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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1756/2002**of 23 September 2002****amending Directive 70/524/EEC concerning additives in feedingstuffs as regards withdrawal of the authorisation of an additive and amending Commission Regulation (EC) No 2430/1999****(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾, and in particular Article 9m thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The coccidiostat Nifursol, a nitrofuran, was authorised for use as an additive in feedingstuffs for the first time by Commission Directive 82/822/EEC ⁽²⁾. This authorisation was linked to a person responsible for putting it into circulation for a period of ten years by means of Commission Regulation (EC) No 2430/1999 ⁽³⁾, without a re-evaluation.
- (2) Article 9m provides for the withdrawal of the authorisation of an additive if any of the conditions for its authorisation set out in Article 3a of Directive 70/524/EEC is no longer satisfied.
- (3) During the period between 1990 and 1995, both the Joint FAO/WHO Expert Committee on Food Additives (JECFA) and the Committee for Veterinary Medicinal Products (CVMP) gave opinions on the use of veterinary medicinal products in food-producing animals of the group of substances known as nitrofurans. They concluded that it was not possible, because of the genotoxicity and carcinogenicity of the substance, to identify an acceptable daily intake (i.e. a level of intake by humans of residues of the substances which could be regarded as safe). Accordingly, it was not possible to set maximum residue levels for the substances. All nitrofurans were therefore inserted into Annex IV to Council

Regulation (EEC) No 2377/90 ⁽⁴⁾, with the effect of prohibiting throughout the Community the administration of these substances, as veterinary medicinal products, to food-producing animals.

- (4) The Commission therefore asked the Scientific Committee for Animal Nutrition (SCAN) to make a new scientific risk assessment of Nifursol, which belongs also to the group of nitrofurans.
- (5) The SCAN adopted an opinion concerning Nifursol on 11 October 2001, which concluded that on the basis of the mutagenicity, genotoxicity and carcinogenicity studies provided by the person responsible for putting Nifursol into circulation, and because of the lack of data on developmental toxicity, it was not possible to derive an acceptable daily intake for the consumers. The SCAN confirmed this opinion on 18 April 2002 after having examined complementary data.
- (6) Therefore, it cannot be guaranteed that Nifursol does not present a risk for human health.
- (7) Article 3a(b) of Directive 70/524/EEC states that Community authorisation of an additive shall be given only if, taking into account the conditions of use, it does not adversely affect human or animal health or the environment, nor harm the consumer by impairing the characteristics of animal products.
- (8) Consequently, as a condition laid down in Article 3a of that Directive is no longer met for the coccidiostat Nifursol, the use of the substance as an additive in feedingstuff should no longer be permitted. Regulation (EC) No 2430/1999 and the entry of this coccidiostat in Chapter II of Annex B to Directive 70/524/EEC should be amended accordingly.

⁽¹⁾ OJ L 270, 14.12.1970, p. 1. Directive as last amended by Commission Regulation (EC) No 2205/2001 (OJ L 297, 15.11.2001, p. 3).

⁽²⁾ Forty-first Commission Directive 82/822/EEC of 19 November 1982 amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs (OJ L 347, 7.12.1982, p. 16).

⁽³⁾ OJ L 296, 17.11.1999, p. 3.

⁽⁴⁾ Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin (OJ L 224, 18.8.1990, p. 1). Regulation as last amended by Commission Regulation (EC) No 1530/2002 (OJ L 230, 28.8.2002, p. 3).

(9) In the absence of a favourable opinion of the Standing Committee on the Food Chain and Animal Health, the Commission has been unable to adopt the provisions it envisaged under the procedure laid down in Article 23 of Directive 70/524/EEC,

2. In Chapter II of Annex B to Directive 70/524/EEC, the entry relating to Nifursol, a substance belonging to the group of coccidiostats and other medicinal substances, shall be deleted.

HAS ADOPTED THIS REGULATION:

Article 2

Article 1

1. In Annex I to Commission Regulation (EC) No 2430/1999 the entry relating to the additive E 769, Nifursol, shall be deleted.

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

It shall apply from 31 March 2003.

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

Done at Brussels, 23 September 2002.

For the Council

The President

M. FISCHER BOEL

COMMISSION REGULATION (EC) No 1757/2002
of 2 October 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 3 October 2002.

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

Done at Brussels, 2 October 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 2 October 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	52,2
	060	93,0
	096	21,9
	999	55,7
0707 00 05	052	102,3
	220	143,3
	999	122,8
0709 90 70	052	85,7
	999	85,7
0805 50 10	052	41,2
	388	55,3
	524	60,0
	528	55,5
0806 10 10	999	53,0
	052	104,8
	064	124,7
	400	203,8
0808 10 20, 0808 10 50, 0808 10 90	999	144,4
	388	89,8
	400	96,1
	512	85,1
	720	72,5
	800	235,4
	804	72,0
	999	108,5
0808 20 50	052	101,2
	388	70,5
	999	85,8

⁽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 1758/2002
of 2 October 2002
prohibiting fishing for cod by vessels flying the flag of Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2555/2001 of 18 December 2001 fixing for 2002 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, lays down quotas for cod for 2002.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of cod in the waters of ICES sub-areas I and IIb (EC waters) by vessels flying the flag of Portugal or

registered in Portugal have exhausted the quota allocated for 2002. Portugal has prohibited fishing for this stock from 10 September 2002. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES sub-areas I and IIb (EC waters) by vessels flying the flag of Portugal or registered in Portugal are hereby deemed to have exhausted the quota allocated to Portugal for 2002.

Fishing for cod in the waters of ICES sub-areas I and IIb (EC waters) by vessels flying the flag of Portugal or registered in Portugal is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 10 September 2002.

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

Done at Brussels, 2 October 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 347, 31.12.2001, p. 1.

COMMISSION REGULATION (EC) No 1759/2002
of 2 October 2002
prohibiting fishing for horse mackerel by vessels flying the flag of France

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2555/2001 of 18 December 2001 fixing for 2002 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, lays down quotas for horse mackerel for 2002.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of horse mackerel in the waters of ICES

division IIa (EC waters), North Sea, by vessels flying the flag of France or registered in France have exhausted the quota allocated for 2002. France has prohibited fishing for this stock from 10 September 2002. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of horse mackerel in the waters of ICES division IIa (EC waters), North Sea, by vessels flying the flag of France or registered in France are hereby deemed to have exhausted the quota allocated to France for 2002.

Fishing for horse mackerel in the waters of ICES division IIa (EC waters), North Sea, by vessels flying the flag of France or registered in France is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 10 September 2002.

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

Done at Brussels, 2 October 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 347, 31.12.2001, p. 1.

COMMISSION REGULATION (EC) No 1760/2002
of 2 October 2002
prohibiting fishing for Norway lobster by vessels flying the flag of France

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2555/2001 of 18 December 2001 fixing for 2002 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, lays down quotas for Norway lobster for 2002.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of Norway lobster in the waters of ICES

division VIIIc (EC waters) by vessels flying the flag of France or registered in France have exhausted the quota allocated for 2002. France has prohibited fishing for this stock from 10 September 2002. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of Norway lobster in the waters of ICES division VIIIc (EC waters) by vessels flying the flag of France or registered in France are hereby deemed to have exhausted the quota allocated to France for 2002.

Fishing for Norway lobster in the waters of ICES division VIIIc (EC waters) by vessels flying the flag of France or registered in France is hereby prohibited, as are the retention on board, transhipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 10 September 2002.

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

Done at Brussels, 2 October 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 347, 31.12.2001, p. 1.

COMMISSION REGULATION (EC) No 1761/2002**of 2 October 2002****on the sale by tender of beef held by certain intervention agencies and intended for processing within the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Commission Regulation (EC) No 2345/2001 ⁽²⁾, and in particular Article 28(2) thereof,

Whereas:

- (1) The application of intervention measures in respect of beef has created stocks in several Member States. In order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender for processing in the Community.
- (2) The sale should be made subject to the rules laid down by Commission Regulations (EEC) No 2173/79 ⁽³⁾, as last amended by Regulation (EC) No 2417/95 ⁽⁴⁾, (EEC) No 3002/92 ⁽⁵⁾, as last amended by Regulation (EC) No 770/96 ⁽⁶⁾, and (EEC) No 2182/77 ⁽⁷⁾, as last amended by Regulation (EC) No 2417/95, subject to certain special exceptions on account of the particular use to which the products in question are to be put.
- (3) With a view to ensuring a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Article 8(1) of Regulation (EEC) No 2173/79.
- (4) Provision should be made for derogations from Article 8(2)(b) of Regulation (EEC) No 2173/79, in view of the administrative difficulties which application of this point creates in the Member States concerned.
- (5) In order to ensure optimum monitoring of the destination of beef from intervention stocks, control measures should be taken, in addition to the measures provided for in Regulation (EEC) No 3002/92, which are based on physical inspection of quantities and qualities.
- (6) In order to ensure a proper functioning of the tender arrangements it is necessary to provide for a higher amount of security than the one fixed in Article 15(1) of Regulation (EEC) No 2173/79.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

Article 1

1. The sale shall take place of the following quantities of meat, for processing within the Community:

- approximately 1 000 tonnes of bone-in forequarters held by the German intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the Austrian intervention agency,
- 400 tonnes of bone-in forequarters held by the Danish intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the French intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the Italian intervention agency,
- 67 tonnes of bone-in forequarters held by the Dutch intervention agency,
- approximately 1 000 tonnes of bone-in forequarters held by the Spanish intervention agency.

Detailed information concerning quantities is given in Annex I.

2. Subject to the provisions of this Regulation the products referred to in paragraph 1 shall be sold in accordance with Regulations (EEC) No 2173/79, in particular Titles II and III thereof, (EEC) No 2182/77 and (EEC) No 3002/92.

Article 2

1. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and Annexes to this Regulation shall serve as a general notice of invitation to tender.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

- (a) the quantities of beef offered for sale, and
- (b) the deadline and place for submitting tenders.

2. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies shall, in addition, display the notice referred to in paragraph 1 at their head offices and may publish it in other ways.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 315, 1.12.2001, p. 29.

⁽³⁾ OJ L 251, 5.10.1979, p. 12.

⁽⁴⁾ OJ L 248, 14.10.1995, p. 39.

⁽⁵⁾ OJ L 301, 17.10.1992, p. 17.

⁽⁶⁾ OJ L 104, 27.4.1996, p. 13.

⁽⁷⁾ OJ L 251, 1.10.1977, p. 60.

3. For each product mentioned in Annex I the intervention agencies concerned shall sell first the meat which has been stored the longest. However, Member States may, in exceptional cases, and after having obtained authorisation from the Commission, derogate from that obligation.

4. Only tenders which reach the intervention agencies concerned by 12 noon on 8 October 2002 shall be considered.

5. Notwithstanding Article 8(1) of Regulation (EEC) No 2173/79, a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 4.

6. Notwithstanding Article 8(2)(b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

Article 3

1. Member States shall provide the Commission with information concerning the tenders received not later than on the working day following the deadline set for the submission of tenders.

2. After the tenders received have been examined a minimum selling price shall be set for each product or the sale will not proceed.

Article 4

1. A tender shall be valid only if presented by or on behalf of a natural or legal person who, for the 12 months prior to the entry into force of this Regulation, has been engaged in the processing of products containing beef and who is entered in a national VAT register. In addition, tenders must be presented by or on behalf of a processing establishment approved in accordance with Article 8 of Directive 77/99/EEC⁽¹⁾.

For the purposes of the preceding subparagraph, a retail or catering establishment or an establishment attached to a retail sales outlet where meat is processed and put up for sale to the final consumer shall not be taken into consideration.

2. Notwithstanding Article 3(1) and (2) of Regulation (EEC) No 2182/77, a tender must be accompanied by:

— a written undertaking by the tenderer to process the meat into the products specified in Article 5 within the period referred to in Article 5(1) of Regulation (EEC) No 2182/77,

— precise details of the establishment or establishments where the meat which has been purchased is to be processed.

3. The tenderers referred to in paragraph 1 may instruct an agent in writing to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the bids of the tenderers represented together with the written instruction referred to above.

4. Notwithstanding Article 18(1) of Regulation (EEC) No 2173/79 the time limit for taking over meat sold pursuant to this Regulation shall be two months from the day of the notification referred to in Article 11 of the same Regulation.

5. The purchasers and agents referred to in the preceding paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view in particular to ensuring that the quantities of products purchased and manufactured tally.

Article 5

1. Meat purchased in accordance with this Regulation shall be processed into products which comply with the definitions for A products and B products set out in paragraphs 2 and 3 below.

2. An 'A product' means a processed product falling within CN code 1602 10, 1602 50 31, 1602 50 39 or 1602 50 80, not containing meat other than that of animals of the bovine species, with a collagen/protein ratio of no more than 0,45 %⁽²⁾ and containing by weight at least 20 %⁽³⁾ of lean meat excluding offal⁽⁴⁾ and fat with meat and jelly accounting for at least 85 % of the total net weight.

The product must be subjected to a heat treatment sufficient to ensure the coagulation of meat proteins in the whole of the product, which may not therefore show any traces of a pinkish liquid on the cut surface when the product is cut along a line passing through its thickest part.

3. A 'B product' means a processed product containing beef, other than:

— one specified in Article 1(1)(a) of Regulation (EEC) No 1254/1999, or

— one referred to in paragraph 2.

However, a processed product falling within CN code 0210 20 90 which has been dried or smoked so that the colour and consistency of the fresh meat has totally disappeared and with a water/protein ratio not exceeding 3:2 shall be considered to be a B product.

⁽²⁾ Determination of collagen content: the collagen content shall be taken to mean the hydroxyproline content multiplied by the factor 8. The hydroxyproline content must be determined according to ISO method 3496-1978.

⁽³⁾ The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86 (OJ L 210, 1.8.1986, p. 39).

⁽⁴⁾ Offal includes the following: heads and cuts thereof (including ears), feet, tails, hearts, udders, livers, kidneys, sweetbreads (thymus gland with pancreas), brains, lungs, throats, thick skirts, spleens, tongues, caul, spinal cords, edible skin, reproductive organs (i.e. uteri, ovaries and testes), thyroid glands, pituitary glands.

⁽¹⁾ OJ L 26, 31.1.1977, p. 85.

Article 6

1. Member States shall set up a system of physical and documentary supervision to ensure that all meat is processed in accordance with Article 5.

The system must include physical checks of quantity and quality at the start of the processing, during the processing and after the processing operation is completed. To this end, processors shall at any time be able to demonstrate the identity and use of the meat through appropriate production records.

Technical verification of the production method by the competent authority may, to the extent necessary, make allowance for drip losses and trimmings.

In order to verify the quality of the finished product and establish its conformity with the processor's recipe Member States shall undertake representative sampling and analysis of the product. The costs of such operations shall be borne by the processor concerned.

2. Member States may, at the request of the processor, authorise the boning of bone-in forequarters in an establishment other than that provided for in respect of processing provided the relevant operations take place in the same Member State under appropriate supervision.

3. Article 1 of Regulation (EEC) No 2182/77 shall not apply.

Article 7

1. Notwithstanding Article 15(1) of Regulation (EEC) No 2173/79, the security shall be EUR 12 per 100 kilograms.

2. The security provided for in Article 4(1) of Regulation (EEC) No 2182/77 shall be the difference in EUR between the tender price per tonne and EUR 1 600.

3. Notwithstanding Article 5(3) of Regulation (EEC) No 2182/77, the processing of all beef purchased into finished products as referred to in Article 5 shall constitute a principal requirement.

Article 8

Notwithstanding Article 9 of Regulation (EEC) No 2182/77, in addition to the entries provided for in Regulation (EEC) No 3002/92, Section 104 of T 5 control copies must be completed with one or more of the following:

- Para transformación [Reglamentos (CEE) n° 2182/77 y (CE) n° 1761/2002]
- Til forarbejdning (forordning (EØF) nr. 2182/77 og (EF) nr. 1761/2002)
- Zur Verarbeitung bestimmt (Verordnungen (EWG) Nr. 2182/77 und (EG) Nr. 1761/2002)
- Για μεταποίηση [κανονισμοί (ΕΟΚ) αριθ. 2182/77 και (ΕΚ) αριθ. 1761/2002]
- For processing (Regulations (EEC) No 2182/77 and (EC) No 1761/2002)
- Destinés à la transformation [règlements (CEE) n° 2182/77 et (CE) n° 1761/2002]
- Destinate alla trasformazione [Regolamenti (CEE) n. 2182/77 e (CE) n. 1761/2002]
- Bestemd om te worden verwerkt (Verordeningen (EEG) nr. 2182/77 en (EG) nr. 1761/2002)
- Para transformação [Regulamentos (CEE) n.º 2182/77 e (CE) n.º 1761/2002]
- Jalostettavaksi (asetukset (ETY) N:o 2182/77 ja (EY) N:o 1761/2002)
- För bearbetning (Förordningarna (EEG) nr 2182/77 och (EG) nr 1761/2002)

Article 9

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, 2 October 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I —
ANEXO I — LIITE I — BILAGA I

Estado miembro	Productos	Cantidad aproximada (toneladas)
Medlemsstat	Produkter	Tilnærmet mængde (tons)
Mitgliedstaat	Erzeugnisse	Ungefähre Mengen (Tonnen)
Κράτος μέλος	Προϊόντα	Κατά προσέγγιση ποσότητα (τόνοι)
Member State	Products	Approximate quantity (tonnes)
État membre	Produits	Quantité approximative (tonnes)
Stato membro	Prodotti	Quantità approssimativa (tonnellate)
Lidstaat	Producten	Hoeveelheid bij benadering (ton)
Estado-Membro	Produtos	Quantidade aproximada (toneladas)
Jäsenvaltio	Tuotteet	Arvioitu määrä (tonneina)
Medlemsstat	Produkter	Ungefärlig kvantitet (ton)

Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben

DEUTSCHLAND	— Vorderviertel	1 000
DANMARK	— Forfjerdinger	400
ITALIA	— Quarti anteriori	1 000
FRANCE	— Quartiers avant	1 000
ÖSTERREICH	— Vorderviertel	1 000
NEDERLAND	— Voorvoeten	67
ESPAÑA	— Cuartos delanteros	1 000

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II —
BIJLAGE II — ANEXO II — LIITE II — BILAGA II

Direcciones de los organismos de intervención — Interventionsorganernes adresser — Anschriften der Interventionenstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de intervenção — Interventioelinten osoitteet — Interventionsorganens adresser

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**COMMISSION REGULATION (EC) No 1762/2002
of 2 October 2002**

**amending Regulation (EC) No 3223/93 on statistical information relating to the payment of export
refunds on certain agricultural products exported in the form of goods covered by Council
Regulation (EEC) No 3035/80**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2580/2000 ⁽²⁾, and in particular Article 20 thereof,

Whereas:

- (1) In light of the evolution of information technology systems and the ongoing requirement of the Commission to have at its disposal improved statistical information, it is appropriate to adapt the format and scope of the statistical information communicated to the Commission in accordance with Commission Regulation (EC) No 3223/93 of 25 November 1993 on statistical information relating to the payment of export refunds on certain agricultural products exported in the form of goods covered by Council Regulation (EEC) No 3035/80 ⁽³⁾, as last amended by Regulation (EC) No 1432/96 ⁽⁴⁾.
- (2) Having regard to the improvement of information technology it is no longer useful to manipulate statistical information in groups of products. The communication of that information in groups of products should therefore no longer be required.
- (3) Article 17(2) of Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amounts of such refunds ⁽⁵⁾, as last amended by Regulation (EC) No 1052/2002 ⁽⁶⁾, has expanded the range of goods and lowered the threshold for declaring whether these goods contain a high percentage of certain milk products. Regulation (EC) No 3223/93 should be adapted to reflect this change.

(4) Regulation (EC) No 3223/93 should therefore be amended accordingly.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee on Horizontal Questions relating to trade in Processed Agricultural Products not listed in Annex I to the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3223/93 is amended as follows:

1. In Article 2 the first indent is deleted.
2. Article 3 is replaced by the following:

'Article 3

1. The statistical information required by Article 1 shall be forwarded to the Commission by electronic file in the format laid down in Annex C.

2. Statistical information on goods covered by Commission Regulation (EC) No 1520/2000 (*) for which export refunds were granted in the previous month shall be broken down by eight-digit CN code and comprise:

- (a) the quantities of such goods, expressed in tonnes or another stated unit of measurement;
- (b) the amount, expressed in national currency, of export refunds granted the previous month for each of the basic agricultural products concerned;
- (c) the quantities, expressed in tonnes or another stated unit of measurement, of each of the basic agricultural products for which refunds were granted.

3. For goods of CN headings 0405 20 10, 0405 20 30, 1806 90 60 to 1806 90 90, 1901 10 00 to 1901 90 99 and 2106 90 98 containing, per 100 kg of exported goods, at least 51 kg of milk products of CN headings 0402 10 19, 0402 21 19, 0405 10 11 to 0405 90 90 and 0406 10 20 to 0406 90 99 imported from third countries under preferential tariff arrangements, statistical information shall comprise:

- (a) the quantities of such goods, expressed in tonnes, for which export refunds were paid the previous month;

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 298, 25.11.2000, p. 5.

⁽³⁾ OJ L 292, 26.11.1993, p. 10.

⁽⁴⁾ OJ L 184, 24.7.1996, p. 17.

⁽⁵⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁶⁾ OJ L 160, 18.6.2002, p. 16.

- (b) the amount of the export refunds, expressed in national currency, granted for such goods the previous month;
- (c) the quantities of products of "CN headings 0402 10 19, 0402 21 19, 0405 10 11 to 0405 90 90 and 0406 10 20 to 0406 90 99 incorporated in the exported goods which were imported from third countries under preferential tariff arrangements."

(*) OJ L 177, 15.7.2000, p. 1.'

3. Annex A is deleted.

4. An Annex C of which the text is set out in the Annex to this Regulation is added.

Article 2

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

It shall apply to refunds paid from 1 October 2002.

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

Done at Brussels, 2 October 2002.

For the Commission

Loyola DE PALACIO

Vice-President

ANNEX

ANNEX C

(Article 3(1))

For transmission by electronic file, the data shall be submitted to the Commission in the form of an "ASCII" table with the different columns separated by tabulations (tab delimited format) and the first line containing the column headings or in any other form approved beforehand by the Commission.

CN code of the goods	Quantities of the goods (tonnes)	CN code of the basic products	Quantities of basic products (tonnes)	Amount'

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 2 October 2002

amending Decision 2001/699/EC and repealing Decision 2002/250/EC to revoke the protective measures with regard to the fishery and aquaculture products imported from Vietnam

(notified under document number C(2002) 3607)

(Text with EEA relevance)

(2002/770/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽¹⁾, and in particular Article 53(1) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽²⁾, and in particular Article 22(1) thereof,

Whereas:

(1) Commission Decision 2001/699/EC of 19 September 2001 concerning certain protective measures with regard to certain fishery and aquaculture products intended for human consumption and originating in China and Vietnam ⁽³⁾, and Commission Decision 2002/250/EC of 27 March 2002 concerning the extension of the protective measures provided by Decision 2001/699/EC, with regard to fishery and aquaculture products imported from Vietnam ⁽⁴⁾, were adopted because of the presence of chloramphenicol and nitrofurans in fishery and aquaculture products imported from Vietnam.

(2) Decisions 2001/699/EC and 2002/250/EC provide that they will be reviewed on the basis of the guarantees provided by the Vietnamese competent authorities and on the basis of the results of the test carried out by Member States.

(3) The Vietnamese competent authority has provided the appropriate guarantees, and the results of the checks carried out by Member States in shrimps imported from Vietnam have been favourable.

(4) Decision 2001/699/EC should, therefore, be amended accordingly and Decision 2002/250/EC should be repealed.

(5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2001/699/EC is amended as follows:

1. in the title the words 'and Vietnam' are deleted;
2. in Article 1 the words 'and Vietnam' are deleted;
3. in Article 2(1) the words 'and Vietnam' are deleted;
4. in Article 6 the words 'and Vietnamese' are deleted.

Article 2

Decision 2002/250/EC is repealed.

Article 3

This Decision shall apply from 6 October 2002.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ OJ L 24, 30.1.1998, p. 9.

⁽³⁾ OJ L 251, 20.9.2001, p. 11.

⁽⁴⁾ OJ L 84, 28.3.2002, p. 75.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 2 October 2002.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION**of 2 October 2002****repealing Decision 2002/62/EC concerning protective measures with regard to the fishery and aquaculture products imported from Pakistan***(notified under document number C(2002) 3613)***(Text with EEA relevance)**

(2002/771/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾, and in particular Article 22(1) thereof,

Whereas:

- (1) Commission Decision 2002/62/EC of 25 January 2002 concerning certain protective measures with regard to certain fishery and aquaculture products intended for human consumption and imported from Pakistan ⁽²⁾ was adopted because the presence of chloramphenicol was detected in shrimps imported from Pakistan.
- (2) Decision 2002/62/EC provides that it will be reviewed on the basis of the guarantees provided by the competent authority of Pakistan and on the basis of the results of the test carried out by Member States.
- (3) The Pakistani authority has provided the appropriate guarantees, and the results of the checks carried out by Member States in shrimps imported from Pakistan have been favourable.
- (4) In order to suspend the systematic controls in shrimps imported from Pakistan Decision 2002/62/EC should be repealed.

- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2002/62/EC is repealed.

Article 2

This Decision shall apply from 6 October 2002.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 2 October 2002.

For the Commission

David BYRNE

Member of the Commission⁽¹⁾ OJ L 24, 30.1.1998, p. 9.⁽²⁾ OJ L 24, 26.1.2002, p. 65.