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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 219/2002**  
**of 6 February 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1498/98 <sup>(2)</sup>, 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 7 February 2002.

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

Done at Brussels, 6 February 2002.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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<sup>(1)</sup> OJ L 337, 24.12.1994, p. 66.

<sup>(2)</sup> OJ L 198, 15.7.1998, p. 4.

## ANNEX

**to the Commission Regulation of 6 February 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

| CN code                                        | Third country code <sup>(1)</sup> | Standard import value |
|------------------------------------------------|-----------------------------------|-----------------------|
| 0702 00 00                                     | 052                               | 117,9                 |
|                                                | 204                               | 76,0                  |
|                                                | 212                               | 110,5                 |
|                                                | 999                               | 101,5                 |
| 0707 00 05                                     | 052                               | 184,6                 |
|                                                | 220                               | 230,6                 |
|                                                | 628                               | 196,8                 |
|                                                | 999                               | 204,0                 |
| 0709 90 70                                     | 052                               | 184,6                 |
|                                                | 204                               | 148,4                 |
|                                                | 999                               | 166,5                 |
| 0805 10 10, 0805 10 30, 0805 10 50             | 052                               | 62,6                  |
|                                                | 204                               | 49,8                  |
|                                                | 212                               | 36,6                  |
|                                                | 220                               | 44,2                  |
|                                                | 508                               | 22,3                  |
|                                                | 624                               | 85,2                  |
|                                                | 999                               | 50,1                  |
| 0805 20 10                                     | 052                               | 64,1                  |
|                                                | 204                               | 86,2                  |
|                                                | 999                               | 75,2                  |
| 0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90 | 052                               | 68,9                  |
|                                                | 204                               | 69,3                  |
|                                                | 220                               | 71,0                  |
|                                                | 464                               | 136,5                 |
|                                                | 600                               | 108,7                 |
|                                                | 624                               | 77,5                  |
|                                                | 999                               | 88,6                  |
| 0805 50 10                                     | 052                               | 59,6                  |
|                                                | 600                               | 44,6                  |
|                                                | 999                               | 52,1                  |
| 0808 10 20, 0808 10 50, 0808 10 90             | 060                               | 34,8                  |
|                                                | 400                               | 118,3                 |
|                                                | 404                               | 88,2                  |
|                                                | 720                               | 115,6                 |
|                                                | 728                               | 111,7                 |
|                                                | 999                               | 93,7                  |
| 0808 20 50                                     | 388                               | 110,4                 |
|                                                | 400                               | 111,8                 |
|                                                | 528                               | 109,2                 |
|                                                | 999                               | 110,5                 |

<sup>(1)</sup> 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 220/2002**  
**of 6 February 2002**  
**repealing Regulation (EC) No 2460/2001 relating to the issuing of a standing invitation to tender**  
**for the export of barley held by the French intervention agency**

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<sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000<sup>(2)</sup>, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93<sup>(3)</sup>, as last amended by Regulation (EC) No 1630/2000<sup>(4)</sup>, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies.

- (2) For economical reasons, it is appropriate to repeal the invitation to tender under Commission Regulation (EC) No 2460/2001<sup>(5)</sup>.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 2460/2001 is hereby repealed.

*Article 2*

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

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

Done at Brussels, 6 February 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 191, 31.7.1993, p. 76.

<sup>(4)</sup> OJ L 187, 26.7.2000, p. 24.

<sup>(5)</sup> OJ L 331, 15.12.2001, p. 15.

**COMMISSION REGULATION (EC) No 221/2002**  
**of 6 February 2002**  
**amending Regulation (EC) No 466/2001 setting maximum levels for certain contaminants in**  
**foodstuffs**  
**(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 315/93 of 8 February 1993 laying down Community procedures for contaminants in food <sup>(1)</sup>, and in particular Article 2(3) thereof,

Whereas:

- (1) Regulation (EEC) No 315/93 provides that maximum levels must be set for contaminants in foodstuffs in order to protect public health.
- (2) Commission Regulation (EC) No 466/2001 <sup>(2)</sup>, as amended by Council Regulation (EC) No 2375/2001 <sup>(3)</sup>, sets maximum levels for certain contaminants in foodstuffs to apply from 5 April 2002. In particular, Annex I thereto sets levels for lead, cadmium and mercury in certain fishery products.
- (3) It is essential, in order to protect public health, to keep contaminants at levels which are toxicologically acceptable. Maximum levels for lead, cadmium and mercury must be safe and as low as reasonably achievable (ALARA) based upon good manufacturing and agricul-

tural/fishery practices. On the basis of new analytical data it is necessary to revise the relevant provisions of Annex I to Regulation (EC) No 466/2001 for these contaminants in certain fishery products. The revised provisions maintain a high level of consumer health protection.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Foodstuffs,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 466/2001 is amended in accordance with the Annex to this Regulation.

*Article 2*

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

It shall apply from 5 April 2002.

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

Done at Brussels, 6 February 2002.

*For the Commission*

David BYRNE

*Member of the Commission*

<sup>(1)</sup> OJ L 37, 13.2.1993, p. 1.

<sup>(2)</sup> OJ L 77, 16.3.2001, p. 1.

<sup>(3)</sup> OJ L 321, 6.12.2001, p. 1.

## ANNEX

Section 3 (Heavy metals) of Annex I to Regulation (EC) No 466/2001 is amended as follows:

(a) concerning lead (Pb), the points 3.1.4, 3.1.4.1 and 3.1.6 are replaced by the following:

| Product                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Maximum level<br>(mg/kg wet weight) | Performance criteria for<br>sampling | Performance criteria for<br>methods of analysis |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------------------|-------------------------------------------------|
| 3.1.4. Muscle meat (*) of fish as defined in categories (a), (b) and (e) of the list of Article 1 of Council Regulation (EC) No 104/2000 (OJ L 17, 21.1.2000, p. 22), excluding fish species listed in 3.1.4.1                                                                                                                                                                                                                                                                                                                                                                 | 0,2                                 | Directive 2001/22/EC                 | Directive 2001/22/EC                            |
| 3.1.4.1. Muscle meat (*) of:<br>bonito ( <i>Sarda sarda</i> ),<br>common two-banded seabream ( <i>Diplodus vulgaris</i> ),<br>eel ( <i>Anguilla anguilla</i> ),<br>grey mullet ( <i>Mugil labrosus labrosus</i> ),<br>grunt ( <i>Pomadasys benneti</i> ),<br>horse mackerel or scad ( <i>Trachurus trachurus</i> ),<br>sardine ( <i>Sardina pilchardus</i> ),<br>sardinops ( <i>Sardinops species</i> ),<br>spotted seabass ( <i>Dicentrarchus punctatus</i> ),<br>tuna ( <i>Thunnus species</i> and <i>Euthynnus species</i> ),<br>wedge sole ( <i>Dicologlossa cuneata</i> ) | 0,4                                 | Directive 2001/22/EC                 | Directive 2001/22/EC                            |
| 3.1.6. Bivalve molluscs                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 1,5                                 | Directive 2001/22/EC                 | Directive 2001/22/EC                            |

(\*) Where fish are intended to be eaten whole, the maximum level shall apply to the whole fish.'

(b) concerning cadmium (Cd), the points 3.2.5, 3.2.5.1 and 3.2.6 are replaced by the following:

| Product                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Maximum level<br>(mg/kg wet weight) | Performance criteria for<br>sampling | Performance criteria for<br>methods of analysis |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------------------|-------------------------------------------------|
| 3.2.5. Muscle meat (*) of fish as defined in categories (a), (b) and (e) of the list of Article 1 of Regulation (EC) No 104/2000, excluding fish species listed in 3.2.5.1                                                                                                                                                                                                                                                                                                                                                                                                        | 0,05                                | Directive 2001/22/EC                 | Directive 2001/22/EC                            |
| 3.2.5.1. Muscle meat (*) of:<br>bonito ( <i>Sarda sarda</i> ),<br>common two-banded seabream ( <i>Diplodus vulgaris</i> ),<br>eel ( <i>Anguilla anguilla</i> ),<br>European anchovy ( <i>Engraulis encrasicolus</i> ),<br>grey mullet ( <i>Mugil labrosus labrosus</i> ),<br>horse mackerel or scad ( <i>Trachurus trachurus</i> ),<br>louvar or luvar ( <i>Luvatus imperialis</i> ),<br>sardine ( <i>Sardina pilchardus</i> ),<br>sardinops ( <i>Sardinops species</i> ),<br>tuna ( <i>Thunnus</i> and <i>Euthynnus species</i> ),<br>wedge sole ( <i>Dicologlossa cuneata</i> ) | 0,1                                 | Directive 2001/22/EC                 | Directive 2001/22/EC                            |
| 3.2.6. Crustaceans, excluding brown meat of crab and excluding head and thorax meat of lobster and similar large crustaceans ( <i>Nephropidae</i> and <i>Palinuridae</i> )                                                                                                                                                                                                                                                                                                                                                                                                        | 0,5                                 | Directive 2001/22/EC                 | Directive 2001/22/EC                            |

(\*) Where fish are intended to be eaten whole, the maximum level shall apply to the whole fish.'

(c) concerning mercury (Hg), the point 3.3.1.1 is replaced by the following:

| Product                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Maximum level<br>(mg/kg wet weight) | Performance criteria for<br>sampling | Performance criteria for<br>methods of analysis |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------------------|-------------------------------------------------|
| '3.3.1.1. Anglerfish ( <i>Lophius species</i> ),<br>Atlantic catfish ( <i>Anarhichas lupus</i> ),<br>bass ( <i>Dicentrarchus labrax</i> ),<br>blue ling ( <i>Molva dipterygia</i> ),<br>bonito ( <i>Sarda sarda</i> ),<br>eel ( <i>Anguilla species</i> ),<br>emperor or orange roughy ( <i>Hoplostethus atlanticus</i> ),<br>grenadier ( <i>Coryphaenoides rupestris</i> ),<br>halibut ( <i>Hippoglossus hippoglossus</i> ),<br>marlin ( <i>Makaira species</i> ),<br>pike ( <i>Esox lucius</i> ),<br>plain bonito ( <i>Orcynopsis unicolor</i> ),<br>portuguese dogfish ( <i>Centroscymines coelolepis</i> ),<br>rays ( <i>Raja species</i> ),<br>redfish ( <i>Sebastes marinus</i> , <i>S. mentella</i> , <i>S. viviparus</i> ),<br>sail fish ( <i>Istiophorus platypterus</i> ),<br>scabbard fish ( <i>Lepidopus caudatus</i> , <i>Aphanopus carbo</i> ),<br>shark (all species),<br>snake mackerel or butterfish ( <i>Lepidocybium flavobrunneum</i> , <i>Ruvettus pretiosus</i> , <i>Gempylus serpens</i> ),<br>sturgeon ( <i>Acipenser species</i> ),<br>swordfish ( <i>Xiphias gladius</i> ),<br>tuna ( <i>Thunnus species</i> and <i>Euthynnus species</i> ) | 1,0 mg/kg                           | Directive 2001/22/EC                 | Directive 2001/22/EC                            |

## COMMISSION DIRECTIVE 2002/8/EC

of 6 February 2002

**amending Directives 72/168/EEC and 72/180/EEC concerning the characteristics and minimum conditions for examining vegetable and agricultural varieties respectively**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/457/EEC of 29 September 1970 on the common catalogue of varieties of agricultural plant species <sup>(1)</sup>, as last amended by Directive 98/96/EC <sup>(2)</sup>, and in particular Article 7(2) thereof,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed <sup>(3)</sup>, as last amended by Directive 98/96/EC, and in particular Article 7(2) thereof,

Whereas:

- (1) Commission Directives 72/168/EEC of 14 April 1972 on determining the characteristics and minimum conditions for inspecting vegetable varieties <sup>(4)</sup> and 72/180/EEC of 14 April 1972 determining the characteristics and minimum conditions for examining agricultural varieties <sup>(5)</sup> have established, with a view to official acceptance of the varieties in the Member States' catalogues, the characteristics to be covered as a minimum by the examinations of the various species, as well as the minimum requirements for carrying out the examinations.
- (2) Test guidelines relating to the examinations have recently been issued by the Administrative Council of the Community Plant Variety Office established by Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights <sup>(6)</sup>, as amended by Regulation (EC) No 2506/95 <sup>(7)</sup>, in respect of certain species.
- (3) It is necessary to establish consistency between the test guidelines, on the one hand, and the determination of the characteristics to be covered as a minimum by the examination of the species and also the minimum requirements for carrying out those examinations, on the other.
- (4) Directives 72/168/EEC and 72/180/EEC should therefore be amended accordingly.
- (5) The new provisions should also apply to the varieties which have not been accepted by 31 March 2002 for inclusion in the common catalogues.
- (6) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee

on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DIRECTIVE:

## Article 1

Directive 72/168/EEC is hereby amended as follows:

1. Article 1 is replaced by the following:

## 'Article 1

1. Member States shall provide that the official examinations carried out for the acceptance of varieties shall cover at least the following characteristics:

- (a) for tomato (*Lycopersicon lycopersicum* L. Karsten ex. Farw.), leek (*Allium porrum* L.), French beans (*Phaseolus vulgaris* L.), cabbage (*Brassica oleracea* L. convar. *Capitata* (L.) Alef.), cauliflower (*Brassica oleracea* L. convar. *Botrytis* (L.) Alef. Var. *botrytis* L.) and lettuce (*Lactuca sativa* L.), those characteristics listed in the respective test guidelines entitled "Protocol for Distinctness, Uniformity and Stability Tests", issued by the Administrative Council of the Community Plant Variety Office pursuant to Article 56 of Council Regulation (EC) No 2100/94 <sup>(\*)</sup>, and published in the Official Gazette of the Community Plant Variety Office.

All the characteristics shall be referred to, providing that observation of a characteristic is not rendered impossible by the expression of any other characteristic, and providing that the expression of a characteristic is not prevented by the environmental conditions under which the test is conducted. This provision is without prejudice to the application of provisions governing vegetable varieties.

- (b) for other vegetable species, those characteristics listed in Annex I.

2. Member States shall ensure that:

- (a) in respect of the vegetable species listed in point (a) of paragraph 1, the minimum requirements for carrying out the examinations in respect of trial design and growing conditions, as laid down in the test guideline referred to in paragraph 1, point (a), are fulfilled at the time of the examinations;
- (b) in respect of other vegetable species, the minimum requirements for carrying out the examinations, as listed in Annex II, are fulfilled at the time of the examinations.

<sup>(1)</sup> OJ L 225, 12.10.1970, p. 1.

<sup>(2)</sup> OJ L 25, 1.2.1999, p. 27.

<sup>(3)</sup> OJ L 225, 12.10.1970, p. 7.

<sup>(4)</sup> OJ L 103, 2.5.1972, p. 6.

<sup>(5)</sup> OJ L 108, 8.5.1972, p. 8.

<sup>(6)</sup> OJ L 227, 1.9.1994, p. 1.

<sup>(7)</sup> OJ L 258, 28.10.1995, p. 3.

<sup>(\*)</sup> OJ L 227, 1.9.1994, p. 1.

2. In Annex I, points 2, 9, 12, 13, 14, 26, 29 and 33 are deleted.
3. In Annex II, Part A, points 2, 9, 12, 13, 14, 26, 29 and 33 are deleted.

#### Article 2

Directive 72/180/EEC is hereby amended as follows.

1. Article 1 is replaced by the following:

##### 'Article 1

1. Member States shall provide that the official examinations carried out for the acceptance of varieties shall cover at least the following characteristics:

- (a) in respect of the characteristics as regards the examination of distinctness, stability and uniformity:

- (i) for wheat (*Triticum aestivum* L.) and maize (*Zea mays* L.), those characteristics listed in the respective test guidelines entitled "Protocol for Distinctness, Uniformity and Stability Tests", issued by the Administrative Council of the Community Plant Variety Office pursuant to Article 56 of Council Regulation (EC) No 2100/94 (\*), and published in the Official Gazette of the Community Plant Variety Office.

All the characteristics shall be referred to, providing that observation of a characteristic is not rendered impossible by the expression of any other characteristic, and providing that the expression of a characteristic is not prevented by the environmental conditions under which the test is conducted. This provision is without prejudice to the application of provisions governing agricultural varieties.

- (ii) for other agricultural plant species, those characteristics listed in Annex I, Part A;

- (b) in respect of the characteristics as regards the examination of the value for cultivation and use, those listed in Annex I, Part B.

2. Member States shall ensure that:

- (a) in respect of wheat (*Triticum aestivum* L.) and maize (*Zea mays* L.), the minimum requirements for carrying out the examinations in respect of trial design and growing conditions, as laid down in the test guidelines referred to in paragraph 1, point (a), under (i), are fulfilled at the time of the examinations;
  - (b) in respect of other agricultural plant species, the minimum requirements for carrying out the examinations, as listed in Annex II, are fulfilled at the time of the examinations.

(\*) OJ L 227, 1.9.1994, p. 1.'

2. In Annex I, Part A:

- (a) the words 'Soft whea' and '*Triticum aestivum* L.' under point 39 are deleted;
  - (b) point 41 is deleted.

3. In Annex II:

- (a) the words '3.1 Autogamous species' are replaced by the words '3.1 Self-pollinating species other than wheat';
  - (b) point 3.3 is deleted.

#### Article 3

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive by 31 March 2002 at the latest. They shall forthwith inform the Commission thereof.

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

2. This Directive shall apply to all varieties which have not been accepted by 31 March 2002 for inclusion in the common catalogue of varieties of vegetable species or in the common catalogue of varieties of agricultural plant species respectively.

Where the official examinations carried out for the acceptance of the varieties have started prior to that date, either wholly or partially in accordance with the original provisions of Directives 72/168/EEC or 72/180/EEC, the varieties concerned shall not be required to undergo new examination to demonstrate compliance with the new provisions.

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

#### Article 4

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

#### Article 5

This Directive is addressed to the Member States.

Done at Brussels, 6 February 2002.

For the Commission

David BYRNE

Member of the Commission

## II

(Acts whose publication is not obligatory)

## COUNCIL

## DECISION No 4/2001 OF THE EU-SLOVENIA ASSOCIATION COUNCIL

of 25 July 2001

**extending for four years the period during which any public aid granted by the Republic of Slovenia is assessed in the light of the fact that Slovenia is regarded as an area identical to those areas of the Community described in Article 87(3)(a) of the Treaty establishing the European Community**

(2002/95/EC)

THE EU-SLOVENIA ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Slovenia, of the other part <sup>(1)</sup>, and in particular Article 65(4)(a) thereof,

Whereas:

- (1) Article 65(4)(a) of the abovementioned Europe Agreement lays down that the Association Council, taking into account the economic situation of Slovenia, is to decide whether the period during which any public aid granted by Slovenia is assessed in the light of the fact that Slovenia is regarded as an area identical to those areas of the Community described in Article 87(3)(a) of the Treaty establishing the European Community should be extended for a further four years.
- (2) The gross domestic product (GDP) per capita measured in purchasing power standards reached 71 % of the Community average in 1999 and consequently the abovementioned extension should be granted, accompanied by a provision requiring Slovenia to submit figures for per capita GDP harmonised at NUTS II level and draw up a regional aid map on the basis of the Information from the Commission — guidelines on national regional aid <sup>(2)</sup>,

HAS DECIDED AS FOLLOWS:

*Article 1*

The period during which any public aid granted by Slovenia is assessed in the light of the fact that Slovenia is regarded as an area identical to those areas of the Community described in

Article 87(3)(a) of the Treaty establishing the European Community shall be extended for a further four years.

*Article 2*

Within six months of the date of adoption of this Decision, Slovenia shall submit the per capita GDP figures, harmonised at NUTS II level, to the Commission of the European Communities.

The Slovenian State aid monitoring authority and the Commission shall then jointly assess the eligibility of the regions as well as their maximum aid intensities in order to draw up the regional aid map on the basis of the Community guidelines on national regional aid.

The joint proposal shall then be submitted to the Association Committee, which will take a decision on the matter.

*Article 3*

This Decision shall enter into force on the day of its adoption.

It shall apply from 1 January 2001.

Done at Brussels, 25 July 2001.

*For the Association Council*

*The President*

L. MICHEL

<sup>(1)</sup> OJ L 51, 26.2.1999, p. 3.

<sup>(2)</sup> OJ C 74, 10.3.1998, p. 9.

**DECISION No 5/2001 OF THE EU-SLOVENIA ASSOCIATION COUNCIL**  
**of 6 September 2001**  
**on improvements to the trade arrangements provided for processed agricultural products in**  
**Protocol 3 to the Europe Agreement**

(2002/96/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, acting within the framework of the European Union, of the one part, and the Republic of Slovenia, of the other part <sup>(1)</sup>, and in particular Articles 1 and 2 of Protocol 3 on trade between Slovenia and the Community in processed agricultural products,

Whereas:

- (1) Protocol 3 lays down the trade arrangements in processed agricultural products between Slovenia and the Community.
- (2) Under Article 1(2) of Protocol 3, the Association Council is to decide, in particular, on any amendment of the duties mentioned in the Annexes to Protocol 3 and on the increase or abolition of tariff quotas.
- (3) Under Article 2, second indent, of Protocol 3 the Association Council is also to decide whether the duties applied may be reduced in response to reductions resulting from mutual concessions relating to processed agricultural products.
- (4) The annual quotas provided for in Annexes I and II of this Decision should be opened for the year 2001. In view of the fact that these annual quotas may only be opened after 1 January 2001, on a date to be fixed, they

should be reduced on a pro rata basis according to the period already elapsed,

HAS DECIDED AS FOLLOWS:

*Article 1*

Annexes I and II to Protocol 3 on trade between Slovenia and the Community in processed agricultural products shall be completed by Annexes I and II to this Decision.

*Article 2*

The annual quotas for the year 2001 provided for in Annexes I and II to this Decision shall be reduced on a pro rata basis taking into account the period, based on whole months, already elapsed.

*Article 3*

This Decision shall enter into force on the first day of the second month following its adoption.

Done at Brussels, 6 September 2001.

*For the Association Council*  
*The President*  
L. MICHEL

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<sup>(1)</sup> OJ L 51, 26.2.1999, p. 3.

## ANNEX I

## Annual preferential tariff quotas for import into the Community of goods originating in Slovenia

| CN code                                      | Description                                                                                                                                                                                                                             | Quotas<br>(tonnes) | Rate of duty applicable |
|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------|
| 1704 10 99<br>1704 90 71<br>1704 90 75       | Chewing gum, whether or not sugar-coated:<br>-- containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose):<br>-- other<br>Boiled sweets, whether or not filled<br>Toffees, caramels and similar sweets | 6 000              | Exemption               |
| 1806 31 00<br>1806 32                        | Chocolate and other food preparations containing cocoa:<br>-- filled<br>-- not filled                                                                                                                                                   | 700                | Exemption               |
| 1806 90 70                                   | Preparations containing cocoa for making beverages                                                                                                                                                                                      | 1 000              | Exemption               |
| 1901 20 00                                   | Mixes and doughs for the preparation of bakers' wares of heading No 1905                                                                                                                                                                | 1 000              | Exemption               |
| 1902 11 00                                   | Uncooked pasta, not stuffed or otherwise prepared, containing eggs                                                                                                                                                                      | 2 200              | Exemption               |
| 1905 30 59<br><br><br><br><br><br>1905 30 91 | Sweet biscuits; waffles and wafers:<br>-- other:<br>--- sweet biscuits:<br>---- other:<br>----- other<br>Sweet biscuits; waffles and wafers:<br>-- other:<br>--- waffles and wafers:<br>---- salted, whether or not filled              | 1 500              | Exemption               |
| 1905 40<br>1905 40 10<br>1905 40 90          | Rusks, toasted bread and similar toasted products:<br>-- rusks<br>-- other                                                                                                                                                              | 2 000              | Exemption               |
| 2001 90 96                                   | -- Other                                                                                                                                                                                                                                | 500                | Exemption               |
| 2103 30 90                                   | Prepared mustard                                                                                                                                                                                                                        | 300                | Exemption               |

## ANNEX II

**Annual preferential tariff quotas on import into Slovenia of goods originating in the Community**

| CN code                                      | Description                                                                                                                                                                                                                             | Quotas<br>(tonnes) | Rate of duty applicable |
|----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|-------------------------|
| 1704 10 99<br>1704 90 71<br>1704 90 75       | Chewing gum, whether or not sugar-coated:<br>-- containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose):<br>-- other<br>Boiled sweets, whether or not filled<br>Toffees, caramels and similar sweets | 6 000              | Exemption               |
| 1806 31 00<br>1806 32                        | Chocolate and other food preparations containing cocoa:<br>-- filled<br>-- not filled                                                                                                                                                   | 700                | Exemption               |
| 1806 90 70                                   | Preparations containing cocoa for making beverages                                                                                                                                                                                      | 1 000              | Exemption               |
| 1901 20 00                                   | Mixes and doughs for the preparation of bakers' wares of heading No 1905                                                                                                                                                                | 1 000              | Exemption               |
| 1902 11 00                                   | Uncooked pasta, not stuffed or otherwise prepared, containing eggs                                                                                                                                                                      | 2 200              | Exemption               |
| 1905 30 59<br><br><br><br><br><br>1905 30 91 | Sweet biscuits; waffles and wafers:<br>-- other:<br>--- sweet biscuits:<br>---- other:<br>----- other<br>Sweet biscuits; waffles and wafers:<br>-- other:<br>--- waffles and wafers:<br>---- salted, whether or not filled              | 1 500              | Exemption               |
| 1905 40<br>1905 40 10<br>1905 40 90          | Rusks, toasted bread and similar toasted products:<br>-- rusks<br>-- other                                                                                                                                                              | 2 000              | Exemption               |

**DECISION No 6/2001 OF THE EU-SLOVENIA ASSOCIATION COUNCIL BETWEEN THE EUROPEAN COMMUNITIES AND THEIR MEMBER STATES, ACTING WITHIN THE FRAMEWORK OF THE EUROPEAN UNION, OF THE ONE PART, AND THE REPUBLIC OF SLOVENIA, OF THE OTHER PART,**

**of 26 October 2001**

**amending, through the setting-up of a Joint Consultative Committee, Decision No 1/1999 establishing the rules of procedure of the Association Council**

(2002/97/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, acting within the framework of the European Union, of the one part, and the Republic of Slovenia, of the other part <sup>(1)</sup>, and in particular Article 115 thereof,

Whereas:

- (1) Dialogue and cooperation between economic and social interest groups in the European Union and the Republic of Slovenia can make a major contribution to the development of EU-Slovenian relations.
- (2) It seems appropriate that such cooperation be organised between the members of the Economic and Social Committee of the European Communities and the Republic of Slovenia's economic and social partners, by the setting up of a Joint Consultative Committee.
- (3) This means that the rules of procedure of the Association Council, adopted by Decision 1/1999, have to be amended accordingly,

HAS DECIDED AS FOLLOWS:

*Article 1*

The following rules shall be added to the rules of procedure of the Association Council:

*'Article 15*

**Joint Consultative Committee**

A Joint Consultative Committee is hereby established, entrusted with the task of helping the Association Council with a view to promoting dialogue and cooperation between the economic and social interest groups in the European Community and the Republic of Slovenia. Such dialogue and cooperation shall encompass all economic and social aspects of relations between the European Community and the Republic of Slovenia, as they arise in the context of the implementation of the Europe Agreement. The Joint Consultative Committee shall express its views on questions arising in these areas.

*Article 16*

The Joint Consultative Committee shall comprise four representatives of the Economic and Social Committee of

the European Communities and four representatives of the Republic of Slovenia's economic and social interest groups.

The Joint Consultative Committee shall carry out its tasks on the basis of consultation by the Association Council or, with regard to promoting dialogue between economic and social circles, on its own initiative.

Members shall be chosen to ensure that the Joint Consultative Committee is as faithful a reflection as possible of the various economic and social interest groups in both the European Community and the Republic of Slovenia.

The Joint Consultative Committee shall be co-chaired by a member of the Economic and Social Committee of the European Communities and a Slovenian member.

The Joint Consultative Committee shall adopt its own Rules of Procedure.

*Article 17*

The Economic and Social Committee of the European Communities, on the one hand, and the Slovenian economic and social interest groups, on the other hand, shall each defray the expenses they incur by reason of their participation in the meetings for the Committee and of its working groups with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure.

Expenditure in connection with interpreting at meetings, translation and reproduction of documents shall be borne by the Economic and Social Committee, with the exception of Slovenian expenditure in connection with interpreting or translation into or from Slovenian, which shall be borne by the Slovenian economic and social interest groups.

Other expenditure relating to the material organisation of meetings shall be borne by the Party which hosts the meetings.'

*Article 2*

This Decision shall enter into force on the first day of the second month following the date of its adoption.

Done at Brussels, 26 October 2001.

*For the Association Council*

*The President*

L. MICHEL

<sup>(1)</sup> OJ L 51, 26.2.1999, p. 3.

# COMMISSION

## COMMISSION DECISION

of 28 January 2002

**providing for the temporary marketing of seed of a species not satisfying the requirements of Council Directive 69/208/EEC**

(notified under document number C(2002) 165)

(Text with EEA relevance)

(2002/98/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants <sup>(1)</sup>, as last amended by Directive 98/96/EC <sup>(2)</sup>, and in particular Article 16 thereof,

Having regard to the notifications regarding supply difficulties of seed submitted by France,

Whereas:

- (1) In France the quantity of available seed of flax which satisfies the requirements of Directive 69/208/EEC is insufficient in relation to the germination capacity and is therefore not adequate to meet this country's needs.
- (2) It is not possible to meet this demand satisfactorily with seed from other Member States or from third countries satisfying all the requirements laid down in the Directive.
- (3) The Member States should therefore permit, for a period expiring on 30 June 2002, the marketing of seed subject to less stringent requirements.
- (4) Moreover, France should act as coordinator in order to ensure that the total amount covered by the permit does not exceed the maximum quantity covered by this Decision.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

### Article 1

The Member States shall permit, for a period expiring on 30 June 2002, on the terms set out in the Annex hereto, the marketing throughout the Community of seed of flax which

does not satisfy the requirements laid down in Directive 69/208/EEC with regard to the minimum germination capacity, provided that the following requirements are satisfied:

- (a) the seed was first placed on the market by a person authorised to do so in accordance with Article 2 below;
- (b) the germination capacity is at least 88 %.

### Article 2

Any seed supplier wishing to take advantage of a derogation to place seeds on the market in accordance with Article 1 shall apply to the Member State in which it is established.

The Member State concerned shall authorise the supplier to place that seed on the market, unless:

- (a) it has well founded doubts that the supplier will be able to place on the market the amount of seed for which it has sought authorisation; or
- (b) the total quantity authorised to be marketed pursuant to the derogation concerned would then exceed the maximum quantity specified in the Annex to this Decision.

### Article 3

For the purpose of the application of Article 1, the Member States shall assist each other administratively.

France (which has notified the supply difficulties of seed) shall act as a coordinator of the authorisations to be granted under Article 2, in order to ensure that the total amount does not exceed the maximum quantities as specified in the Annex.

Any Member State receiving an application under Article 2 shall immediately notify the coordinating country of the amount covered by the application. The coordinating Member State shall immediately inform the notifying Member State as to whether authorisation of the application would result in the maximum quantity being exceeded.

<sup>(1)</sup> OJ L 169, 10.7.1969, p. 3.

<sup>(2)</sup> OJ L 25, 1.2.1999, p. 27.

*Article 4*

Member States shall immediately notify the Commission and the other Member States of the quantities of seed labelled and authorised to be marketed throughout the Community pursuant to this Decision.

*Article 5*

This Decision is addressed to the Member States.

Done at Brussels, 28 January 2002.

*For the Commission*

David BYRNE

*Member of the Commission*

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*ANNEX*

| Species                    | Type of variety                                                                                                                       | Maximum quantity<br>(tonnes) |
|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------|
| In respect of Article 1    |                                                                                                                                       |                              |
| <i>Linum usitatissimum</i> | Agatha, Argos, Ariane, Aurore, Diane, Diva, Electra, Elise, Escalina, Evelin, Hermès, Ilona, Liviola, Marilyn, Venus, Veralin, Viking | 1 000                        |

**COMMISSION DECISION**  
**of 6 February 2002**  
**laying down detailed rules for applying the flat-rate reimbursement of the storage costs for C sugar**  
**granted by Finland for the 2001/2002 to 2005/2006 marketing years**

(notified under document number C(2002) 395)

(Only the Finnish and Swedish texts are authentic)

(2002/99/EC)

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 <sup>(1)</sup>, and in particular Article 46(5) thereof,

Whereas:

- (1) Article 46(5) of Regulation (EC) No 1260/2001 authorises Finland to grant, for the 2001/2002 to 2005/2006 marketing years, a flat-rate reimbursement of storage costs for C sugar carried over in accordance with Article 14 of that Regulation. The information provided by the Finnish authorities, particularly as regards the real costs of storage, allow detailed rules of application to be laid down for paying this reimbursement. Based on this information, the maximum amount of the reimbursement should be fixed at a level below the actual costs and the various possible times at which the flat-rate reimbursement can be made during the compulsory storage period should also be set.
- (2) In order to ensure that the provisions of this Decision are properly applied, Finland should be obliged to adopt appropriate measures and to inform the Commission thereof.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS DECISION:

*Article 1*

1. For the 2001/2002 to 2005/2006 marketing years Finland is authorised to grant the sugar manufacturer established on its territory, in accordance with the terms of this

Decision, the flat-rate reimbursement provided for in Article 46(5) of Regulation (EC) No 1260/2001.

2. The reimbursement referred to in paragraph 1 shall be granted only for the quantity of C sugar carried over to the following marketing year in accordance with Article 14 of Regulation (EC) No 1260/2001.

3. The maximum amount of the reimbursement referred to in paragraph 1 shall be EUR 0,33 per 100 kg of white sugar per month.

4. The reimbursement shall be paid for each month that the sugar remains in storage until the 12 consecutive months of the compulsory storage referred to in Article 14(2) of Regulation (EC) No 1260/2001 have passed.

The reimbursement referred to in the preceding subparagraph may be paid, where appropriate, in a single instalment. In this case payment shall occur only after the first six months of compulsory storage.

*Article 2*

1. Finland shall take all the necessary steps to conduct the checks required for the proper operation of the scheme for the flat-rate reimbursement of storage costs provided for in this Decision.

2. Finland shall notify the Commission in March of the steps taken to apply this Decision in the preceding storage period.

*Article 3*

This Decision is addressed to the Republic of Finland.

Done at Brussels, 6 February 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.

**COMMISSION DECISION**  
**of 30 January 2002**  
**granting Portugal a transitional period to bring its accounting systems into line with Regulation**  
**(EC) No 2516/2000 of the European Parliament and of the Council**

(notified under document number C(2002) 340)

(Only the Portuguese text is authentic)

(2002/100/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 2516/2000 of the European Parliament and of the Council of 7 November 2000 modifying the common principles of the European system of national and regional accounts in the Community (ESA) 95 as concerns taxes and social contributions and amending Council Regulation (EC) No 2223/96 <sup>(1)</sup>, and in particular Article 7(2) thereof,

Having regard to the request made by Portugal on 21 June 2001,

Whereas:

- (1) Council Regulation (EC) No 2223/96 of 25 June 1996 on the European system of national and regional accounts in the Community <sup>(2)</sup>, as last amended by Regulation (EC) No 2516/2000, contains the reference framework of common standards, definitions, classifications and accounting rules for drawing up the accounts of the Member States for the statistical requirements of the Community, in order to obtain comparable results between Member States.
- (2) Regulation (EC) No 2516/2000 ensures better comparability and transparency among the Member States in the recording of taxes and social contributions in ESA 95 for the Excessive Deficit Procedure. It provides that net lending/net borrowing of general government is not to include amounts of taxes and social contributions unlikely to be collected.
- (3) Pursuant to Regulation (EC) No 2516/2000 Member States may ask the Commission for a transitional period in which to bring their accounting systems into line with that Regulation.

(4) By letter dated 21 June 2001, the Portuguese authorities have requested a transitional period to bring their accounting systems into line with Regulation (EC) No 2516/2000.

(5) Portugal has provided to the Commission evidence of the need to improve the knowledge of the parts of taxes and social contributions which are assessed and declared but unlikely to be collected. This improvement will benefit from the new Official Plan of Public Accounting which is being implemented and which is fully consistent with ESA 95 principles. However, the Commission considers that Portugal can be ready for a correct implementation of Regulation (EC) No 2516/2000 in mid 2002.

(6) The request by Portugal should therefore be granted up until 30 June 2002,

HAS ADOPTED THIS DECISION:

*Article 1*

Portugal is granted a transitional period in order to bring its accounting systems into line with Regulation (EC) No 2516/2000 no later than 30 June 2002.

*Article 2*

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 30 January 2002.

*For the Commission*

Pedro SOLBES MIRA

*Member of the Commission*

<sup>(1)</sup> OJ L 290, 17.11.2000, p. 1.

<sup>(2)</sup> OJ L 310, 30.11.1996, p. 1.