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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 579/2002
of 25 March 2002**

amending Regulation (EC) No 1587/98 introducing a scheme to compensate for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French departments of Guiana and Réunion as a result of those regions' remoteness

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 and Article 299(2) thereof,

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

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

Whereas:

(1) On 17 July 1998 the Council adopted Regulation (EC) No 1587/98 introducing a scheme to compensate for the additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French departments of Guiana and Réunion ⁽³⁾ as a result of those regions' remoteness. This scheme expires on 31 December 2001, unless a new proposal is presented by the Commission.

(2) Article 299(2) of the Treaty recognises the particular handicaps affecting the structural social and economic situation of the outermost regions, made worse by their remoteness and insularity. This is also the case for the fisheries sector.

(3) The Commission, in its report to the European Parliament and to the Council of 14 March 2000, undertook to propose, where appropriate, adjustments to be made to the measures in force after carrying out an evaluation of the scheme.

(4) A detailed evaluation of the impact of the implementation of the special measures adopted for the fisheries sector in the outermost regions is needed in order to submit the report provided for in Article 6 of Regulation (EC) No 1587/98. It is not possible to carry out the evaluation by 1 June 2001, as required under that Article.

(5) After carrying out the above evaluation, and as part of the debate on the future of the common fisheries policy, the Commission will submit a report to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on the implementation of the measures provided for in Regulation (EC) No 1587/98 together, if appropriate, with a new proposal.

(6) The Commission should be able to adjust the quantities set for the various species to take account of changes in marketing conditions and characteristics.

(7) The scheme should be extended for one year, to ensure the continuity of the legal framework of the scheme to compensate for additional costs,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1587/98 is hereby amended as follows:

1. Article 2(6) shall be replaced by the following:

'6. The Commission may, in accordance with the procedure laid down in Article 4, adjust the amounts and the quantities set for the various species, in the light of their marketing conditions and characteristics, within the overall financial provisions set out in paragraphs 1 to 5.'

2. In Article 6, the date '1 June 2001' shall be replaced by '1 June 2002'.

3. In Article 7, second paragraph, the date '31 December 2001' shall be replaced by '31 December 2002'.

Article 2

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

⁽¹⁾ OJ C 332 E, 27.11.2001, p. 247.

⁽²⁾ Opinion delivered on 14 March 2002 (not yet published in the Official Journal).

⁽³⁾ OJ L 208, 24.7.1998, p. 1.

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

Done at Brussels, 25 March 2002.

For the Council

The President

A. M. BIRULÉS Y BERTRÁN

**COUNCIL REGULATION (EC) No 580/2002
of 25 March 2002**

on the conclusion of the Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Gabonese Republic on fishing off the coast of Gabon for the period 3 December 2001 to 2 December 2005

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37, in conjunction with Article 300(2) and the first subparagraph of Article 300(3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) Under the Agreement between the European Community and the Gabonese Republic on fishing off the coast of Gabon ⁽²⁾, the two Parties have held negotiations with a view to determining amendments or additions to be made to that Agreement at the end of the period of validity of the Protocol annexed thereto.
- (2) As a result of these negotiations, a new Protocol setting out the fishing opportunities and financial contribution provided for in the above Agreement for the period from 3 December 2001 to 2 December 2005 was initialled on 20 September 2001.
- (3) It is in the Community's interest to approve this Protocol.
- (4) The allocation of the fishing opportunities among the Member States should be defined,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol setting out the fishing opportunities and the financial contribution provided for by the Agreement between the European Community and the Gabonese Republic on fishing off the coast of Gabon for the period 3 December 2001 to 2 December 2005 is hereby approved on behalf of the Community.

⁽¹⁾ Opinion delivered on 14 March 2002 (not yet published in the Official Journal).

⁽²⁾ OJ L 308, 18.11.1998, p. 4.

The text of the Protocol is attached to this Regulation ⁽³⁾.

Article 2

The fishing opportunities set out in the Protocol shall be allocated among the Member States as follows:

- tuna seiners:
 - France: 20 vessels,
 - Spain: 18 vessels;
- surface longliners:
 - Spain: 20 vessels,
 - Portugal: 6 vessels;
- trawlers:
 - Spain: 900 GRT per month, averaged over the year,
 - Greece: 300 GRT per month, averaged over the year.

If licence applications from these Member States do not cover all the fishing opportunities fixed by the Protocol, the Commission may take into consideration licence applications from any other Member State.

Article 3

The Member States whose vessels fish under the Protocol shall be required to notify the Commission of the quantities of each stock caught in the Gabonese fishing zone in accordance with the detailed rules provided by Commission Regulation (EC) No 500/2001 of 14 March 2001 laying down detailed rules for the application of Council Regulation (EEC) No 2847/93 on the monitoring of catches taken by Community fishing vessels in third country waters and on the high seas ⁽⁴⁾.

Article 4

The President of the Council is hereby authorised to designate the persons empowered to sign the Protocol in order to bind the Community.

Article 5

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

⁽³⁾ OJ L 73, 15.3.2002, p. 19.

⁽⁴⁾ OJ L 73, 15.3.2001, p. 8.

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

Done at Brussels, 25 March 2002.

For the Council

The President

A.M. BIRULÉS Y BERTRÁN

COMMISSION REGULATION (EC) No 581/2002
of 4 April 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 5 April 2002.

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

Done at Brussels, 4 April 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 4 April 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	183,6
	204	106,3
	212	133,5
	220	149,1
	624	198,4
	999	154,2
0707 00 05	052	119,4
	628	178,7
	999	149,1
0709 90 70	052	118,2
	204	32,0
	999	75,1
0805 10 10, 0805 10 30, 0805 10 50	052	69,5
	204	52,3
	212	46,3
	220	44,8
	624	85,3
	999	59,6
0805 50 10	052	45,3
	999	45,3
0808 10 20, 0808 10 50, 0808 10 90	039	109,2
	060	42,5
	204	97,4
	388	94,4
	400	137,1
	404	103,6
	508	88,1
	512	89,5
	524	95,7
	528	84,3
	720	124,3
	804	112,0
	999	98,2
0808 20 50	388	76,1
	400	78,8
	512	72,4
	528	79,5
	999	76,7

⁽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 582/2002**of 4 April 2002****adapting the total quantities referred to in Article 3 of Council Regulation (EEC) No 3950/92
establishing an additional levy in the milk and milk products sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3950/92 of 28 December 1992 establishing an additional levy in the milk and milk products sector ⁽¹⁾, as last amended by Commission Regulation (EC) No 603/2001 ⁽²⁾, and in particular Article 3(2) and Article 4(2) thereof,

Whereas:

- (1) Article 3(2) of Regulation (EEC) No 3950/92 lays down that the guaranteed total quantities for Finland may be increased to compensate 'SLOM' producers, up to a maximum of 200 000 tonnes. In accordance with Article 6 of Commission Regulation (EC) No 671/95 ⁽³⁾, as amended by Regulation (EC) No 1390/95 ⁽⁴⁾, Finland has notified the quantities concerned for the 2001/02 marketing year.
- (2) Article 4(2) of Regulation (EEC) No 3950/92 lays down that the individual reference quantities are increased or established at the duly justified request of producers to take account of changes affecting their deliveries and/or direct sales and that the increase or establishment of such a reference quantity is subject to a corresponding reduction or cancellation of the other reference quantity the producer owns.
- (3) Such adjustments may not lead to an increase, for the Member State concerned, in the sum of the deliveries and direct sales referred to in Article 3 of Regulation (EEC) No 3950/92. Where the individual reference quantities undergo a definitive change, the quantities referred to in Article 3 are adjusted accordingly.

- (4) In accordance with the third indent of Article 8 of Commission Regulation (EEC) No 536/93 ⁽⁵⁾, as last amended by Regulation (EC) No 1255/98 ⁽⁶⁾, Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Luxembourg, the Netherlands, Austria, Portugal, Finland and the United Kingdom have notified quantities which have undergone a definitive change in accordance with the second subparagraph of Article 4(2) of Regulation (EEC) No 3950/92.
- (5) The total quantities applicable for the period from 1 April 2001 to 31 March 2002 laid down in point (b) of the Annex to Regulation (EEC) No 3950/92 and consequently those applicable for subsequent periods laid down in points (c) to (f) of that same Annex should therefore be adjusted.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3950/92 is replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 4 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 405, 31.12.1992, p. 1.

⁽²⁾ OJ L 89, 29.3.2001, p. 18.

⁽³⁾ OJ L 70, 30.3.1995, p. 2.

⁽⁴⁾ OJ L 135, 21.6.1995, p. 4.

⁽⁵⁾ OJ L 57, 10.3.1993, p. 12.

⁽⁶⁾ OJ L 173, 18.6.1998, p. 14.

ANNEX

'ANNEX

(a) Total reference quantities referred to in Article 3(2) as applicable from 1 April 2000 to 31 March 2001

(tonnes)

Member State	Deliveries	Direct sales
Belgium	3 171 279,539	139 151,461
Denmark	4 454 616,417	731,583
Germany	27 768 686,841	96 129,159
Greece	674 471,000	842,000
Spain	5 828 977,475	87 972,525
France	23 832 232,240	403 565,760
Ireland	5 332 448,840	9 315,160
Italy	10 100 482,000	213 578,000
Luxembourg	268 254,000	795,000
Netherlands	10 992 901,000	81 791,000
Austria	2 583 251,804	166 149,196
Portugal	1 863 166,000	9 295,000
Finland	2 397 527,921	9 120,645
Sweden	3 300 000,000	3 000,000
United Kingdom ⁽¹⁾	14 420 829,479	181 825,521

⁽¹⁾ Specific quota increase for allocation to Northern Ireland.

(b) Total reference quantities referred to in Article 3(2) as applicable from 1 April 2001 to 31 March 2002

(tonnes)

Member State	Deliveries	Direct sales
Belgium	3 188 202,403	122 228,597
Denmark	4 454 709,217	638,783
Germany	27 769 228,612	95 587,388
Greece	699 626,000	887,000
Spain	6 035 564,833	81 385,167
France	23 844 318,264	391 479,736
Ireland	5 386 176,780	9 587,220
Italy	10 316 482,000	213 578,000
Luxembourg	268 554,000	495,000
Netherlands	11 001 277,000	73 415,000
Austria	2 599 130,467	150 270,533
Portugal	1 863 171,000	9 290,000
Finland	2 398 275,179	8 685,339
Sweden	3 300 000,000	3 000,000
United Kingdom ⁽¹⁾	14 437 481,500	172 265,500

⁽¹⁾ Specific quota increase for allocation to Northern Ireland.

(c) Total reference quantities referred to in Article 3(2) as applicable from 1 April 2002 to 31 March 2005

(tonnes)

Member State	Deliveries	Direct sales
Belgium	3 188 202,403	122 228,597
Denmark	4 454 709,217	638,783
Germany	27 769 228,612	95 587,388
Greece	699 626,000	887,000
Spain	6 035 564,833	81 385,167
France	23 844 318,264	391 479,736
Ireland	5 386 176,780	9 587,220
Italy	10 316 482,000	213 578,000
Luxembourg	268 554,000	495,000
Netherlands	11 001 277,000	73 415,000
Austria	2 599 130,467	150 270,533
Portugal	1 863 171,000	9 290,000
Finland	2 398 275,179	8 685,339
Sweden	3 300 000,000	3 000,000
United Kingdom	14 437 481,500	172 265,500

(d) Total reference quantities referred to in Article 3(2) as applicable from 1 April 2005 to 31 March 2006

(tonnes)

Member State	Deliveries	Direct sales
Belgium	3 204 754,403	122 228,597
Denmark	4 476 986,217	638,783
Germany	27 908 552,612	95 587,388
Greece	699 626,000	887,000
Spain	6 035 564,833	81 385,167
France	23 965 497,264	391 479,736
Ireland	5 386 176,780	9 587,220
Italy	10 316 482,000	213 578,000
Luxembourg	269 899,000	495,000
Netherlands	11 056 650,000	73 415,000
Austria	2 612 877,467	150 270,533
Portugal	1 872 533,000	9 290,000
Finland	2 410 298,179	8 685,339
Sweden	3 316 515,000	3 000,000
United Kingdom	14 510 431,500	172 265,500

(e) Total reference quantities referred to in Article 3(2) as applicable from 1 April 2006 to 31 March 2007

(tonnes)

Member State	Deliveries	Direct sales
Belgium	3 221 306,403	122 228,597
Denmark	4 499 262,217	638,783
Germany	28 047 876,612	95 587,388
Greece	699 626,000	887,000
Spain	6 035 564,833	81 385,167
France	24 086 676,264	391 479,736

(tonnes)

Member State	Deliveries	Direct sales
Ireland	5 386 176,780	9 587,220
Italy	10 316 482,000	213 578,000
Luxembourg	271 244,000	495,000
Netherlands	11 112 024,000	73 415,000
Austria	2 626 624,467	150 270,533
Portugal	1 881 896,000	9 290,000
Finland	2 422 320,179	8 685,339
Sweden	3 333 030,000	3 000,000
United Kingdom	14 583 381,500	172 265,500

(f) Total reference quantities referred to in Article 3(2) as applicable from 1 April 2007 to 31 March 2008

(tonnes)

Member State	Deliveries	Direct sales
Belgium	3 237 858,403	122 228,597
Denmark	4 521 539,217	638,783
Germany	28 187 200,612	95 587,388
Greece	699 626,000	887,000
Spain	6 035 564,833	81 385,167
France	24 207 855,264	391 479,736
Ireland	5 386 176,780	9 587,220
Italy	10 316 482,000	213 578,000
Luxembourg	272 590,000	495,000
Netherlands	11 167 397,000	73 415,000
Austria	2 640 371,467	150 270,533
Portugal	1 891 258,000	9 290,000
Finland	2 434 343,179	8 685,339
Sweden	3 349 545,000	3 000,000
United Kingdom	14 656 332,500	172 265,500'

COMMISSION REGULATION (EC) No 583/2002**of 4 April 2002****fixing the maximum export refund on rye in connection with the invitation to tender issued in Regulation (EC) No 1005/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 29 March to 4 April 2002, pursuant to the invitation to tender issued in Regulation (EC) No 1005/2001, the maximum refund on exportation of rye shall be EUR 38,95/t.

Article 2

This Regulation shall enter into force on 5 April 2002.

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

Done at Brussels, 4 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 140, 24.5.2001, p. 10.

COMMISSION REGULATION (EC) No 584/2002**of 4 April 2002****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 1558/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 29 March to 4 April 2002, pursuant to the invitation to tender issued in Regulation (EC) No 1558/2001, the maximum refund on exportation of barley shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 5 April 2002.

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

Done at Brussels, 4 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 205, 31.7.2001, p. 33.

COMMISSION REGULATION (EC) No 585/2002**of 4 April 2002****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 943/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 29 March to 4 April 2002 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 943/2001.

Article 2

This Regulation shall enter into force on 5 April 2002.

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

Done at Brussels, 4 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 133, 16.5.2001, p. 3.

COMMISSION REGULATION (EC) No 586/2002**of 4 April 2002****determining to what extent applications lodged in March 2002 for the right to import young male bovine animals for fattening can be met**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1095/2001 of 5 June 2001 opening and providing for the administration of an import tariff quota for young male bovine animals for fattening (1 July 2001 to 30 June 2002) ⁽¹⁾, and in particular the second subparagraph of Article 4(4) thereof,

Whereas:

- (1) Article 9(1) of Regulation (EC) No 1095/2001 provides for a further allocation of quantities not covered by import licence applications at 22 February 2002.
- (2) Article 1 of Commission Regulation (EC) No 420/2002 ⁽²⁾ lays down the quantities of young male bovine animals for fattening that may be imported under special conditions before 30 June 2002.

- (3) The quantities for which import rights have been requested exceed the quantities available. The quantities applied for should therefore be reduced proportionately in accordance with Article 9(5) and the second subparagraph of Article 4(4) of Regulation (EC) No 1095/2001,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for the right to import lodged in accordance with Article 9 of Regulation (EC) No 1095/2001 shall be granted for 16,198 % of the quantity applied for.

Article 2

This Regulation shall enter into force on 5 April 2002.

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

Done at Brussels, 4 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 150, 6.6.2001, p. 25.

⁽²⁾ OJ L 64, 7.3.2002, p. 10.

COMMISSION REGULATION (EC) No 587/2002**of 4 April 2002****fixing the maximum export refund for white sugar for the 33rd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1430/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1430/2001 of 13 July 2001 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽²⁾ for the 2001/2002 marketing year, requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1430/2001 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

(3) Following an examination of the tenders submitted in response to the 33rd partial invitation to tender, the provisions set out in Article 1 should be adopted.

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 33rd partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1430/2001 the maximum amount of the export refund is fixed at 45,638 EUR/100 kg.

Article 2

This Regulation shall enter into force on 5 April 2002.

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

Done at Brussels, 4 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 192, 14.7.2001, p. 3.

COMMISSION REGULATION (EC) No 588/2002**of 4 April 2002****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 5 April 2002.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 141, 24.6.1995, p. 12.

⁽³⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 4 April 2002.

For the Commission
 Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 4 April 2002 fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,60	—	0
1703 90 00 ⁽¹⁾	13,29	—	0

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

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

COMMISSION REGULATION (EC) No 589/2002**of 4 April 2002****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 5 April 2002.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

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

Done at Brussels, 4 April 2002.

For the Commission
 Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 4 April 2002 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	37,79 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	38,85 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	37,79 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	38,85 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4108
1701 99 10 9100	A00	EUR/100 kg	41,08
1701 99 10 9910	A00	EUR/100 kg	42,23
1701 99 10 9950	A00	EUR/100 kg	42,23
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4108

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 28(4) of Council Regulation (EC) No 1260/2001.

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

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

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

COMMISSION REGULATION (EC) No 590/2002
of 4 April 2002
amending representative prices and additional duties for the import of certain products in the
sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses ⁽²⁾, as last amended by Regulation (EC) No 624/98 ⁽³⁾, and in particular the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation

(EC) No 1309/2001 ⁽⁴⁾, as last amended by Regulation (EC) No 448/2002 ⁽⁵⁾.

- (2) It follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 April 2002.

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

Done at Brussels, 4 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 141, 24.6.1995, p. 16.

⁽³⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁴⁾ OJ L 177, 30.6.2001, p. 21.

⁽⁵⁾ OJ L 70, 13.3.2002, p. 13.

ANNEX

to the Commission Regulation of 4 April 2002 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	19,79	6,41
1701 11 90 ⁽¹⁾	19,79	12,09
1701 12 10 ⁽¹⁾	19,79	6,22
1701 12 90 ⁽¹⁾	19,79	11,58
1701 91 00 ⁽²⁾	26,01	12,23
1701 99 10 ⁽²⁾	26,01	7,71
1701 99 90 ⁽²⁾	26,01	7,71
1702 90 99 ⁽³⁾	0,26	0,39

⁽¹⁾ For the standard quality as defined in Annex I, point II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

⁽²⁾ For the standard quality as defined in Annex I, point I to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 591/2002**of 4 April 2002****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 537/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported into Portugal was opened pursuant to Commission Regulation (EC) No 537/2002⁽³⁾.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 1839/95⁽⁴⁾, as last amended by Regulation (EC) No 2235/2000⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. A contract is

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 29 March to 4 April 2002, pursuant to the invitation to tender issued in Regulation (EC) No 537/2002, the maximum reduction in the duty on maize imported shall be 29,76 EUR/t and be valid for a total maximum quantity of 44 650 t.

Article 2

This Regulation shall enter into force on 5 April 2002.

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

Done at Brussels, 4 April 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 82, 26.3.2002, p. 3.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.