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Contents

I Acts whose publication is obligatory

- ★ **Council Regulation (EC) No 962/2002 of 27 May 2002 amending Regulation (EC) No 1868/94 establishing a quota system in relation to the production of potato starch** 1
- ★ **Council Regulation (EC) No 963/2002 of 3 June 2002 laying down transitional provisions concerning anti-dumping and anti-subsidy measures adopted pursuant to Commission Decisions No 2277/96/ECSC and No 1889/98/ECSC as well as pending anti-dumping and anti-subsidy investigations, complaints and applications pursuant to those Decisions** 3
- Commission Regulation (EC) No 964/2002 of 6 June 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables 8
- Commission Regulation (EC) No 965/2002 of 6 June 2002 fixing the representative prices and the additional import duties for molasses in the sugar sector 10
- Commission Regulation (EC) No 966/2002 of 6 June 2002 fixing the maximum export refund for white sugar for the 41st partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1430/2001 12
- Commission Regulation (EC) No 967/2002 of 6 June 2002 fixing the export refunds on white sugar and raw sugar exported in its unaltered state 13
- Commission Regulation (EC) No 968/2002 of 6 June 2002 opening a standing invitation to tender for the export of barley held by the United Kingdom intervention agency 15
- ★ **Commission Regulation (EC) No 969/2002 of 6 June 2002 amending Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff** 20
- Commission Regulation (EC) No 970/2002 of 6 June 2002 fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 901/2002 21

Commission Regulation (EC) No 971/2002 of 6 June 2002 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 899/2002	22
Commission Regulation (EC) No 972/2002 of 6 June 2002 concerning tenders notified in response to the invitation to tender for the import of maize issued in Regulation (EC) No 537/2002	23
Commission Regulation (EC) No 973/2002 of 6 June 2002 concerning tenders notified in response to the invitation to tender for the export of oats issued in Regulation (EC) No 1789/2001	24
Commission Regulation (EC) No 974/2002 of 6 June 2002 concerning tenders notified in response to the invitation to tender for the export of rye issued in Regulation (EC) No 900/2002	25
Commission Regulation (EC) No 975/2002 of 6 June 2002 amending representative prices and additional duties for the import of certain products in the sugar sector	26
★ Commission Directive 2002/50/EC of 6 June 2002 adapting to technical progress Council Directive 1999/36/EC on transportable pressure equipment ⁽¹⁾	28

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 962/2002
of 27 May 2002
amending Regulation (EC) No 1868/94 establishing a quota system in relation to the production of
potato starch**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 36 and 37 thereof,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas:

- (1) Article 2(3) of Regulation (EC) No 1868/94 ⁽⁴⁾ fixes the potato starch quotas for producer Member States for the 2000/2001 and 2001/2002 marketing years.
- (2) Under Article 3(2) of Regulation (EC) No 1868/94 the quota is to be allocated between producer Member States at three-yearly intervals on the basis of the report from the Commission to the Council. The quotas currently fixed for the 2001/2002 marketing year should therefore be extended for three years.
- (3) The Commission reserves the right to make other appropriate legislative proposals for the potato starch system in the light of the ongoing evaluation of the sector.
- (4) Producer Member States should allocate their quotas for a period of three years between all potato starch manufacturers on the basis of the quotas adopted for the 2001/02 marketing year.
- (5) Quantities used in excess of the subquotas available in the 2001/2002 marketing year must be deducted for the 2002/2003 marketing year in accordance with Article 6(2) of Regulation (EC) No 1868/94.

- (6) The amendment of Regulation (EEC) No 1766/92 ⁽⁵⁾ by Council Regulation (EC) No 1253/1999 ⁽⁶⁾ involved changes to the payment terminology in Article 8; this Regulation should therefore be brought into line with that terminology,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1868/94 is hereby amended as follows:

1. Article 2 shall be replaced by the following:

'Article 2

1. The potato starch producer Member States listed below are hereby allocated the following quotas for the 2002/2003, 2003/2004 and 2004/2005 marketing years:

	(tonnes)
Denmark	168 215
Germany	656 298
Spain	1 943
France	265 354
Netherlands	507 403
Austria	47 691
Finland	53 178
Sweden	62 066
Total	1 762 148

⁽¹⁾ OJ C 51 E, 26.2.2002, p. 368.

⁽²⁾ Opinion delivered on 15 May 2002 (not yet published in the Official Journal).

⁽³⁾ OJ C 80, 3.4.2002, p. 46.

⁽⁴⁾ OJ L 197, 30.7.1994, p. 4. Regulation as last amended by Regulation (EC) No 1252/1999 (OJ L 160, 26.6.1999, p. 15).

⁽⁵⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1666/2000 (OJ L 193, 29.7.2000, p. 1).

⁽⁶⁾ OJ L 160, 26.6.1999, p. 18.

2. Each producer Member State shall allocate the quota referred to in paragraph 1 between potato starch manufacturers for use in the 2002/2003, 2003/2004 and 2004/2005 marketing years in proportion to the subquotas available to each manufacturer for the 2001/2002 marketing year before application of a possible correction under Article 6(2).

The subquotas available for each manufacturer for the 2002/2003 marketing year shall be adjusted to take account of any amount used in excess of quota during the 2001/2002 marketing year in accordance with Article 6(2).'

2. Article 3 shall be replaced by the following:

'Article 3

1. On or before 30 September 2004, and thereafter at three-yearly intervals, the Commission shall present to the Council a report on the allocation of quota within the Community, accompanied by appropriate proposals. This report shall take account of possible changes in the payments to potato producers and of developments on the potato starch and cereal starch markets.

2. On or before 31 December 2004, and thereafter at three-yearly intervals, the Council, acting on the basis of Article 37 of the Treaty, shall allocate the quota between

Member States on the basis of the report referred to in paragraph 1 for use in the following three marketing years.

3. On or before 31 January 2005, and thereafter at three-yearly intervals, Member States shall notify those concerned of the details of quota allocations for the following three marketing years.'

3. Article 7 shall be replaced by the following:

'Article 7

This Regulation shall not cover production of potato starch by undertakings which neither purchase potatoes which have benefited from the payment referred to in Article 8 of Regulation (EEC) No 1766/92 nor benefit from the refund referred to in Article 7 of that Regulation.'

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*.

It shall apply from 1 July 2002.

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

Done at Brussels, 27 May 2002.

For the Council

The President

M. ARIAS CAÑETE

COUNCIL REGULATION (EC) No 963/2002

of 3 June 2002

laying down transitional provisions concerning anti-dumping and anti-subsidy measures adopted pursuant to Commission Decisions No 2277/96/ECSC and No 1889/98/ECSC as well as pending anti-dumping and anti-subsidy investigations, complaints and applications pursuant to those Decisions

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Treaty establishing the European Coal and Steel Community (ECSC Treaty) will expire on 23 July 2002.
- (2) Products which are currently covered by the ECSC Treaty will be subject to the Treaty establishing the European Community as of 24 July 2002.
- (3) The Commission has adopted a number of anti-dumping measures pursuant to Commission Decision No 2277/96/ECSC of 28 November 1996 on protection against dumped imports from countries not members of the European Coal and Steel Community (basic anti-dumping Decision) ⁽¹⁾. Measures are normally imposed for a 5-year period in accordance with Article 11(2) of the basic anti-dumping Decision. However, some of these measures will not, at the date of the expiry of the ECSC Treaty, have reached the end of that 5-year period (ECSC anti-dumping measures). Some investigations, initiated pursuant to the basic anti-dumping Decision, may also be pending at the date of the expiry of the ECSC Treaty (pending anti-dumping investigations). Similarly, complaints or other applications for the initiation of an investigation filed pursuant to the provisions of the basic anti-dumping Decision may be pending at the date of the expiry of the ECSC Treaty (pending anti-dumping applications).
- (4) It is therefore appropriate to provide for the continued application of ECSC anti-dumping measures under Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community (basic anti-dumping Regulation) ⁽²⁾ after the date of the expiry of the ECSC Treaty and to apply from then onwards the provisions of the basic anti-dumping Regulation to such measures. Any pending anti-dumping investigation should, after the date of the expiry of the ECSC Treaty, be continued and concluded pursuant to the provisions of the basic anti-dumping Regulation and any anti-dumping measures resulting from such an investigation should be subject to the provisions of the basic anti-

dumping Regulation. Similarly, after the date of the expiry of the ECSC Treaty, pending anti-dumping applications should be dealt with pursuant to the provisions of the basic anti-dumping Regulation.

- (5) In this context, it should be noted that the provisions of the basic anti-dumping Decision are, with the exception of those on the Community's decision-making procedure, practically identical to those of the basic anti-dumping Regulation.
- (6) The Commission has also adopted a number of countervailing measures pursuant to Commission Decision No 1889/98/ECSC on protection against subsidised imports from countries not members of the European Coal and Steel Community (basic anti-subsidy Decision) ⁽³⁾. Measures are normally imposed for a 5-year period in accordance with Article 18(1) of the basic anti-subsidy Decision. However, some of these measures will not, at the date of the expiry of the ECSC Treaty, have reached the end of that 5-year period (ECSC countervailing measures). Some investigations, initiated pursuant to the basic anti-subsidy Decision, may also be pending at the date of the expiry of the ECSC Treaty (pending anti-subsidy investigations). Similarly, complaints or other applications for the initiation of an investigation filed pursuant to the provisions of the basic anti-subsidy Decision may be pending at the date of the expiry of the ECSC Treaty (pending anti-subsidy applications).
- (7) It is therefore also appropriate to provide for the continued application of ECSC countervailing measures under Council Regulation (EC) No 2026/97 on protection against subsidised imports from countries not members of the European Community (basic anti-subsidy Regulation) ⁽⁴⁾ after the date of the expiry of the ECSC Treaty and to apply from then onwards the provisions of the basic anti-subsidy Regulation to such measures. Any pending anti-subsidy investigation should after the date of the expiry of the ECSC Treaty be continued and concluded pursuant to the provisions of the basic anti-subsidy Regulation and any countervailing measures resulting from such an investigation should be subject to the provisions of the basic anti-subsidy Regulation. Similarly, after the date of the expiry of the ECSC Treaty, pending anti-subsidy applications should be dealt with pursuant to the provisions of the basic anti-subsidy Regulation.

⁽¹⁾ OJ L 308, 29.11.1996, p. 11. Decision as last amended by Commission Decision No 435/2001/ECSC (OJ L 63, 3.3.2001, p. 14).

⁽²⁾ OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2238/2000 (OJ L 257, 11.10.2000, p. 2).

⁽³⁾ OJ L 245, 4.9.1998, p. 3.

⁽⁴⁾ OJ L 288, 21.10.1997, p. 1.

- (8) In this context, it should be noted that the provisions of the basic anti-subsidy Decision are, with the exception of those on the Community's decision making procedure, practically identical to those of the basic anti-subsidy Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The anti-dumping measures, set out in Annex I hereto, which have been adopted pursuant to Decision No 2277/96/ECSC and which are still in force on 23 July 2002 (the anti-dumping measures set out in Annex I), shall be continued and shall be governed by the provisions of Regulation (EC) No 384/96 with effect from 24 July 2002.
2. In calculating the date on which the anti-dumping measures set out in Annex I shall expire pursuant to Article 11(2) of Regulation (EC) No 384/96, regard shall be had to the original date of entry into force of those measures.
3. Any investigation, which has been initiated pursuant to Decision No 2277/96/ECSC and which is still pending on 23 July 2002, or any complaint or application for the initiation of such an investigation which is still pending on that date, shall be continued and shall be governed by the provisions of Regulation (EC) No 384/96 with effect from 24 July 2002. Any anti-dumping measures resulting from such pending anti-

dumping investigations, complaints or applications shall be governed by the provisions of Regulation (EC) No 384/96.

Article 2

1. The countervailing measures, set out in Annex II hereto, which have been adopted pursuant to Decision No 1898/98/ECSC and which are still in force on 23 July 2002 (the anti-subsidy measures set out in Annex II), shall be continued and shall be governed by the provisions of Regulation (EC) No 2026/97 with effect from 24 July 2002.
2. In calculating the date on which the anti-subsidy measures set out in Annex II shall expire pursuant to Article 18(1) of Regulation (EC) No 2026/97, regard shall be had to the original date of entry into force of those measures.
3. Any investigation which has been initiated pursuant to Decision No 1898/98/ECSC and which is still pending on 23 July 2002, or any complaint or application for the initiation of such an investigation which is still pending on 23 July 2002, shall be continued and shall be governed by the provisions of Regulation (EC) No 2026/97 with effect from 24 July 2002. Any countervailing measures resulting from such pending anti-subsidy investigations, complaints or applications shall be governed by the provisions of Regulation (EC) No 2026/97.

Article 3

This Regulation shall enter into force on 24 July 2002.

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

Done at Luxembourg, 3 June 2002.

For the Council

The President

J. C. APARICIO PÉREZ

ANNEX I

ECSC anti-dumping measures in force on 23 July 2002

Product	Decision No	CN code TARIC code	Origin	Manufacturers (additional TARIC code)	Level of duty
Coke of coal in pieces with a diameter of more than 80 mm	Commission Decision No 2730/2000/ECSC 14.12.2000 (OJ L 316, 15.12.2000, p. 30)	2704 00 19 (2704 00 19 10)	People's Republic of China	All companies	EUR 32,6 per tonne of dry net weight
Flat-rolled products of iron or non-alloy steel (hot rolled coils)	Commission Decision No 283/2000/ECSC 4.2.2000 (OJ L 31, 5.2.2000, p. 15) (corrected by Decision No 2009/2000/ECSC 22.9.2000) (OJ L 240, 23.9.2000, p. 12) as last amended by Decision No 1357/2001/ECSC 4.7.2001 (OJ L 182, 5.7.2001, p. 27)	7208 10 00 7208 25 00 7208 26 00 7208 27 00 7208 36 00 7208 37 10 7208 37 90 7208 38 10 7208 38 90 7208 39 10 7208 39 90	Bulgaria	All companies (A999) Kremikovtzi Corp. (A082)	7,5 % Undertaking
			India	Tata Iron & Steel Company Ltd (A078) All companies (A999) Essar Steel Ltd (A083) Steel Authority of India Ltd (A084) Jindal Vijayanagar Steel Ltd (A270) Ispat Industries Ltd (A204)	0 10,7 % Undertaking/1,5 % Undertaking/11,5 % 18,1 % Undertaking/15 %
			South Africa	Iscor Ltd (A079) All companies (A999) Highveld Steel & Vanadium Corp. (A085)	5,2 % 37,8 % Undertaking
			Taiwan	China Steel Corp. (A080) Yieh Loong Enterprise Co., Ltd (A081) All companies (A999)	2,7 % 2,1 % 24,9 %
			Yugoslavia (FR)	All companies	15,4 %
Grain-oriented electrical steel sheets	Commission Decision 303/96/ECSC 19.2.1996 (OJ L 42, 20.2.1996, p. 7)	7225 11 00 7226 11 10	Russia	All companies (8877) Novolipetsk Iron and Steel Corp. (8878) OOO VIZ-STAL (8878) VO 'Promsyrimport' (8878)	40,1 % Undertaking Undertaking Undertaking

Product	Decision No	CN code TARIC code	Origin	Manufacturers (additional TARIC code)	Level of duty
Hot-rolled flat products of non-alloy steel (quarto plates)	Commission Decision No 1758/2000/ECSC 9.8.2000 (OJ L 202, 10.8.2000, p. 21)	ex 7208 51 30 (7208 51 30 10) ex 7208 51 50 (7208 51 50 10) ex 7208 51 91 (7208 51 91 10) ex 7208 51 99 (7208 51 99 10) ex 7208 52 91 (7208 52 91 10)	People's Republic of China	All companies	8,1 %
			India	All companies (A999) Steel Authority of India (A178)	22,3 % Undertaking
			Romania	Sidex SA (A069) All other companies (A999) Sidex Trading SRL (A179) Metalexportimport SA (A179) Metanef SA (A179) Metagrimex Business Group SA (A179) Uzinsider SA (A179) Uzinexport SA (A179) Shiral Trading Impex SRL (A179) Metaltrade International '97 SRL (A179) Romilexim Trading Limited SRL (A179) Metal SA (A179)	Undertaking/5,7 % 11,5 % Undertaking Undertaking Undertaking Undertaking Undertaking Undertaking Undertaking Undertaking Undertaking

ANNEX II

ECSC ANTI-SUBSIDY MEASURES IN FORCE ON 23 JULY 2002

Product	Decision No	CN code	Origin	Manufacturers and/or TARIC code (additional TARIC code)	Level of duty
Flat-rolled products of iron or non-alloy steel (hot-rolled coils)	Commission Decision No 284/2000/ECSC 4.2.2000 (OJ L 31 du 5.2.2000, p. 44) corrected by Commission Decision No 2071/ 2000/ECSC 29.9.2000 (OJ L 246 du 30.9.2000, p. 32)	7208 10 00	India	Essar Steel Ltd (A119)	4,9 %
		7208 25 00		The Steel Authority of India Ltd (A120)	12,3 %
		7208 26 00		Tata Iron & Steel Company Ltd (A121)	6,4 %
		7208 27 00		All other companies (A999)	13,1 %
		7208 36 00		Essar Steel Ltd (A083)	Undertaking
		7208 37 10		The Steel Authority of India Ltd (A084)	Undertaking
		7208 37 90		Tata Iron & Steel Company Ltd (A075)	Undertaking
		7208 38 10	Taiwan	China Steel Corp. (A071)	4,4 %
		7208 38 90		Yieh Loong Enterprise Co., Ltd (A072)	0
		7208 39 10		All other companies (A999)	4,4 %
		7208 39 90			

COMMISSION REGULATION (EC) No 964/2002
of 6 June 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 7 June 2002.

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

Done at Brussels, 6 June 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 6 June 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	35,8
	999	35,8
0707 00 05	052	86,4
	220	143,3
	999	114,9
0709 90 70	052	82,7
	999	82,7
0805 50 10	052	71,2
	388	58,0
	528	58,8
	999	62,7
0808 10 20, 0808 10 50, 0808 10 90	388	87,1
	400	116,4
	404	110,4
	508	81,0
	512	84,1
	524	71,6
	528	76,1
	720	120,4
	804	102,5
	999	94,4
0809 10 00	052	172,6
	624	247,3
	999	209,9
0809 20 95	052	343,8
	400	273,0
	999	308,4

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

COMMISSION REGULATION (EC) No 965/2002**of 6 June 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⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾,

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 ⁽³⁾, 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 ⁽⁴⁾. 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 7 June 2002.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ 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, 6 June 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

ANNEX

to the Commission Regulation of 6 June 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⁾	8,32	—	0
1703 90 00 ⁽¹⁾	12,59	—	0

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

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

COMMISSION REGULATION (EC) No 966/2002**of 6 June 2002****fixing the maximum export refund for white sugar for the 41st 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⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, 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 ⁽³⁾, as amended by Regulation (EC) No 693/2002 ⁽⁴⁾, 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 41st 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 41st 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 47,020 EUR/100 kg.

Article 2

This Regulation shall enter into force on 7 June 2002.

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

Done at Brussels, 6 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 192, 14.7.2001, p. 3.

⁽⁴⁾ OJ L 107, 24.4.2002, p. 5.

COMMISSION REGULATION (EC) No 967/2002**of 6 June 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⁾, amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, 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 ⁽³⁾. 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 7 June 2002.

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

Done at Brussels, 6 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 214, 8.9.1995, p. 16.

ANNEX

to the Commission Regulation of 6 June 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	40,32 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	40,48 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	40,32 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	40,48 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4383
1701 99 10 9100	A00	EUR/100 kg	43,83
1701 99 10 9910	A00	EUR/100 kg	44,00
1701 99 10 9950	A00	EUR/100 kg	44,00
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4383

⁽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 968/2002**of 6 June 2002****opening a standing invitation to tender for the export of barley held by the United Kingdom intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Council Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 2131/93 ⁽³⁾, as last amended by Regulation (EC) No 1630/2000 ⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies.
- (2) Given the current market situation, a standing invitation to tender should be opened for the export of 25 000 tonnes of barley held by the United Kingdom intervention agency.
- (3) Special procedures must be laid down to ensure that the operations and their monitoring are properly effected. To that end, provision should be made for a security lodgement scheme which ensures that aims are met while avoiding excessive costs for the operators. Derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93.
- (4) Where removal of the barley is delayed by more than five days or the release of one of the securities required is delayed for reasons imputable to the intervention agency, the Member State concerned must pay compensation.
- (5) 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

Subject to the provisions of this Regulation the United Kingdom intervention agency issues a standing invitation to tender for the export of barley held by it in accordance with Regulation (EEC) No 2131/93.

Article 2

1. The invitation to tender shall cover a maximum of 25 000 tonnes of barley for export to third countries, with the exception of the United States, Canada and Mexico.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 191, 31.7.1993, p. 76.

⁽⁴⁾ OJ L 187, 26.7.2000, p. 24.

2. The regions in which the 25 000 tonnes of barley are stored are set out in Annex I.

Article 3

1. Notwithstanding the third paragraph of Article 16 of Regulation (EEC) No 2131/93, the price to be paid for the export shall be that quoted in the tender.

2. No export refund or tax or monthly increase shall be granted on exports carried out pursuant to this Regulation.

3. Article 8(2) of Regulation (EEC) No 2131/93 shall not apply.

Article 4

1. The export licences shall be valid from their date of issue within the meaning of Article 9 of Regulation (EEC) No 2131/93 until the end of the fourth month thereafter.

2. Tenders submitted in response to this invitation to tender may not be accompanied by export licence applications submitted pursuant to Article 49 of Commission Regulation (EC) No 1291/2000 ⁽⁵⁾.

Article 5

1. Notwithstanding Article 7(1) of Regulation (EEC) No 2131/93, the time limit for submission of tenders in respect of the first partial invitation to tender shall be 9 a.m. (Brussels time) on 13 June 2002.

2. The time limit for submission of tenders in respect of subsequent partial invitations to tender shall be 9 a.m. (Brussels time) each Thursday thereafter.

3. The last partial invitation to tender shall be 9 a.m. (Brussels time) on 22 May 2003.

4. Tenders shall be lodged with the United Kingdom intervention agency.

Article 6

1. The intervention agency, the storer and the successful tenderer shall, at the request of the latter and by common agreement, either before or at the time of removal from storage as the successful tenderer chooses, take reference samples for counter-analysis at the rate of at least one sample for every 500 tonnes and shall analyse the samples. The intervention agency may be represented by a proxy, provided this is not the storer.

⁽⁵⁾ OJ L 152, 24.6.2000, p. 1.

The analysis results shall be forwarded to the Commission in the event of a dispute.

Reference samples for counter-analysis shall be taken and analysed within seven working days of the date of the successful tenderer's request or within three working days if the samples are taken on removal from storage. Where the final result of sample analyses indicates a quality:

- (a) higher than that specified in the notice of invitation to tender, the successful tenderer must accept the lot as established;
- (b) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, providing that the differences having regard to those criteria do not exceed the following limits:
 - two kilograms per hectolitre as regards specific weight, which must not, however, be less than 60 kg/hl,
 - one percentage point as regards moisture content,
 - half a percentage point as regards impurities as specified in points B.2 and B.4 of the Annex to Commission Regulation (EC) No 824/2000 ⁽¹⁾, and
 - half a percentage point as regards impurities as specified in point B.5 of the Annex to Regulation (EC) No 824/2000, the percentages admissible for noxious grains and ergot, however, remaining unchanged,

the successful tenderer must accept the lot as established;

- (c) higher than the minimum characteristics laid down for intervention but below the quality described in the notice of invitation to tender, and a difference exceeding the limits set out in point (b), the successful tenderer may:
 - accept the lot as established, or
 - refuse to take over the lot in question. The successful tenderer shall be discharged of all his obligations relating to the lot in question and the securities shall be released only once he has informed the Commission and the intervention agency forthwith in accordance with Annex II; however, if he requests the intervention agency to supply him with another lot of intervention barley of the quality laid down at no additional charge, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall notify the Commission immediately thereof in accordance with Annex II;
- (d) below the minimum characteristics laid down for intervention, the successful tenderer may not remove the lot in question. He shall be discharged of all his obligations relating to the lot in question and the securities shall be released only once he has informed the Commission and the intervention agency forthwith in accordance with Annex II; however, he may request the intervention agency to supply him with another lot of intervention barley of the quality laid down at no additional charge. In that case, the security shall not be released. The lot must be replaced within three days of the date of the successful tenderer's request. The successful tenderer shall immediately inform the Commission thereof in accordance with Annex II.

2. However, if the barley is removed before the results of the analyses are known, all risks shall be borne by the successful tenderer from the time the lot is removed, without prejudice to any means of redress of which he may avail himself against the storer.

3. If, as a result of successive replacements, the successful tenderer has not received a replacement lot of the quality laid down within one month of the date of his request for a replacement, he shall be discharged of all his obligations and the securities shall be released once he has informed the Commission and the intervention agency forthwith in accordance with Annex II.

4. Except where the final results of analyses indicate a quality below the minimum characteristics laid down for intervention, the costs of taking the samples and conducting the analyses provided for in paragraph 1 but not of inter-bin transfers shall be borne by the European Agricultural Guidance and Guarantee Fund (EAGGF) in respect of up to one analysis per 500 tonnes. The costs of inter-bin transfers and any additional analyses requested by the successful tenderer shall be borne by him.

Article 7

Notwithstanding Article 12 of Commission Regulation (EEC) No 3002/92 ⁽²⁾, the documents relating to the sale of barley in accordance with this Regulation, and in particular the export licence, the removal order referred to in Article 3(1)(b) of Regulation (EEC) No 3002/92, the export declaration and, where necessary, the T5 copy shall carry the entry:

- Cebada de intervención sin aplicación de restitución ni gravamen, Reglamento (CE) n° 968/2002
- Byg fra intervention uden restitutionsydelse eller -afgift, forordning (EF) nr. 968/2002
- Interventionsgerste ohne Anwendung von Ausfuhrerstattungen oder Ausfuhrabgaben, Verordnung (EG) Nr. 968/2002
- Κριθή παρέμβασης χωρίς εφαρμογή επιστροφής ή φόρου, κανονισμός (ΕΚ) αριθ. 968/2002
- Intervention barley without application of refund or tax, Regulation (EC) No 968/2002
- Orge d'intervention ne donnant pas lieu à restitution ni taxe, règlement (CE) n° 968/2002
- Orzo d'intervento senza applicazione di restituzione né di tassa, regolamento (CE) n. 968/2002
- Gerst uit interventie, zonder toepassing van restitutie of belasting, Verordening (EG) nr. 968/2002
- Cevada de intervenção sem aplicação de uma restituição ou imposição, Regulamento (CE) n.º 968/2002
- Interventio-ohraa, johon ei sovelleta vientitukea eikä vientimaksua, asetus (EY) N:o 968/2002
- Interventionskorn, utan tillämpning av bidrag eller avgift, förordning (EG) nr 968/2002.

⁽¹⁾ OJ L 100, 20.4.2000, p. 31.

⁽²⁾ OJ L 301, 17.10.1992, p. 17.

Article 8

1. The security lodgement pursuant to Article 13(4) of Regulation (EEC) No 2131/93 must be released once the export licences have been issued to the successful tenderers.

2. Notwithstanding Article 17 of Regulation (EEC) No 2131/93, the obligation to export shall be covered by a security equal to the difference between the intervention price applying on the day of the award and the price awarded but not less than EUR 10 per tonne. Half of the security shall be lodged when the licence is issued and the balance shall be lodged before the cereals are removed.

Notwithstanding Article 15(2) of Regulation (EEC) No 3002/92:

— the part of the security lodged when the licence is issued must be released within 20 working days of the date on which the successful tenderer provides proof that the cereals removed have left the customs territory of the Community.

Notwithstanding Article 17(3) of Regulation (EEC) No 2131/93:

— the remainder must be released within 15 working days of the date on which the successful tenderer provides the proof referred to in Article 16 of Commission Regulation (EC) No 800/1999 ⁽¹⁾.

3. Except in duly substantiated exceptional cases, in particular the opening of an administrative enquiry, any release of the securities provided for in this Article after the time limits specified in this same Article shall confer an entitlement to compensation from the Member State amounting to EUR 0,015 per 10 tonnes for each day's delay.

This compensation shall not be charged to the EAGGF.

Article 9

Within two hours of the expiry of the time limit for the submission of tenders, the United Kingdom intervention agency shall notify the Commission of tenders received. Such notification shall be made using the model set out in Annex III and the telex or fax numbers set out in Annex IV.

Article 10

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

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

Done at Brussels, 6 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 102, 17.4.1999, p. 11.

ANNEX I

(tonnes)	
Place of storage	Quantity
Aberdeenshire	13 154
York	5 000
Lincolnshire	6 846

ANNEX II

Communication of refusal of lots under the standing invitation to tender for the export of barley held by the United Kingdom intervention agency

(Article 6(1) of Regulation (EC) No 968/2002)

— Name of successful tenderer:

— Date of award of contract:

— Date of refusal of lot by successful tenderer:

Lot No	Quantity in tonnes	Address of silo	Reason for refusal to take over
			— Specific weight (kg/hl) — % sprouted grains — % miscellaneous impurities (Schwarzbesatz) — % of matter which is not basic cereal of unimpaired quality — Other

ANNEX III

Standing invitation to tender for the export of barley held by the United Kingdom intervention agency

(Regulation (EC No 968/2002))

Tender No	Consignment No	Quantity (tonnes)	Offer price (EUR/tonne) ⁽¹⁾	Price increases (+) reductions (-) (EUR/tonne) p.m.	Commercial costs (EUR/tonne)	Destination
1	2	3	4	5	6	7
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.

ANNEX IV

The only numbers to use to call Brussels are (DG AGRI-C-1):

fax:	(32-2) 296 49 56
	(32-2) 295 25 15

COMMISSION REGULATION (EC) No 969/2002**of 6 June 2002****amending Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff, ⁽¹⁾ as last amended by Commission Regulation (EC) No 796/2002 ⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) In order to ensure the uniform application of the Combined Nomenclature, Chapters 39 and 40 of the Combined Nomenclature must be annotated with regard to gloves, mittens and mitts, impregnated, coated or covered with (cellular) plastics or (cellular) rubber.
- (2) An Additional Note 1 should therefore be added to Chapter 39 and an Additional Note 1 to Chapter 40 of the Combined Nomenclature.
- (3) Annex I to Regulation (EEC) No 2658/87 should be amended accordingly.
- (4) The provisions of this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The following Additional Note is inserted in Chapter 39 of Annex I to Regulation (EEC) No 2658/87:

‘1. Where the textile fabric is present merely for reinforcing purposes, gloves, mittens or mitts impregnated, coated or covered with cellular plastics belong to Chapter 39, even if they are:

- made up from textile fabrics (other than those of heading No 5903) impregnated, coated or covered with cellular plastics
- or made up from unimpregnated, uncoated or uncovered textile fabrics and subsequently impregnated, coated or covered with cellular plastics.

(note 2(a)(5) to Chapter 59).’

Article 2

The following Additional Note is inserted in Chapter 40 of Annex I to Regulation (EEC) No 2658/87:

‘1. Where the textile fabric is present merely for reinforcing purposes, gloves, mittens or mitts impregnated, coated or covered with cellular rubber belong to Chapter 40, even if they are:

- made up from textile fabrics (other than those of heading No 5906) impregnated, coated or covered with cellular rubber
- or made up from unimpregnated, uncoated or uncovered textile fabrics and subsequently impregnated, coated or covered with cellular rubber.

(note 4 last paragraph to Chapter 59).’

Article 3

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

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

Done at Brussels, 6 June 2002.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 128, 15.5.2002, p. 8.

COMMISSION REGULATION (EC) No 970/2002**of 6 June 2002****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 901/2002**

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⁾,

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, Canada, Estonia and Latvia was opened pursuant to Commission Regulation (EC) No 901/2002 ⁽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 4 to 6 June 2002, pursuant to the invitation to tender issued in Regulation (EC) No 901/2002, the maximum refund on exportation of barley shall be EUR 5,00/t.

Article 2

This Regulation shall enter into force on 7 June 2002.

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

Done at Brussels, 6 June 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 142, 31.5.2002, p. 17.

COMMISSION REGULATION (EC) No 971/2002**of 6 June 2002****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 899/2002**

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⁾,

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

Whereas:

- (1) An invitation to tender for the refund on exportation of common wheat to all third countries with the exclusion of Poland, Estonia, Lithuania and Latvia was opened pursuant to Commission Regulation (EC) No 899/2002 ⁽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 4 to 6 June 2002, pursuant to the invitation to tender issued in Regulation (EC) No 899/2002, the maximum refund on exportation of common wheat shall be EUR 5,00/t.

Article 2

This Regulation shall enter into force on 7 June 2002.

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

Done at Brussels, 6 June 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 142, 31.5.2002, p. 11.

COMMISSION REGULATION (EC) No 972/2002**of 6 June 2002****concerning tenders notified in response to the invitation to tender for the import of maize 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⁾, as amended by Regulation (EC) No 775/2002 ⁽⁴⁾.
- (2) Article 5 of Commission Regulation (EC) No 1839/95 ⁽⁵⁾, as last amended by Regulation (EC) No 2235/2000 ⁽⁶⁾, 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 Articles 6 and 7 of Regulation (EC) No 1839/95 a maximum reduction in the duty 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 31 May to 6 June 2002 in response to the invitation to tender for the reduction in the duty on imported maize issued in Regulation (EC) No 537/2002.

Article 2

This Regulation shall enter into force on 7 June 2002.

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

Done at Brussels, 6 June 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 123, 9.5.2002, p. 21.

⁽⁵⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁶⁾ OJ L 256, 10.10.2000, p. 13.

COMMISSION REGULATION (EC) No 973/2002**of 6 June 2002****concerning tenders notified in response to the invitation to tender for the export of oats issued in Regulation (EC) No 1789/2001**

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⁾,

Having regard to Commission Regulation (EC) No 1789/2001 of 12 September 2001 on a special intervention measure for cereals in Finland and Sweden ⁽⁵⁾, and in particular Article 8 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 1789/2001.

- (2) According to Article 8 of Regulation (EC) No 1789/2001 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 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 31 May to 6 June 2002 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 1789/2001.

Article 2

This Regulation shall enter into force on 7 June 2002.

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

Done at Brussels, 6 June 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 243, 13.9.2001, p. 15.

COMMISSION REGULATION (EC) No 974/2002**of 6 June 2002****concerning tenders notified in response to the invitation to tender for the export of rye issued in Regulation (EC) No 900/2002**

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⁾,

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 excluding Estonia, Lithuania and Latvia was opened pursuant to Commission Regulation (EC) No 900/2002 ⁽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 4 to 6 June 2002 in response to the invitation to tender for the refund for the export of rye issued in Regulation (EC) No 900/2002.

Article 2

This Regulation shall enter into force on 7 June 2002.

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

Done at Brussels, 6 June 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 142, 31.5.2002, p. 14.

COMMISSION REGULATION (EC) No 975/2002**of 6 June 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⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾,

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 ⁽³⁾, as last amended by Regulation (EC) No 624/98 ⁽⁴⁾, 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 ⁽⁵⁾, as last amended by Regulation (EC) No 820/2002 ⁽⁶⁾.

- (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 7 June 2002.

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

Done at Brussels, 6 June 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 141, 24.6.1995, p. 16.

⁽⁴⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁵⁾ OJ L 177, 30.6.2001, p. 21.

⁽⁶⁾ OJ L 132, 17.5.2002, p. 36.

ANNEX

to the Commission Regulation of 6 June 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⁾	17,77	7,42
1701 11 90 ⁽¹⁾	17,77	13,51
1701 12 10 ⁽¹⁾	17,77	7,23
1701 12 90 ⁽¹⁾	17,77	12,99
1701 91 00 ⁽²⁾	24,45	13,29
1701 99 10 ⁽²⁾	24,45	8,49
1701 99 90 ⁽²⁾	24,45	8,49
1702 90 99 ⁽³⁾	0,24	0,40

⁽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 DIRECTIVE 2002/50/EC
of 6 June 2002
adapting to technical progress Council Directive 1999/36/EC on transportable pressure equipment
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 1999/36/EC of 29 April 1999 on transportable pressure equipment ⁽¹⁾, and in particular Article 14 thereof,

Whereas:

- (1) Commission Directive 2001/2/EC ⁽²⁾ has amended the certification procedures provided for in Directive 1999/36/EC as regards the combination of the modules to be followed for the conformity assessment of new receptacles and new tanks.
- (2) Those modules should be changed in order to ensure better coherence between them.
- (3) Annex IV to Directive 1999/36/EC should, therefore, be amended accordingly.
- (4) The measures provided for in this Directive are in accordance with the opinion of the Committee on transport of dangerous goods,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Annex IV Part I, in module D, point 1, first sentence, point 3.1, second subparagraph, third indent and point 3.2, first subparagraph, the words 'EC type-examination certificate' are replaced by the words 'EC type-examination certificate or EC design-examination certificate'.

Article 2

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

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

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 6 June 2002.

For the Commission
Loyola DE PALACIO
Vice-President

⁽¹⁾ OJ L 138, 1.6.1999, p. 20.

⁽²⁾ OJ L 5, 10.1.2001, p. 4.