁽²⁾ OJ C 139, 11.5.2001, p. 1.

⁽³⁾ Opinion of the European Parliament of 15 May 2001 (not yet published in the Official Journal), Council Common Position of 16 October 2001 (not yet published in the Official Journal) and Decision of the European Parliament of 14 November 2001 (not yet published in the Official Journal).

⁽⁴⁾ OJ L 76, 6.4.1970, p. 1. Directive as last amended by Directive 2001/1/EC of the European Parliament and of the Council (OJ L 35, 6.2.2001, p. 34).

⁽⁵⁾ OJ L 42, 23.2.1970, p. 1. Directive as last amended by Directive 2000/40/EC of the European Parliament and of the Council (OJ L 203, 10.8.2000, p. 9).

⁽⁶⁾ OJ L 350, 28.12.1998, p. 1.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 7 December 2001.

For the European Parliament

The President

N. FONTAINE

For the Council

The President

I. DURANT

ANNEX

AMENDMENTS TO ANNEX I TO DIRECTIVE 70/220/EEC

1. Table I.5.2., type VI, shall be replaced by the following:

Type-approval test	Positive-ignition engined vehicles of categories M and N	Compression-ignition engined vehicles of categories M ₁ and N ₁
Type VI	Yes (maximum mass ≤ 3,5 t)	—

2. Section 5.3.5. shall be amended as follows:

Footnote reference 1 and footnote 1 itself shall be deleted.

3. Section 5.3.5.1. shall be replaced by the following:

'5.3.5.1. This test must be carried out on all vehicles of category M₁ and N₁ equipped with a positive-ignition engine except such vehicles that run only on a gaseous fuel (LPG or NG). Vehicles that can be fuelled with both petrol and a gaseous fuel, but where the petrol system is fitted for emergency purposes or starting only and of which the petrol tank cannot contain more than 15 litres of petrol will be regarded for the Type VI test as vehicles that can only run on a gaseous fuel.

Vehicles which can be fuelled with petrol and either LPG or NG shall be tested in the test Type VI on petrol only.

This section is applicable to new types of vehicles of category M₁ and category N₁, class I, except vehicles designed to carry more than six occupants and vehicles the maximum mass of which exceeds 2 500 kg ⁽¹⁾.

From 1 January 2003, this section is applicable to new types of vehicles of category N₁ classes II and III, new types of category M₁ vehicles designed to carry more than six occupants and new types of vehicles of category M₁ with a maximum mass greater than 2 500 kg but not exceeding 3 500 kg.

⁽¹⁾ This section is applicable to new types from 1 January 2002.'

4. The table in section 5.3.5.2. shall be replaced by the following table:

Test temperature 266 K (− 7 °C)			
Category	Class	Mass of carbon monoxide (CO) L ₁ (g/km)	Mass of hydrocarbons (HC) L ₂ (g/km)
M ₁ ⁽¹⁾	—	15	1,8
N ₁	I	15	1,8
N ₁ ⁽²⁾	II	24	2,7
	III	30	3,2

⁽¹⁾ Except vehicles designed to carry more than six occupants and vehicles the maximum mass of which exceeds 2 500 kg.

⁽²⁾ And those category M₁ vehicles which are specified in note 1.'

AMENDMENTS TO ANNEX VII TO DIRECTIVE 70/220/EEC

5. The first sentence of section 1 shall be amended as follows:

'1. This Annex applies only to vehicles with positive-ignition engines as defined in section 5.3.5. of Annex I.'

6. The first sentence of section 2.1.1 shall be amended as follows:

'2.1.1. This chapter deals with the equipment needed for low ambient temperature exhaust emission tests on vehicles equipped with positive-ignition engines, as defined in section 5.3.5. of Annex I.'

7. In section 4.3.3, footnote reference 1 shall be deleted, as shall also the footnote itself.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 December 2001

setting out the survey parameters and laying down the code and standard rules for the transcription, in machine-readable form, of the data relating to the surveys on plantations of certain species of fruit trees

(notified under document number C(2001) 4626)

(2002/38/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/625/EEC, of 20 July 1976, concerning the statistical surveys to be carried out by the Member States in order to determine the production potential of plantations of certain species of fruit trees ⁽¹⁾, and in particular Article 4(2) and (4) thereof,

Whereas:

(1) The equipment which the Commission has to analyse the survey results on plantations of certain species of fruit trees and the need to use this equipment in a rational way requires that the machine-readable media compatible with this equipment be specified and that a standard format be prescribed for the transcription of data in machine-readable form.

(2) In certain production areas there are homogeneous climatic and agronomic conditions corresponding to fairly considerable uniformity of fruit yields per hectare; the use of the survey results for each of these production areas increases the accuracy of the medium-term estimates of production; the limits of these production areas will be set out.

(3) It is necessary to survey the technical characteristics which are likely to be changed, in order to ensure that the statistics are constantly adapted to economic conditions.

(4) The measures provided for in this Decision are in line with the opinion of the Standing Committee on Agricultural Statistics, instituted by Council Decision 72/279/EEC ⁽²⁾,

HAS ADOPTED THIS DECISION:

Article 1

The limits of the production areas to be set and their respective codes are set out in Annex I to this Decision.

Article 2

The statistical classes on the age of the trees planted referred to in Article 2(1)(B) of Directive 76/625/EEC are listed in Annex II to this Decision.

Article 3

The species of fruit and the varieties referred to in Article 2(1)(A) of Directive 76/625/EEC are listed in Annex III to this Decision.

Article 4

The statistical classes for the net area planted, the number of trees and the density of plantation referred to in Article 2(1)(C) of Directive 76/625/EEC are listed in Annex IV to this Decision.

⁽¹⁾ OJ L 218, 11.8.1976, p. 10.

⁽²⁾ OJ L 179, 7.8.1972, p. 1.

Article 5

The codes for the transcription, on computer or multimedia medium, of the data referred to in Article 4 of Directive 76/625/EEC must conform to the description given in Annex V to this Decision.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 27 December 2001.

For the Commission

Pedro SOLBES MIRA

Member of the Commission

ANNEX I

Limits of production areas (where appropriate, by species) together with their codes

Country	Country code	Territorial division	Territorial division code	References to NUTS
Belgium	05	Constitutes a single geographical area		
Denmark	09	Constitutes a single geographical area		
Germany	01	Norden	01	Schleswig-Holstein Niedersachsen Hamburg Bremen
		Mitte	02	Nordrhein-Westfalen Hessen Rheinland-Pfalz Saarland
		Süden	03	Baden-Württemberg Bayern
		Ost	04	Brandenburg Mecklenburg-Vorpommern Sachsen Sachsen-Anhalt Thüringen Berlin
Greece	10	Peloponnisos	01	
(Appels)		Makedonia	02	Anatoliki Makedonia, Traki Kentriki Makedonia Dytiki Makedonia
		Thessalia	03	
		Other areas	96	Attiki Nisia Aigaiou, Kriti Ipeiros Ionia Nisia Dytiki Ellada Stereia Ellada
(Pears)		Peloponnisos	01	
		Makedonia	02	Anatoliki Makedonia, Traki Kentriki Makedonia Dytiki Makedonia
		Thessalia	03	
		Kriti	04	
		Other areas	97	Attiki Nisia Aigaiou Ipeiros Ionia Nisia Dytiki Ellada Stereia Ellada
(Peaches)		Makedonia	02	Anatoliki Makedonia, Traki Kentriki Makedonia Dytiki Makedonia
		Thessalia	03	
		Other areas	92	Kentriki Ellada Attiki Nisia Aigaiou, Kriti

Country	Country code	Territorial division	Territorial division code	References to NUTS
(Apricots)		Peloponnisos	01	
		Makedonia	02	Anatoliki Makedonia, Traki Kentriki Makedonia Dytiki Makedonia
		Other areas	95	Attiki Nisia Aigaiou, Kriti Thessalia Ipeiros Ionia Nisia Dytiki Ellada Stereia Ellada
(Oranges)		Peloponnisos	01	
		Kriti	04	
		Ipeiros	05	
		Kentriki Ellada Kai Evia	06	Ionia Nisia Dytiki Ellada Stereia Ellada
		Nisia Aigaiou	07	Voreio Aigaio Notio Aigaio
		Other areas	99	Voreia Ellada Attiki
(Lemons)		Peloponnisos	01	
		Kriti	04	
		Kentriki Ellada Kai Evia	06	Ionia Nisia Dytiki Ellada Stereia Ellada
		Nisia Aigaiou	07	Voreio Aigaio Notio Aigaio
		Other areas	94	Voreia Ellada Attiki Ipeiros
(Small-fruited citrus)		Peloponnisos	01	
		Kriti	04	
		Nisia Aigaiou	07	Voreio Aigaio Notio Aigaio
		Other areas	93	Voreia Ellada Attiki Ipeiros Ionia Nisia Dytiki Ellada Stereia Ellada
Spain	11	Galicia	01	
		Principado de Asturias	02	
		Cantabria	03	
		País Vasco	04	
		Navarra	05	
		La Rioja	06	
		Aragón	07	
		Cataluña	08	
		Baleares	09	
		Castilla y León	10	
		Madrid	11	
		Castilla-La Mancha	12	

Country	Country code	Territorial division	Territorial division code	References to NUTS
France (Apples and pears)	02	Comunidad Valenciana	13	
		Región de Murcia	14	
		Extremadura	15	
		Andalucía	16	
		Canarias	17	
		Aquitaine	11	
		Midi-Pyrénées	12	
		Limousin	13	
		Auvergne	14	
		Rhône-Alpes	21	
		Languedoc-Roussillon	22	
		Provence-Alpes-Côte d'Azur	23	
		Corse	24	
		Île de France	31	
		Pays de Loire	32	
		Poitou-Charentes	33	
		Centre	34	
		Other areas	40	Nord-Pas-de-Calais Est Champagne-Ardenne Picardie Haute-Normandie Basse-Normandie Bourgogne Bretagne
(Peaches)		Aquitaine	11	
		Midi-Pyrénées	12	
		Limousin	13	
		Auvergne	14	
		Rhône-Alpes	21	
		Languedoc-Roussillon	22	
		Provence-Alpes-Côte d'Azur	23	
		Corse	24	
		Loire	30	Île de France Pays de Loire Poitou-Charentes Centre
		Other areas	40	Nord-Pas-de-Calais Est Basse-Normandie Bourgogne Bretagne Champagne-Ardenne Haute-Normandie Picardie
(Apricots, oranges, lemons and small-fruited citrus)		Sud-Ouest	10	Aquitaine Midi-Pyrénées Limousin Auvergne

Country	Country code	Territorial division	Territorial division code	References to NUTS
Ireland Italy		Rhône-Alpes	21	Île de France Pays de Loire Poitou-Charentes Centre Nord-Pas-de-Calais Est Champagne-Ardenne Picardie Haute-Normandie Basse-Normandie Bourgogne Bretagne
		Languedoc-Roussillon	22	
		Provence-Alpes-Côte d'Azur	23	
		Corse	24	
		Loire	30	
		Other areas	40	
	08	Constitutes a single geographical area		
	03	Lombardia	02	
		Lazio	06	
		Campania	08	
		Valle d'Aosta	12	
		Liguria	13	
		Emilia-Romagna	25	
		Piemonte	27	
		Trentino Alto-Adige	31	
		Veneto	32	
		Friuli-Venezia Giulia	33	
		Toscana	51	
		Umbria	52	
		Marche	53	
		Abruzzi	71	
		Molise	72	
		Puglia	91	
		Basilicata	92	
		Calabria	93	
		Sicilia	94	
		Sardegna	95	
Luxembourg	06	Constitutes a single geographical area		
Netherlands	04	Constitutes a single geographical area		
Austria	13	Constitutes a single geographical area		
Portugal	12	Norte	01	
		Centro	02	
		Lisboa e Vale do Tejo	03	
		Alentejo	04	
		Algarve	05	
		Região Autónoma dos Açores	06	
		Região Autónoma da Madeira	07	
Finland	14	Constitutes a single geographical area		
Sweden	15	Constitutes a single geographical area		
United Kingdom	07	Constitutes a single geographical area		

ANNEX II

Age classes of plantations of certain species of fruit trees

The age classes ⁽¹⁾ are defined as follows:

			(Years)
	Apple and pear trees	Peach and apricot trees	Orange, lemon and small-fruited citrus trees
1	0-4	0-4	0-4
2	5-9	5-9	5-9
3	10-14	10-14	10-14
4	15-24	15-19	15-24
5	25 and over	20 and over	25-39
6 ⁽¹⁾	—	—	40 and over

⁽¹⁾ In the case of apple, pear, peach and apricot trees, the information relating to class 6 is seven zeros.

The area of each age class is given in ares.

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⁽¹⁾ The date of grafting has no influence on the age of the trees.

ANNEX III

Codes per species and variety to be applied when transmitting to the Commission the results of the statistical surveys on the plantations of certain species of fruit trees

Species/varieties	Species code	Variety code
1. Apple trees		
<i>Apple trees producing dessert apples</i>	01	
Cardinal		001
Discovery		002
Gravenstein/Grasten		003
James Grieve		005
Worcester Pearmain		006
Reine des Reinettes/Goldparmäne		007
Ingrid Marie		008
McIntosh		009
Jonathan		010
Red Delicious, etc. (groupe) and Starking Delicious		011
Golden Delicious and Golden Spur		012
Spartan		013
Reinette du Canada		014
Cox's Orange Pippin		015
Boskoop		016
Morgenduft (Imperatore) and Rome Beauty		017
Rambour d'hiver		018
Granny Smith		019
Reinette du Mans		020
Annurca		021
Stayman		022
Glockenapfel		023
Abbondanza		026
Holsteiner Cox		027
Reinette Clochard		028
Gloster		031
Crispin/Mutzu		033
Melrose		034
Egremont Russet		035
Lobo		036
Luxembourg Triumph		038
Luxembourg Reinette		039
Fyriki		042
Delicious Pilafa		043
Jonagold		044
Katy		045
Idared		046
Elstar		047
Reinette Parda		050
Starkinson and clones (Coopers)		051
Verde doncella		052
Fiesta		053
Groupe Gala		054
Braeburn		055

Species/varieties	Species code	Variety code
Prima		056
Akane		057
Top Red Delicious		058
Alkmine		059
Jumba		060
Casa Nova de Alcobaça		061
Aroma		062
Limoncella		063
Autres Reinettes		064
Jersey Mac		065
Berlepsch		066
Ontario		067
Groupe Fuji		068
Kronprinz Rudolf		069
Pigeon		070
Delcorf		071
Pirja		072
Jonagored		073
Pinova		074
Topaz		075
Cripps Pink		076
Delblush		077
Arlet		078
RubINETte		079
Early Gold		080
Other varieties (to be specified by the Member State)		900-998
Varieties not elsewhere specified		999
<i>Apple trees producing apples to be used exclusively for uses other than dessert apples (optional)</i>	02	
Bramley's Seedling		001
Other varieties (to be specified by the Member State)		900-998
Varieties not elsewhere specified		999
2. Pear trees		
<i>Pear trees producing dessert pears</i>	03	
Gentile Bianca		001
Coscia		002
Butirra Precoce Morettini		003
Spadoncina		004
Jules Guyot/Limonera		005
Santa Maria Morettini		006
Spadona d'Estate		007
William's		008
Clara Frijs		009
Clapp's Favourite		010
Triomphe de Vienne		012
Alexandrine Douillard		013
Beurré Hardy		014
Durondeau		015
Légipont/Charneu		016
Louise Bonne d'Avranches		017
Abate Fetel		018
Conférence		019

Species/varieties	Species code	Variety code
Kaiser Alexander		021
Doyenné du Comice		022
Passe Crassane		023
Alexandra Lucas		024
Decana d'Inverno		025
Packam's Triumph		026
Epine du Mas		027
Madernassa		028
Butirra d'Estate		029
Curé		030
William's rouge		031
Krystalli		034
Blanquilla		035
M.P. Morettini		036
Ercolini		037
Rocha		038
Kontoula		039
Général Leclerc		040
Roma		041
Concorde		042
Castell		043
Max red Bartlett		044
Flor de invierno		045
Devoe		046
Highland		047
Groupe Nashi		048
Double Philippe		049
St Remy		050
Etrusca		051
Tosca		052
Harrow Sweet		053
Precoce di Fiorano		054
Rosada		055
Boscs Flaschenbirne		056
Other varieties (to be specified by the Member State)		900-998
Varieties not elsewhere specified		999
<i>Pear trees producing pears destined exclusively for uses other than dessert pears (optional)</i>	04	
Saint Rémy		001
Gieser Wildman		002
Other varieties (to be specified by the Member State)		900-998
Varieties not elsewhere specified		999
3. Peach trees		
<i>Peach trees producing white-flesh fruit</i>	05	
Groupe Springtime (earliness 1 or very early):		510
Springtime		511
Mayflower		512
Morettini No 1 and 5/4		513
Other		519

Species/varieties	Species code	Variety code
Group Robin (earliness 2 and 3 or early):		530
Robin		531
Alexandra		532
Amsden		533
Grezzano (Zorzi)		534
Iris rosso		535
Other		539
Group Maria Bianca (earliness 4, 5 and 6 or season):		540
Maria Bianca		541
Redwing		542
Bella di Cesena		543
Rosa del West		544
Other		549
Group Michellini (earliness 7 and 8 or late):		550
Michellini et Impero		551
Honey dew Hale		552
Pieri 81		553
Duchessa D'Este		554
K2		555
Maria Delizia		556
Other		559
Group Paraguya (earliness 9 and 10 or very late):		560
Paraguya		561
Other		569
Nectarines		700
Group Snow-Queen (earliness 2 and 3 or early):		710
Snow-Queen		711
Caldesi 2000		712
Other		719
Group Silver Gem (earliness 4 and 5 or season):		720
Silver Gem		721
Queen Giant		722
Caldesi 2010		723
Other		729
Group Flavor Giant (earliness 6 and 7):		730
Flavor Giant		731
Queen Ruby		732
Other		739
Group September Queen (earliness > 7):		740
September Queen		741
Ruby Gem		742
Mid Silver		743
Other		749
Group Silver Star (earliness 7 and 8 or late):		750
Caldesi 2020		751
Silver star		752

Species/varieties	Species code	Variety code
Other nectarines not specified	06	799
Other white-flesh varieties (to be specified by the Member State)		900-998
Varieties not elsewhere specified		999
<i>Peach trees producing yellow-flesh fruit</i>		
Group Maycrest (earliness 1 or very early):		510
Maycrest		511
Armgold		512
Other		519
Group Springcrest (earliness 2 or early):		520
Springcrest		521
Spring Lady		522
Merrill Gem Free 1		523
Royal Gem		524
Royam Glory		525
Springbelle (Bella di San Tomé)		526
Other		529
Group Cardinal (earliness 3 or early):		530
Cardinal		531
Dixired		532
June Gold		533
Other		539
Group Redhaven (earliness 4 or season):		540
Redhaven		541
Sudanell		542
Maruja		543
Royal Vee		544
Other		549
Group Glohaven (earliness 5 or season):		560
Glohaven		561
Redtop		562
Fairhaven		563
Elegant Lady		564
María Marta		565
Rich Lady		566
Sinphonie		567
Triogam		568
Other		569
Group Cresthaven (earliness 6 and 7 or late):		570
Cresthaven		571
Andros		572
Loadel		573
Suncrest		574
Vivian		575
Merril Franciscan		576
Loring		577
Dixon		578
Other		579

Species/varieties	Species code	Variety code
Group J.H. Hale (earliness 8, 9 and 10 or very late):		580
J.H. Hale		581
Tardio de Calanda		582
Elberta		583
Fayette		584
Roubidoux		585
Padana		586
Roberta Barolo		587
Other		589
Group Pavie/Percoche:		600
Fortuna		601
Klamt		602
Caroline		603
Vesuvio		604
Babygold 5, 6 and 7		605
Bowen		606
Katherina		607
Merriam		608
Adriatica		610
Federica		611
Jungerman		612
Loadel		613
Romea		614
Tebana		615
Other		609
Nectarines		700
Group Armking-Mayred (earliness 1 and 2 or very early):		710
Armking-Mayred		711
Other		719
Group Grimson-Maygrand (earliness 3 or early):		720
Grimson-Maygrand		721
Adriana		722
Ambra		723
Aurelio Grand		724
Venus		725
Other		729
Group Stark Red gold (earliness 4, 5 and 6 or season):		730
Stark Red gold		731
Independance		732
Nectared		733
Big Top		734
Early Sungrand		735
Maria Carla		736
Other		739

Species/varieties	Species code	Variety code
Group Fantasia (earliness 7 and 8 or late):		740
Fantasia		741
Caldesi 84		742
Morsiani 51		743
Sweet Lady		744
Sweet Red		745
Weinberger		746
Others		749
Group Fairlane (earliness 9 and 10 or very late):		750
Fairlane		751
Others		759
Other yellow-flesh varieties (to be specified by the Member State)		900-998
Varieties not elsewhere specified		999
<i>Peach trees producing fruit with flesh of another colour or a non-specified colour</i>	07	
Varieties to be specified by the Member State		900-998
Varieties not elsewhere specified		999
4. Apricot trees	08	
Polonais		001
Rouge du Roussillon		002
Bergeron		003
Cafona		004
Boccuccia		005
Monaco Bello		006
Bebecou		007
Précoce de Tyrinthe		009
Bulida		010
Canino		011
Moniqui		012
Currot		014
Paviot		015
Précoce d'Imola (Cremonini)		018
S. Castrese		019
Pepitos		020
Galta Rocha		021
Louissette		022
Tadeo		023
Rojo del Medio		024
Palabras		025
Labertin No 1		026
Jaubert		027
Real Fino		028
Orangered or NJA 32		029
Goldrich		030
Hargrand		031
Rouge de Fournes		032
Aurora		033

Species/varieties	Species code	Variety code
Klosterneuburger/Ungarische Beste		034
Alba		035
Caldesi		036
Ceccona		037
Fracasso		038
Ninfa		039
Perla		040
Pisana		041
Sabbatani		042
Vitillo		043
Other varieties (to be specified by the Member State)		900-998
Varieties not elsewhere specified		999
5. Orange trees	09	
<i>Orange trees producing sanguine oranges</i>		
Sanguinello		001
Moro		002
Tarocco		004
Sanguigna Comune		042
Other sanguine oranges (to be specified by the Member State)		900-948
Varieties not elsewhere specified		949
<i>Orange trees producing non-sanguine oranges</i>		
Ovale/Calabrese		003
Belladonna		006
Shamotti (Jaffa)		008
Salustiana		009
De Setúbal		010
Valencia Late		015
Bionda Comune		016
D. João		023
Espera de Vidigueira		026
Bionda Apirena		029
Vaniglia Apirena		030
Cadenera		031
Koina		034
Group Navels:		050
Merlin or Washinton Navel		051
Navelina or Dalmau		052
Navel New Hall		053
Thonson Navel		054
Navelate		055
Lane Late		056
Other Navel Oranges		059
Other non-sanguine oranges (to be specified by the Member State)		950-998
Varieties not elsewhere specified		999

Species/varieties	Species code	Variety code
6. Lemon trees	10	
Femminello Ovale		001
Femminello di S. Teresa		002
Monachello		003
Inter Donato		004
Lunario Tondo (Arancino)		005
Lunario Sfusato (Palermo)		006
Maglini		007
Karystini		008
Adamopoulou		009
Lisboa		010
Eureka		011
Groupe Berna		012
Groupe Mesero		013
Lunero (4 Seasons)		014
Real		015
Comune		016
Zagata bianca		017
Other varieties (to be specified by the Member State)		900-998
Varieties not elsewhere specified		999
7. Small-fruited citrus trees	11	
Avana		101
Tardivo o Di Ciaculli		102
Common mandarin		103
Wiling		104
Kara		105
Encore		107
Setubalense		109
Carvalhais		110
Other varieties of mandarines (to be specified by the Member State)		190-198
Varieties not elsewhere specified		199
Clémentine de Corse		201
Montreal		202
Clementina Comune		203
Fina		204
Oroval		205
Clemenules or Clémentine Di Nules		206
Clémentine Porou		208
Hernandina		209
Marisol		210
Arrufatina		211
Oronules		212
Clementard		213
Ortanique		214
Ellendale		215
Clemenvilla o nova		111
Fortune		112
Other varieties of clementines (to be specified by the Member State)		290-298
Varieties not elsewhere specified		299

Species/varieties	Species code	Variety code
Satsuma		301
Clausellina		302
Owari		306
Okitsu ou Ohitsu		308
Wase		309
Miagawa		310
Other varieties of satsumas (to be specified by the Member State)		390-398
Varieties not elsewhere specified		399
Tangelo Mapo		401
Mandarine clementine o nova		501
Other varieties of small-fruited citrus trees (to be specified by the Member State)		900-998
Varieties not elsewhere specified		999

ANNEX IV

Classes of density of plantation of certain species of fruit trees

Density of plantation (trees/ha)	Code
Apple and pear trees:	
Less than 400	1
400 to 799	2
800 to 1 599	3
1 600 to 2 399	4
2 400 to 3 199	5
3 200 to 3 999	6
4 000 and over (*)	7
Total	10
Peach and apricot trees:	
Less than 299	1
300 to 599	2
600 to 899	3
900 to 1 199	4
1 200 to 1 499	5
1 500 and over (*)	6
Total	10
Orange, lemon and small-fruited citrus trees:	
Less than 249	1
250 to 499	2
500 to 749	3
750 to 999	4
1 000 to 1 499	5
1 500 to 1 999	6
2 000 to 2 499	7
2 500 to 2 999	8
3 000 and over (*)	9
Total	10

(*) 'Open-ended' class: the average density relating to the open-ended class must be stated.

ANNEX V

Computer specifications

1. The information recorded in accordance with the characteristics referred to in Article 2 of Directive 76/625/EEC must be communicated to the Commission on computer or multimedia medium, in accordance with the following procedure:
2. The information shall reproduce the results of the survey, but shall not relate to individual holdings;
3. Data shall be recorded in TXT format with fixed-length entries (58 characters);
4. Structure of entry

Each entry shall consist of the following 12 fields:

(1) Country code		(two digits)
(2) Territorial division code		(two digits)
(3) Species code		(two digits)
(4) Variety code		(three digits)
(5) Density code		(two digits)
(6) Average density relating to the open-ended class (trees/hectare)		(five digits)
(7) }	Area in ares relating to six age classes	(seven digits)
(8) }		
(9) }		
(10) }		
(11) }		
(12) }		

The information entered is to be lined up on the right of each field. The coding for the first five fields is given in the special provisions of this Annex as are the six seven-digit fields, containing the area in ares in each of the six age classes.

5. Member States shall specify, in their transmission documents, the number of species and the number of varieties for each species.