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Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 450/2002 of 13 March 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
★ Commission Regulation (EC) No 451/2002 of 12 March 2002 establishing unit values for the determination of the customs value of certain perishable goods	3
★ Commission Regulation (EC) No 452/2002 of 13 March 2002 making imports of farmed Atlantic salmon originating in Norway subject to registration	7
★ Commission Regulation (EC) No 453/2002 of 13 March 2002 adapting Council Regulation (EC) No 2201/96 and Commission Regulations (EC) No 1799/2001, (EC) No 2125/95 and (EC) No 3223/94 as regards the combined nomenclature codes for certain fruits and vegetables	9
Commission Regulation (EC) No 454/2002 of 13 March 2002 fixing the import duties in the rice sector	13
Commission Regulation (EC) No 455/2002 of 13 March 2002 fixing the export refunds on olive oil	16

II Acts whose publication is not obligatory

Council

2002/215/EC:

★ Council Decision of 4 March 2002 concerning the conclusion of the Fourth Amendment to the Montreal Protocol on substances that deplete the ozone layer	18
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2002/216/EC:

- ★ **Council Recommendation of 5 March 2002 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1984) (sixth EDF) for the financial year 2000 23**

2002/217/EC:

- ★ **Council Recommendation of 5 March 2002 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1989) (seventh EDF) for the financial year 2000 24**

2002/218/EC:

- ★ **Council Recommendation of 5 March 2002 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1995) (eighth EDF) for the financial year 2000 25**
- ★ **Information relating to the entry into force of the Framework Agreement between the European Community and the Republic of Cyprus on the general principles for the participation of the Republic of Cyprus in Community programmes 26**

Commission

2002/219/EC:

- ★ **Commission Decision of 7 March 2002 amending Decision 1999/283/EC laying down the animal health conditions and veterinary certification for imports of fresh meat from certain African countries and in particular as regards Botswana and amending Decision 2000/585/EC laying down the animal health conditions and veterinary certification for imports of wild and farmed game meat and rabbit meat from third countries ⁽¹⁾ (notified under document number C(2002) 892) 27**

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 450/2002
of 13 March 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 14 March 2002.

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

Done at Brussels, 13 March 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 13 March 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	194,9
	204	166,0
	212	169,4
	624	207,6
	999	184,5
0707 00 05	052	172,9
	068	109,7
	204	59,9
	220	196,3
	999	134,7
0709 90 70	052	139,7
	204	79,6
	999	109,6
0805 10 10, 0805 10 30, 0805 10 50	052	62,2
	204	50,7
	212	54,9
	220	45,5
	600	63,2
	624	64,7
	999	56,9
0805 50 10	052	43,5
	600	43,3
	999	43,4
0808 10 20, 0808 10 50, 0808 10 90	060	39,0
	388	110,5
	400	124,2
	404	96,7
	508	77,7
	512	86,5
	528	101,3
	720	119,4
	728	133,7
	999	98,8
0808 20 50	388	73,6
	400	123,0
	512	73,3
	528	75,0
	720	66,2
	999	82,2

⁽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 451/2002
of 12 March 2002**

establishing unit values for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 993/2001 ⁽⁴⁾, and in particular Article 173(1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173(2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173(1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 March 2002.

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

Done at Brussels, 12 March 2002.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 311, 12.12.2000, p. 17.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 141, 28.5.2001, p. 1.

ANNEX

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.10	New potatoes 0701 90 50	51,79	384,90	469,57	31,91
1.30	Onions (other than seed) 0703 10 19	40,71	302,61	369,18	25,09
1.40	Garlic 0703 20 00	163,31	1 213,83	1 480,85	100,63
1.50	Leeks ex 0703 90 00	70,02	520,41	634,89	43,15
1.60	Cauliflowers 0704 10 00	55,28	410,87	501,25	34,06
1.80	White cabbages and red cabbages 0704 90 10	61,82	459,48	560,55	38,09
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> L. <i>convar. botrytis</i> (L.) <i>Alef</i> var. <i>italica</i> Plenck) ex 0704 90 90	61,43	456,58	557,02	37,85
1.100	Chinese cabbage ex 0704 90 90	56,49	419,86	512,22	34,81
1.110	Cabbage lettuce (head lettuce) 0705 11 00	90,36	671,60	819,34	55,68
1.130	Carrots ex 0706 10 00	63,96	475,38	579,96	39,41
1.140	Radishes ex 0706 90 90	106,63	792,53	966,87	65,71
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	293,37	2 180,51	2 660,17	180,78
1.170	Beans:				
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	196,26	1 458,70	1 779,58	120,93
1.170.2	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	202,62	1 505,97	1 837,26	124,85
1.180	Broad beans ex 0708 90 00	157,74	1 172,40	1 430,31	97,20
1.190	Globe artichokes 0709 10 00	—	—	—	—
1.200	Asparagus:				
1.200.1	— green ex 0709 20 00	660,26	4 907,38	5 986,91	406,85
1.200.2	— other ex 0709 20 00	389,23	2 892,95	3 529,34	239,84
1.210	Aubergines (eggplants) 0709 30 00	171,08	1 271,55	1 551,27	105,42

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	99,89	742,43	905,75	61,55
1.230	Chantarelles 0709 51 30	744,83	5 535,95	6 753,75	458,96
1.240	Sweet peppers 0709 60 10	195,91	1 456,08	1 776,38	120,72
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	77,72	577,63	704,70	47,89
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	176,48	1 311,69	1 600,23	108,75
2.30	Pineapples, fresh ex 0804 30 00	90,60	673,36	821,49	55,83
2.40	Avocados, fresh ex 0804 40 00	111,29	827,14	1 009,10	68,58
2.50	Guavas and mangoes, fresh ex 0804 50 00	101,23	752,40	917,91	62,38
2.60	Sweet oranges, fresh:				
2.60.1	— Sanguines and semi-sanguines 0805 10 10	—	—	—	—
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	—	—	—	—
2.60.3	— Others 0805 10 50	—	—	—	—
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:				
2.70.1	— Clementines ex 0805 20 10	111,80	830,95	1 013,74	68,89
2.70.2	— Monreales and satsumas ex 0805 20 30	127,34	946,45	1 154,66	78,47
2.70.3	— Mandarines and wilkings ex 0805 20 50	69,57	517,09	630,84	42,87
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	110,21	819,11	999,29	67,91
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh ex 0805 30 90 ex 0805 90 00	112,32	834,82	1 018,46	69,21
2.90	Grapefruit, fresh:				
2.90.1	— white ex 0805 40 00	57,98	430,91	525,70	35,72
2.90.2	— pink ex 0805 40 00	62,63	465,47	567,87	38,59

Code	Description	Amount of unit values per 100 kg			
	Species, varieties, CN code	EUR	DKK	SEK	GBP
2.100	Table grapes 0806 10 10	156,05	1 159,82	1 414,96	96,16
2.110	Water melons 0807 11 00	77,24	574,09	700,37	47,60
2.120	Melons (other than water melons):				
2.120.1	— Amarillo, cuper, honey dew (including cantalene), ontentente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	98,81	734,39	895,94	60,89
2.120.2	— Other ex 0807 19 00	190,10	1 412,95	1 723,77	117,14
2.140	Pears				
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	—	—	—	—
2.140.2	Other ex 0808 20 50	—	—	—	—
2.150	Apricots ex 0809 10 00	459,62	3 416,12	4 167,60	283,22
2.160	Cherries 0809 20 95 0809 20 05	576,44	4 284,39	5 226,87	355,20
2.170	Peaches 0809 30 90	315,05	2 341,62	2 856,72	194,13
2.180	Nectarines ex 0809 30 10	179,13	1 331,37	1 624,25	110,38
2.190	Plums 0809 40 05	143,14	1 063,91	1 297,95	88,20
2.200	Strawberries 0810 10 00	159,57	1 186,00	1 446,89	98,33
2.205	Raspberries 0810 20 10	848,90	6 309,45	7 697,40	523,09
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	614,33	4 566,01	5 570,44	378,55
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	127,40	946,90	1 155,20	78,50
2.230	Pomegranates ex 0810 90 85	263,80	1 960,69	2 392,01	162,55
2.240	Khakis (including sharon fruit) ex 0810 90 85	245,24	1 822,76	2 223,73	151,12
2.250	Lychees ex 0810 90 30	187,59	1 394,28	1 701,00	115,59

COMMISSION REGULATION (EC) No 452/2002

of 13 March 2002

making imports of farmed Atlantic salmon originating in Norway subject to registration

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, as last amended by Regulation (EC) No 2238/2000 ⁽²⁾ and in particular Article 10(5) and Article 14(5) thereof,

Having regard to Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidised imports from countries not members of the European Community ⁽³⁾ and in particular Article 16(4) and Article 24(5) thereof,

After consulting the Advisory Committee,

Whereas:

A. PRODUCT

- (1) The product to be registered is farmed Atlantic salmon originating in Norway when sold to the Community by companies in the Annex to Council Regulation (EC) No 772/1999 ⁽⁴⁾ ('the product concerned'), currently classifiable within CN codes ex 0302 12 00, ex 0303 22 00, ex 0304 10 13 and ex 0304 20 13. This excludes wild Atlantic salmon as defined in Article 1(b) of the said Regulation.

B. EXISTING MEASURES

- (2) The product concerned is currently subject to the following measures:
- definitive anti-dumping and countervailing duties imposed by Regulation (EC) No 772/1999, as last amended by Regulation (EC) No 322/2002 ⁽⁵⁾, which, following a review, repealed and replaced the anti-dumping and countervailing duties previously imposed by Council Regulations (EC) No 1890/97 ⁽⁶⁾ and (EC) No 1891/97 ⁽⁷⁾,

— undertakings accepted by Commission Decision 97/634/EC ⁽⁸⁾, as last amended by Decision 2002/157/EC ⁽⁹⁾, from a large number of exporter/producers from Norway to respect, *inter alia*, certain minimum import prices ('MIPs').

C. GROUNDS FOR REGISTRATION

- (3) The Commission has received information indicating that the re-sale prices recently practised by a major wholesale market in the Community market for the product concerned are incompatible with the level of the price undertakings offered by Norwegian exporters (i. e. the re-sales prices were significantly less than the MIPs when adjusted to the same sales level).
- (4) In addition, an ongoing investigation by the Danish authorities concerning imports into Denmark of the product concerned appears to indicate the existence of serious violations of the price undertakings. The Commission's own preliminary investigation into this matter also suggests that these price undertakings are not being fully respected. Should the Community institutions find that a company which is exempt from the duties applicable pursuant to Article 1 of Regulation (EC) No 772/1999 has in fact violated its undertaking, it may be appropriate to withdraw the undertaking and impose the anti-dumping and countervailing duties retroactively to the date of that breach.
- (5) The Commission has therefore concluded that sufficient grounds exist to make imports of the product concerned subject to registration in accordance with Articles 14(5) and 10(5) of Regulation (EC) No 384/96 and Articles 24(5) and 16(4) of Regulation (EC) No 2026/97.
- (6) In the event of a finding of breach or withdrawal of the undertakings, duties may be levied retroactively on goods entered into free circulation in the Community from the date of the breach or withdrawal of the undertaking. In accordance with Article 10(5) of Regulation (EC) No 384/96 and Article 16(4) of Regulation (EC) No 2026/97, and in view of the urgency of the case and the need for the Commission to act quickly in this regard, imports shall be subject to registration for a maximum period of 90 days,

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.

⁽²⁾ OJ L 257, 11.10.2000, p. 2.

⁽³⁾ OJ L 288, 21.10.1997, p. 1.

⁽⁴⁾ OJ L 101, 16.4.1999, p. 1.

⁽⁵⁾ OJ L 51, 22.2.2002, p. 1.

⁽⁶⁾ OJ L 267, 30.9.1997, p. 1.

⁽⁷⁾ OJ L 267, 30.9.1997, p. 19.

⁽⁸⁾ OJ L 267, 30.9.1997, p. 81.

⁽⁹⁾ OJ L 51, 22.2.2002, p. 32.

HAS ADOPTED THIS REGULATION:

Article 1

The customs authorities are hereby directed, pursuant to Article 14(5) of Regulation (EC) No 384/96 and Article 24(5) of Regulation (EC) No 2026/97 to take the appropriate steps to register the imports into the Community of farmed Atlantic salmon originating in Norway falling within CN codes ex 0302 12 00 (TARIC codes 0302 12 00*21, 0302 12 00*22, 0302 12 00*23 and 0302 12 00*29), ex 0303 22 00 (TARIC codes 0303 22 00*21, 0303 22 00*22, 0303 22 00*23 and 0303 22 00*29),

ex 0304 10 13 (TARIC code 0304 10 13*21 and 0304 10 13*29) and ex 0304 20 13 (TARIC code 0304 20 13*21 and 0304 20 13*29) and exported by the companies listed in the Annex to Regulation (EC) No 772/1999.

Article 2

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

Article 1 shall apply for a period of 90 days.

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

Done at Brussels, 13 March 2002.

For the Commission

Pascal LAMY

Member of the Commission

COMMISSION REGULATION (EC) No 453/2002
of 13 March 2002

adapting Council Regulation (EC) No 2201/96 and Commission Regulations (EC) No 1799/2001, (EC) No 2125/95 and (EC) No 3223/94 as regards the combined nomenclature codes for certain fruits and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 234/79 of 5 February 1979 on the procedure for adjusting the Common Customs Tariff nomenclature used for agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 3290/94 ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2031/2001 of 6 August 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾ has amended the Combined Nomenclature for certain fruits and vegetables and products processed from fruit and vegetables.
- (2) The following should therefore be adapted:
 - the table in Article 1(2) of Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products ⁽⁴⁾, as last amended by Regulation (EC) No 1239/2001 ⁽⁵⁾;
 - Article 1 of Commission Regulation (EC) No 1799/2001 of 12 September 2001 laying down the marketing standard for citrus fruit ⁽⁶⁾;
 - Article 1(1) and (2) of Commission Regulation (EC) No 2125/95 of 6 September 1995 opening and providing for the administration of tariff quotas for preserved mushrooms ⁽⁷⁾, as last amended by Regulation (EC) No 2541/2001 ⁽⁸⁾;
 - the table in the Annex 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 ⁽⁹⁾, as last amended by Regulation (EC) No 807/2000 ⁽¹⁰⁾.
- (3) The above adaptations should enter into force at the same time as Regulation (EC) No 2031/2001.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Joint Meeting of Management Committees for fresh fruit and vegetables and for processed fruit and vegetables,

⁽¹⁾ OJ L 34, 9.2.1979, p. 2.

⁽²⁾ OJ L 349, 31.12.1994, p. 105.

⁽³⁾ OJ L 279, 23.10.2001, p. 1.

⁽⁴⁾ OJ L 297, 21.11.1996, p. 29.

⁽⁵⁾ OJ L 171, 26.6.2001, p. 1.

⁽⁶⁾ OJ L 244, 14.9.2001, p. 12.

⁽⁷⁾ OJ L 212, 7.9.1995, p. 16.

⁽⁸⁾ OJ L 341, 22.12.2001, p. 80.

⁽⁹⁾ OJ L 337, 24.12.1994, p. 66.

⁽¹⁰⁾ OJ L 97, 19.4.2000, p. 6.

HAS ADOPTED THIS REGULATION:

Article 1

In the table in Article 1(2) of Regulation (EC) No 2201/96:

'ex 0812 Fruit and nuts, provisionally preserved (for example by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption, excluding bananas provisionally preserved falling within subheading ex 0812 90 95'

is replaced by:

'ex 0812 Fruit and nuts, provisionally preserved (for example by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption, excluding bananas provisionally preserved falling within subheading ex 0812 90 95'

and the text:

'ex 2009 Fruit juices (excluding grape juice and grape must of subheading 2009 60 and banana juice of subheading 2009 80) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter'

is replaced by:

'ex 2009 Fruit juices (excluding grape juice and grape must of subheadings 2009 61 and 2009 69 and banana juice of subheading 2009 80) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter'

Article 2

In Article 1 of Regulation (EC) No 1799/2001:

'— lemons falling within CN code 0805 30 10'

is replaced by:

'— lemons (*Citrus limon*, *Citrus limonum*) falling within CN code 0805 50 10.'

Article 3

Article 1 of Regulation (EC) No 2125/95 is replaced by the following:

'Article 1

1. Tariff quotas for preserved mushrooms of the genus *Agaricus* falling within CN codes 0711 51 00, 2003 10 20 and 2003 10 30, shown in Annex I, shall be opened subject to the conditions laid down in this Regulation.

2. The rate of duty applicable shall be 12 % *ad valorem* in the case of products falling within CN code 0711 51 00 (Serial No 09.4062) and 23 % in the case of products falling within CN codes 2003 10 20 and 2003 10 30 (Serial No 09.4063). However, a single rate of 8,4 % shall apply in the case of the above products originating in Bulgaria (Serial No 09.4725) or Romania (Serial No 09.4726).'

Article 4

The Annex to Regulation (EC) No 3223/94 is replaced by the following:

'ANNEX

Without prejudice to the rules for the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. The scope of the arrangements provided for in this Regulation is, for the purposes of this Annex, determined by the scope of the CN codes as they exist at the time of the adoption of the latest amendment of this Regulation. Where "ex" appears before the CN code, the scope of the additional duties is determined both by the scope of the CN code and that of the description of the products, and the corresponding period of application.

PART A

CN codes	Description	Period of application
ex 0702 00 00	Tomatoes	From 1 January to 31 December
ex 0707 00 05	Cucumbers ⁽¹⁾	From 1 January to 31 December
ex 0709 10 00	Artichokes	From 1 November to 30 June
0709 90 70	Courgettes	From 1 January to 31 December
ex 0805 10 10 ex 0805 10 30 ex 0805 10 50	Sweet oranges, fresh	From 1 December to 31 May
ex 0805 20 10	Clementines	From 1 November to end of February
ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Mandarins (including tangerines and satsumas); wilking and similar citrus hybrids	From 1 November to end of February
ex 0805 50 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>)	From 1 June to 31 May
ex 0806 10 10	Table grapes	From 21 July to 20 November
ex 0808 10 20 ex 0808 10 50 ex 0808 10 90	Apples	From 1 July to 30 June
ex 0808 20 50	Pears	From 1 July to 30 April
ex 0809 10 00	Apricots	From 1 June to 31 July
ex 0809 20 95	Cherries, other than sour cherries	From 21 May to 10 August
ex 0809 30 10 ex 0809 30 90	Peaches, including nectarines	From 11 June to 30 September
ex 0809 40 05	Plums	From 11 June to 30 September

⁽¹⁾ Other than cucumbers referred to in Part B of this Annex.

PART B

CN codes	Description	Period of application
ex 0707 00 05	Cucumbers intended for processing	From 1 May to 31 October
ex 0809 20 05	Sour cherries (<i>Prunus cerasus</i>)	From 21 May to 10 August

Article 5

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

It shall apply from 1 January 2002.

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

Done at Brussels, 13 March 2002.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 454/2002
of 13 March 2002
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1987/2001 ⁽²⁾,

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

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.

- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 14 March 2002.

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

Done at Brussels, 13 March 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 271, 12.10.2001, p. 5.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	251,73	83,77	121,53		188,80
1006 20 13	251,73	83,77	121,53		188,80
1006 20 15	251,73	83,77	121,53		188,80
1006 20 17	264,00	88,06	127,66	14,00	198,00
1006 20 92	251,73	83,77	121,53		188,80
1006 20 94	251,73	83,77	121,53		188,80
1006 20 96	251,73	83,77	121,53		188,80
1006 20 98	264,00	88,06	127,66	14,00	198,00
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

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

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

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

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

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

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

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

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

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	264,00	416,00	251,73	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	254,07	263,33	309,17	299,42	—
(b) fob price (EUR/tonne)	—	—	—	274,82	265,07	—
(c) Sea freight (EUR/tonne)	—	—	—	34,35	34,35	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 455/2002
of 13 March 2002
fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EC) No 1513/2001 ⁽²⁾, and in particular Article 3(3) thereof,

Whereas:

- (1) Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries.
- (2) The detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72 ⁽³⁾, as last amended by Regulation (EEC) No 2962/77 ⁽⁴⁾.
- (3) Article 3(3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community.
- (4) In accordance with Article 3(4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market. However, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period. The amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take

account of export costs for the products on the world market.

- (5) In accordance with Article 3(3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender. The tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations.
- (6) The second indent of Article 3(3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The refund must be fixed at least once every month. It may, if necessary, be altered in the intervening period.
- (8) It follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto.
- (9) The Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(2)(c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 March 2002.

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

Done at Brussels, 13 March 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ 172, 30.9.1966, p. 3025/66.

⁽²⁾ OJ L 201, 26.7.2001, p. 4.

⁽³⁾ OJ L 78, 31.3.1972, p. 1.

⁽⁴⁾ OJ L 348, 30.12.1977, p. 53.

ANNEX

to the Commission Regulation of 13 March 2002 fixing the export refunds on olive oil

Product code	Destination	Unit of measurement	Amount of refund
1509 10 90 9100	A00	EUR/100 kg	0,00
1509 10 90 9900	A00	EUR/100 kg	0,00
1509 90 00 9100	A00	EUR/100 kg	0,00
1509 90 00 9900	A00	EUR/100 kg	0,00
1510 00 90 9100	A00	EUR/100 kg	0,00
1510 00 90 9900	A00	EUR/100 kg	0,00

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

The numeric destination codes are set out in Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 4 March 2002

concerning the conclusion of the Fourth Amendment to the Montreal Protocol on substances that deplete the ozone layer

(2002/215/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1) in conjunction with the first sentence of Article 300(2) and first subparagraph of Article 300(3) thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

(1) The Community, by reason of its responsibilities for the environment, by Decision 88/540/EEC ⁽³⁾ became a party to the Vienna Convention for the protection of the ozone layer and the Montreal Protocol on substances that deplete the ozone layer, and by Decision 91/690/EEC ⁽⁴⁾ approved the First Amendment to the said Protocol, by Decision 94/68/EC ⁽⁵⁾ approved the Second Amendment to the said Protocol and by Decision 2000/646/EC ⁽⁶⁾ approved the Third Amendment to the said Protocol.

(2) Recent evidence indicates that for the adequate protection of the ozone layer a higher degree of control of trade in ozone depleting substances is required than is provided by the Montreal Protocol, as amended in 1997. The same evidence indicates that there should be additional measures to control production of ozone-depleting substances and in particular on hydrochloro-fluorocarbons and new substances.

(3) A Fourth Amendment to the Montreal Protocol introducing these controls was adopted by the Parties in December 1999 in Beijing.

(4) The Commission, on behalf of the Community, took part in the negotiation and adoption of that amendment.

(5) The Community has adopted measures in the area covered by the amendment, in particular in Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer ⁽⁷⁾, and it should, therefore, undertake international commitments in that area.

(6) It is necessary for the Community to approve the Fourth Amendment to the Montreal Protocol because its provisions relate to production and trade in controlled substances between the Community and other Parties, the implementation of which is the responsibility of the Community,

HAS DECIDED AS FOLLOWS:

Article 1

The Fourth Amendment to the Montreal Protocol on substances that deplete the ozone layer is hereby approved on behalf of the Community.

The text of this Amendment is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person or persons empowered to deposit the instrument of approval of this Fourth Amendment on behalf of the Community with the Secretary-General of the United Nations in accordance with Article 13 of the Vienna Convention for the Protection of the Ozone Layer as read in conjunction with Article 3 of the Fourth Amendment to the Montreal Protocol.

⁽¹⁾ OJ C 213 E, 31.7.2001, p. 251.

⁽²⁾ Opinion delivered on 2.10.2001 (not yet published in the Official Journal).

⁽³⁾ OJ L 297, 31.10.1988, p. 8.

⁽⁴⁾ OJ L 377, 31.12.1991, p. 28.

⁽⁵⁾ OJ L 33, 7.2.1994, p. 1.

⁽⁶⁾ OJ L 272, 25.10.2000, p. 26.

⁽⁷⁾ OJ L 244, 29.9.2000, p. 1.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 4 March 2002.

For the Council

The President

J. MATAS I PALOU

ANNEX

AMENDMENT TO THE MONTREAL PROTOCOL ON SUBSTANCES THAT DEplete THE OZONE LAYER

Article 1

AmendmentA. *Article 2, paragraph 5*

In Article 2, paragraph 5 of the Protocol, for the words:

'Articles 2A to 2E'

there shall be substituted:

'Articles 2A to 2F'.

B. *Article 2, paragraphs 8(a) and 11*

In Article 2, paragraphs 8(a) and 11 of the Protocol, for the words:

'Articles 2A to 2H'

there shall be substituted:

'Articles 2A to 2I'.

C. *Article 2F, paragraph 8*

The following paragraph shall be added after Article 2F, paragraph 7 of the Protocol:

'8. Each Party producing one or more of these substances shall ensure that for the twelve-month period commencing on 1 January 2004, and in each twelve-month period thereafter, its calculated level of production of the controlled substances in Group I of Annex C does not exceed, annually, the average of:

- (a) the sum of its calculated level of consumption in 1989 of the controlled substances in Group I of Annex C and two point eight per cent of its calculated level of consumption in 1989 of the controlled substances in Group I of Annex A; and
- (b) the sum of its calculated level of production in 1989 of the controlled substances in Group I of Annex C and two point eight per cent of its calculated level of production in 1989 of the controlled substances in Group I of Annex A.

However, in order to satisfy the basic domestic needs of the Parties operating under Article 5, paragraph 1, its calculated level of production may exceed that limit by up to ten per cent of its calculated level of production of the controlled substances in Group I of Annex C as defined above.'

D. *Article 2I*

The following Article shall be inserted after Article 2H of the Protocol:

'Article 2I

Bromochloromethane

Each Party shall ensure that for the twelve-month period commencing on 1 January 2002, and in each twelve-month period thereafter, its calculated level of consumption and production of the controlled substance in Group III of Annex C does not exceed zero. This paragraph will apply save to the extent that the Parties decide to permit the level of production or consumption that is necessary to satisfy uses agreed by them to be essential.'

E. *Article 3*

In Article 3 of the Protocol, for the words:

'Articles 2, 2A to 2H'

there shall be substituted:

'Articles 2, 2A to 2I'.

F. *Article 4, paragraphs 1 quin. and 1 sex.*

The following paragraphs shall be added to Article 4 of the Protocol after paragraph 1 qua:

'1 quin. As of 1 January 2004, each Party shall ban the import of the controlled substances in Group I of Annex C from any State not Party to this Protocol.'

1 sex. Within one year of the date of entry into force of this paragraph, each Party shall ban the import of the controlled substance in Group III of Annex C from any State not Party to this Protocol.'

G. *Article 4, paragraphs 2 quin. and 2 sex.*

The following paragraphs shall be added to Article 4 of the Protocol after paragraph 2 qua:

'2 quin. As of 1 January 2004, each Party shall ban the export of the controlled substances in Group I of Annex C to any State not Party to this Protocol.

2 sex. Within one year of the date of entry into force of this paragraph, each Party shall ban the export of the controlled substance in Group III of Annex C to any State not Party to this Protocol.'

H. *Article 4, paragraphs 5 to 7*

In Article 4, paragraphs 5 to 7 of the Protocol, for the words:

'Annexes A and B, Group II of Annex C and Annex E'

there shall be substituted:

'Annexes A, B, C and E'.

I. *Article 4, paragraph 8*

In Article 4, paragraph 8 of the Protocol, for the words:

'Articles 2A to 2E, Articles 2G and 2H'

there shall be substituted:

'Articles 2A to 2I'.

J. *Article 5, paragraph 4*

In Article 5, paragraph 4 of the Protocol, for the words:

'Articles 2A to 2H'

there shall be substituted:

'Articles 2A to 2I'.

K. *Article 5, paragraphs 5 and 6*

In Article 5, paragraphs 5 and 6 of the Protocol, for the words:

'Articles 2A to 2E'

there shall be substituted:

'Articles 2A to 2E and Article 2I'.

L. *Article 5, paragraph 8 ter (a)*

The following sentence shall be added at the end of subparagraph 8 ter (a) of Article 5 of the Protocol:

'As of 1 January 2016 each Party operating under paragraph 1 of this Article shall comply with the control measures set out in Article 2F, paragraph 8, and, as the basis for its compliance with these control measures, it shall use the average of its calculated levels of production and consumption in 2015;'.

M. *Article 6*

In Article 6 of the Protocol, for the words:

'Articles 2A to 2H'

there shall be substituted:

'Articles 2A to 2I'.

N. *Article 7, paragraph 2*

In Article 7, paragraph 2 of the Protocol, for the words:

'Annexes B and C'

there shall be substituted:

'Annex B and Groups I and II of Annex C'.

O. *Article 7, paragraph 3*

The following sentence shall be added after the first sentence of Article 7, paragraph 3 of the Protocol:

'Each Party shall provide to the Secretariat statistical data on the annual amount of the controlled substance listed in Annex E used for quarantine and pre-shipment applications;'.

P. *Article 10, paragraph 1*

In Article 10, paragraph 1 of the Protocol, for the words:

'Articles 2A to 2E'

there shall be substituted:

'Articles 2A to 2E and Article 2I'.

Q. *Article 17*

In Article 17 of the Protocol, for the words:

'Articles 2A to 2H'

there shall be substituted:

'Articles 2A to 2I'.

R. *Annex C*

The following group shall be added to Annex C to the Protocol:

Group	Substance	Number of Isomers	Ozone-Depleting Potential
'Group III CH ₂ BrCl	bromochloromethane	1	0,12'

Article 2

Relationship to the 1997 Amendment

No State or regional economic integration organisation may deposit an instrument of ratification, acceptance or approval of or accession to this Amendment unless it has previously, or simultaneously, deposited such an instrument to the Amendment adopted at the Ninth Meeting of the Parties in Montreal, 17 September 1997.

Article 3

Entry into force

1. This Amendment shall enter into force on 1 January 2001, provided that at least twenty instruments of ratification, acceptance or approval of the Amendment have been deposited by States or regional economic integration organisations that are Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer. In the event that this condition has not been fulfilled by that date, the Amendment shall enter into force on the ninetieth day following the date on which it has been fulfilled.
 2. For the purposes of paragraph 1, any such instrument deposited by a regional economic integration organisation shall not be counted as additional to those deposited by Member States of such organisation.
 3. After the entry into force of this Amendment, as provided under paragraph 1, it shall enter into force for any other Party to the Protocol on the ninetieth day following the date of deposit of its instrument of ratification, acceptance or approval.
-

COUNCIL RECOMMENDATION**of 5 March 2002****concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1984) (sixth EDF) for the financial year 2000**

(2002/216/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984,

Having regard to Council Decision 86/283/EEC of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾,Having regard to the Internal Agreement on the financing and administration of Community aid ⁽²⁾, signed in Brussels on 19 February 1985, as amended by Decision 86/281/EEC ⁽³⁾, and in particular Article 29(3) thereof,Having regard to the Financial Regulation of 11 November 1986 applicable to the sixth European Development Fund ⁽⁴⁾, and in particular Articles 66 to 73 thereof,Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1984) (sixth EDF) as at 31 December 2000 and the Court of Auditors' report relating to the financial year 2000 together with the Commission's replies ⁽⁵⁾,

Whereas:

- (1) Pursuant to Article 29(3) of the Internal Agreement, the discharge for the management of the European Development Fund (1984) (sixth EDF) must be given to the Commission by the European Parliament on a recommendation from the Council.
- (2) The overall implementation by the Commission of the operations of the European Development Fund (1984) (sixth EDF) during the financial year 2000 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1984) (sixth EDF) for the financial year 2000.

Done at Brussels, 5 March 2002.

*For the Council**The President*

R. DE RATO Y FIGAREDO

⁽¹⁾ OJ L 175, 1.7.1986, p. 1.

⁽²⁾ OJ L 86, 31.3.1986, p. 210.

⁽³⁾ OJ L 178, 2.7.1986, p. 13.

⁽⁴⁾ OJ L 325, 20.11.1986, p. 42.

⁽⁵⁾ OJ C 359, 15.12.2001, p. 421.

COUNCIL RECOMMENDATION**of 5 March 2002****concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1989) (seventh EDF) for the financial year 2000**

(2002/217/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Fourth ACP-EC Convention, signed at Lomé on 15 December 1989, as amended by the Agreement signed at Mauritius on 4 November 1995,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾,Having regard to the Internal Agreement on the financing and administration of Community aid ⁽²⁾, signed in Brussels on 16 July 1990, and in particular Article 33(3) thereof,Having regard to the Financial Regulation of 29 July 1991 applicable to the seventh European Development Fund ⁽³⁾, and in particular Articles 69 to 77 thereof,Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1989) (seventh EDF) as at 31 December 2000 and the Court of Auditors' report relating to the financial year 2000 together with the Commission's replies ⁽⁴⁾,

Whereas:

- (1) Pursuant to Article 33(3) of the Internal Agreement, the discharge for the management of the European Development Fund (1989) (seventh EDF) must be given to the Commission by the European Parliament on a recommendation from the Council.
- (2) The overall implementation by the Commission of the operations of the European Development Fund (1989) (seventh EDF) during the financial year 2000 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1989) (seventh EDF) for the financial year 2000.

Done at Brussels, 5 March 2002.

*For the Council**The President*

R. DE RATO Y FIGAREDO

⁽¹⁾ OJ L 263, 19.9.1991, p. 1.

⁽²⁾ OJ L 229, 17.8.1991, p. 288.

⁽³⁾ OJ L 266, 21.9.1991, p. 1.

⁽⁴⁾ OJ C 359, 15.12.2001, p. 421.

COUNCIL RECOMMENDATION**of 5 March 2002****concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1995) (eighth EDF) for the financial year 2000**

(2002/218/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Fourth ACP-EC Convention, signed at Lomé on 15 December 1989, as amended by the Agreement signed at Mauritius on 4 November 1995,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾, as revised in the interim by Decision 97/803/EC ⁽²⁾,Having regard to the Internal Agreement on the financing and administration of Community aid ⁽³⁾, signed in Brussels on 20 December 1995, and in particular Article 33(3) thereof,Having regard to the Financial Regulation of 16 June 1998 applicable to the eighth European Development Fund ⁽⁴⁾, and in particular Articles 69 to 74 thereof,Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1995) (eighth EDF) as at 31 December 2000 and the Court of Auditors' report relating to the financial year 2000 together with the Commission's replies ⁽⁵⁾,

Whereas:

- (1) Pursuant to Article 33(3) of the Internal Agreement, the discharge for the management of the European Development Fund (1995) (eighth EDF) must be given to the Commission by the European Parliament on a recommendation from the Council.
- (2) The overall implementation by the Commission of the operations of the European Development Fund (1995) (eighth EDF) during the financial year 2000 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1995) (eighth EDF) for the financial year 2000.

Done at Brussels, 5 March 2002.

*For the Council**The President*

R. DE RATO Y FIGAREDO

⁽¹⁾ OJ L 263, 19.9.1991, p. 1.⁽²⁾ OJ L 329, 29.11.1997, p. 50.⁽³⁾ OJ L 156, 29.5.1998, p. 108 and Corrigendum OJ L 173, 18.6.1998, p. 54.⁽⁴⁾ OJ L 191, 7.7.1998, p. 53.⁽⁵⁾ OJ C 359, 15.12.2001, p. 421.

Information relating to the entry into force of the Framework Agreement between the European Community and the Republic of Cyprus on the general principles for the participation of the Republic of Cyprus in Community programmes ⁽¹⁾

The exchange of instruments of notification of completion of the procedures necessary for the entry into force of the Framework Agreement between the European Community and the Republic of Cyprus on the general principles for the participation of the Republic of Cyprus in Community programmes, signed in Brussels on 21 December 2001, having taken place on 6 March 2002, that Agreement entered into force on 6 March 2002 in accordance with Article 9 thereof.

⁽¹⁾ OJ L 34, 5.2.2002, p. 19.

COMMISSION

COMMISSION DECISION

of 7 March 2002

amending Decision 1999/283/EC laying down the animal health conditions and veterinary certification for imports of fresh meat from certain African countries and in particular as regards Botswana and amending Decision 2000/585/EC laying down the animal health conditions and veterinary certification for imports of wild and farmed game meat and rabbit meat from third countries

(notified under document number C(2002) 892)

(Text with EEA relevance)

(2002/219/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

are laid down by Commission Decision 1999/283/EC ⁽⁷⁾, as last amended by Decision 2001/736/EC ⁽⁸⁾.

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽¹⁾, as last amended by Regulation (EC) No 1452/2001 ⁽²⁾, and in particular Article 14(3) thereof,

Having regard to Council Directive 92/45/EEC of 16 June 1992 concerning public health and animal health problems relating to the killing of wild game and the placing on the market of wild game meat ⁽³⁾, as last amended by Directive 97/79/EC ⁽⁴⁾, and in particular Article 16(3) thereof,

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC ⁽⁵⁾, as last amended by Decision 1999/724/EC ⁽⁶⁾, and in particular Article 10(3) thereof,

Whereas:

(1) The animal health conditions and veterinary certificates for imports of fresh meat from certain African countries

(2) The animal and public health conditions and veterinary certification for import of wild and farmed game meat and rabbit meat from third countries are laid down by Commission Decision 2000/585/EC ⁽⁹⁾, as last amended by Decision 2001/793/EC ⁽¹⁰⁾.

(3) An outbreak of foot-and-mouth disease has been reported in Botswana in the approved EC zone number 7 on 7 February 2002 and the Competent Veterinary Authority of Botswana immediately suspended exports of de-boned fresh meat to the European Community from the whole of the country.

(4) The Competent Veterinary Authority have provided information and guarantees concerning regionalisation of certain zones (10, 11, 12, 13 and 14) in Botswana which therefore should be authorised for importation into the Community of de-boned fresh meat of bovine, ovine and caprine species and farmed and wild ungulates.

(5) Decisions 1999/283/EC and 2000/585/EC must be amended accordingly, however Member States shall allow consignments of de-boned fresh meat from bovine, ovine, caprine species and farmed and wild ungulates slaughtered before 7 February 2002 to be imported from the previously authorised EC zones.

⁽¹⁾ OJ L 302, 31.12.1972, p. 28.

⁽²⁾ OJ L 198, 21.7.2001, p. 11.

⁽³⁾ OJ L 268, 14.9.1992, p. 35.

⁽⁴⁾ OJ L 24, 30.1.1998, p. 31.

⁽⁵⁾ OJ L 62, 15.3.1993, p. 49.

⁽⁶⁾ OJ L 290, 12.11.1999, p. 32.

⁽⁷⁾ OJ L 110, 28.4.1999, p. 16.

⁽⁸⁾ OJ L 275, 18.10.2001, p. 32.

⁽⁹⁾ OJ L 251, 6.10.2000, p. 1.

⁽¹⁰⁾ OJ L 297, 15.11.2001, p. 12.

- (6) The present Decision shall be reviewed in the light of the evolution of the disease situation.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

Article 2

Annexes I and II to Decision 2000/585/EC are replaced by Annexes III and IV to this Decision.

Article 3

This Decision is addressed to the Member States.

HAS ADOPTED THIS DECISION:

Done at Brussels, 7 March 2002.

Article 1

Annexes I and II to Decision 1999/283/EC are replaced by Annexes I and II to this Decision.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

ANNEX I

Description of territories of certain African countries established for animal health certification purposes

Country	Code of territory	Version	Description of territory
Botswana	BW	01/99	The whole country
	BW-01	01/99	Veterinary disease control zones: 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 18.
	BW-02	01/2002	Veterinary disease control zones: 10, 11, 12, 13 and 14.
Morocco	MA	01/99	The whole country
Madagascar	MG	01/99	The whole country
Namibia	NA	01/99	The whole country
	NA-01	01/00	South of the cordon fences which extends from Palgrave Point in the west to Gam in the east
Swaziland	SZ	01/99	The whole country
	SZ-01	01/01	Area west of the "red line" fences which extends northwards from the river Usutu to the frontier with South Africa west of Nkalashane and excluding the veterinary foot-and-mouth surveillance and vaccination control areas gazetted as a Statutory Instrument under legal notice number 51 of 2001.
South Africa	ZA	01/99	The whole country
	ZA-01	03/01	Republic of South Africa excluding: — the part of the foot-and-mouth disease control area situated in the veterinary regions of Mpumalanga and Northern provinces, in the district of Ingwavuma of the veterinary region of Natal and in the border area with Botswana east of longitude 28°, and — the district of Camperdown, in the province of KwaZulu-Natal
Zimbabwe	ZW	01/99	The whole country
	ZW-01	01/99	Veterinary regions of Mashonaland West province, Mashonaland East province (including Chikomba district), Mashonaland Central province, Manicaland province (including only Makoni district), Midlands province (including only the Gweru, Kwekwe, Shurugwi, Chirimanzu and Zvishavane districts), Masvingo province (including only the districts of Gutu and Masvingo), Matabeleland South province (including only the Insiza, Bullimamangwe, Umzingwamange, Gwanda and West Nicholson districts) and Matabeleland North province (including only the districts of Bubi and Umgusa)

ANNEX II

‘ANNEX II

Models of animal health certificates to be requested

		Fresh meat for human consumption								Fresh meat intended for purposes other than human consumption
Country	Code	Bovine		Swine		Ovine/caprine		Solipeds		
		MC ⁽¹⁾	SG ⁽²⁾	MC ⁽¹⁾	SG ⁽²⁾	MC ⁽¹⁾	SG ⁽²⁾	MC ⁽¹⁾	SG ⁽²⁾	
Botswana	BW	—		—		—		D		—
	BW-01	A ⁽⁴⁾	a	—		C ⁽⁴⁾	a	D		—
	BW-02	A ⁽⁵⁾	a			C ⁽⁵⁾	a	D		
Morocco	MA	—		—		—		D		—
Madagascar	MG	—		—		—		—		—
Namibia	NA	—		—		—		D		—
	NA-01	A	a	—		C	a	D		—
Swaziland	SZ	—		—		—		D		—
	SZ-01	A	a	—		—		D		—
South Africa	ZA	—		—		—		D		—
	ZA-01	A	a	—		C	a	D		—
Zimbabwe	ZW	—		—		—		—		—
	ZW-01	A ⁽³⁾	a, c	—		—		—		—

⁽¹⁾ MC: Model of certificate to be fulfilled: The letters (A, B, C, D) appearing on the tables are referring to the models of animal health guarantees as described in Annex III, to be applied for each product category in accordance with Article 2 of this Decision; a dash “—” indicates that imports are not authorised.

⁽²⁾ SG: Supplementary guarantees. The letters (a, b, c, d) appearing on the tables are referring to the supplementary guarantees to be provided by the exporting country as described in Annex IV. These supplementary guarantees must be inserted by the exporting country in the section V of each model of certificate laid down in Annex III.

⁽³⁾ Meat produced from animals slaughtered before 17 August 2001 can be imported into the Community.

⁽⁴⁾ Meat produced from animals slaughtered before 7 February 2002 can be imported into the Community.

⁽⁵⁾ Meat produced from animals slaughtered after 7 March 2002 can be imported into the Community.’

ANNEX III

'ANNEX I

Description of territories of certain third countries established for animal health certification purposes

Country	Code of territory	Version	Description of territory
Bulgaria	BG-1	—	As described in Annex I to Commission Decision 98/371/EC ⁽¹⁾ (as last amended)
	BG-2	—	As described in Annex I to Commission Decision 98/371/EC (as last amended)
	BG-3	—	As described in Annex I to Commission Decision 98/371/EC (as last amended)
Brazil	BR-1	—	As described in Annex I to Commission Decision 94/984/EC ⁽²⁾ (as last amended)
Botswana	BW-01	—	As described in Annex I to Commission Decision 1999/283/EC ⁽³⁾ (as last amended)
	BW-02	1/2002	As described in Annex I to Commission Decision 1999/283/EC (as last amended)
Czech Republic	CZ-1	—	As described in Annex I to Commission Decision 98/371/EC (as last amended)
	CZ-2	—	As described in Annex I to Commission Decision 98/371/EC (as last amended)
Namibia	NA-01	—	As described in Annex I to Commission Decision 1999/283/EC (as last amended)
Russia	RU-1	01/99	The region of Murmansk (Murmanskaya oblast)
Swaziland	SZ-01	—	As described in Annex I to Commission Decision 1999/283/EC (as last amended)
South Africa	ZA-01	—	As described in Annex I to Commission Decision 1999/283/EC (as last amended)
Zimbabwe	ZW-01	—	As described in Annex I to Commission Decision 1999/283/EC (as last amended)
Any Country appearing in the first column of Annex II	ISO code as indicated in the first column of Annex II		The whole country

⁽¹⁾ OJ L 170, 29.5.1998, p. 16.⁽²⁾ OJ L 378, 31.12.1994, p. 11.⁽³⁾ OJ L 110, 12.4.1999, p. 16.

ANNEX IV

'ANNEX II

Animal health guarantees to be requested on certification of wild and farmed game meat and rabbit meat

Country	Code of territory	Cloven-hoofed game, excluding wild swine						Wild swine				Game birds				Wild solipeds		Leporidae (rabbit and hare)				Other wild land mammals	
		Wild			Farmed			Wild		Farmed		Wild		Farmed		Wild		Domestic Rabbit					
		MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾		
AR	Argentina	—		—		—				D	8	I				—		C		H		—	
AU	Australia	A	9	F		J	9	G		D	8	I				—		C		H		E	
BG	Bulgaria	—		—		—		—		D		I				—		C		H		—	
	BG-1	A		F		—		—		D		I				—		C		H		—	
	BG-2	A		F		—		—		D		I				—		C		H		—	
	BG-3	—		—		—		—		D		I				—		C		H		—	
BR	Brazil	—		—		—		—		—		—				—		C		H		—	
	BR-1	—		—		—		—		D	8	I				—		C		H		—	
BW	Botswana	—		—		—		—		—		—				B		C		H		—	
	BW-01	A ^y	1, 2	F ^y	2, 3	—		—		—		—				B		C		H		—	
	BW-02	A ^x	1, 2	F ^x	2, 3	—		—		—		—				B		C		H			
	CA	Canada	A	9	F		J	9	G		D	8	I				—		C		H		E
CH	Switzerland	A		F		J		G		D		I				—		C		H		—	
CL	Chile	A	9	F		—		—		D	8	I				—		C		H		—	

Country	Code of territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		Leporidae (rabbit and hare)				Other wild land mammals	
		Wild		Farmed		Wild		Farmed		Wild		Farmed		Wild		Wild		Domestic Rabbit		MC ⁽¹⁾	CE ⁽²⁾
		MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾		
CY	Cyprus	A	9	F		J	9	G		D	8	I		—		C		H		—	
CZ	Czech Republic	A		F		—		G		D		I		—		C		H		—	
		A		F		J		G		D		I		—		C		H		—	
		A		F		—		G		D		I		—		C		H		—	
EE	Estonia	A		F		—		—		—		—		—		C		H		—	
GL	Greenland	A		F		—		—		—		—		—		C		H		E	
HR	Croatia	A		F		—		—		D		I		—		C		H		—	
HU	Hungary	A		F		J	7	G		D		I		—		C		H		—	
IL	Israel	—		—		—	—	—		D	8	I		—		C		H		—	
LI	Lithuania	A		F		—		—		D		I		—		C		H		E	
LV	Latvia	A		F		—		—		—		—		—		C		H		E	
NA	Namibia	—		—		—		—		—		—		—	B	C		H		—	
NC	New Caledonia	A	1, 2	F	2, 3	—		—		—		—		—	B	C		H		—	
		A		F		—		—		—		—		—	—	C		H		—	
NZ	New Zealand	A	9	F		J	9	G		D	8	I		—		C		H		E	
PL	Poland	A		F		—		—		D		I		—		C		H		—	
RO	Romania	A		F		—		—		D		I		—		C		H		E	
RU	Russia	—		—	—	—		—		—		—	—	—		C		H		E	
RU		—	—	F	5			—		—						C		H		E	
		A		F		—		—		D		I		—		C		H		—	
SL	Slovenia	A		F		—		—								C		H		—	
SK	Slovak Republic	A		F		—		—		D		I		—		C		H		—	

Country	Code of territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds				Leporidae (rabbit and hare)				Other wild land mammals	
		Wild		Farmed		Wild		Farmed		Wild		Farmed		Wild solipeds		Wild solipeds		Wild		Domestic Rabbit		Other wild land mammals	
		MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾	MC ⁽¹⁾	CE ⁽²⁾
SZ Swaziland	SZ	—	—	—	—	—	—	—	—	—	—	—	—	—	—	B	—	C	—	H	—	—	—
	SZ-01	A	1, 2	F	2, 3	—	—	—	—	—	—	—	—	—	—	B	—	C	—	H	—	—	—
TH Thailand	TH	—	—	—	—	—	—	—	—	D	8	I	—	—	—	—	—	C	—	H	—	—	—
TN Tunisia	TN	—	—	—	—	—	—	—	—	D	8	I	—	—	—	—	—	C	—	H	—	—	—
US United States of America	US	A	9	F	—	J	9	G	—	D	8	I	—	—	—	—	—	C	—	H	—	—	—
UY Uruguay	UY	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	H	—	—	—
ZA South Africa	ZA	—	—	—	—	—	—	—	—	—	—	—	—	—	—	B	—	C	—	H	—	—	—
ZW Zimbabwe	ZA-01	A	1, 2	F	2, 3	—	—	—	—	—	—	—	—	—	—	B	—	C	—	H	—	—	—
	ZW	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	H	—	—	—
ZW Zimbabwe	ZW-01	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	H	—	—	—
	Third countries, other than those above, appearing on the list of the first part of the Annex to Decision 79/542/EEC as last amended	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	C	—	H	—	—	—

⁽¹⁾ MC: model to be completed. The letters (A, B, C, D, etc.) appearing in the tables refer to the models of animal health guarantees, as described in Annex III to the present Decision, to be applied for each category of fresh meat and origin in accordance with Article 2 of this Decision. A dash "—" indicates that imports are not authorised.

⁽²⁾ SC: specific conditions. The numbers (1, 2, 3, etc.) appearing in the table refer to the special conditions to be provided by the exporting country as described in Annex IV. These supplementary guarantees must be inserted by the exporting country in section V of each model of certificate set down in Annex III.

NB:

γ Meat produced from animals slaughtered before 7 February 2002 can be imported into the Community.

x Meat produced from animals slaughtered after 7 March 2002 can be imported into the Community.