

Official Journal

of the European Communities

ISSN 0378-6978

L 330

Volume 45

6 December 2002

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 2160/2002 of 5 December 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
Commission Regulation (EC) No 2161/2002 of 5 December 2002 fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex I to the Treaty	3
Commission Regulation (EC) No 2162/2002 of 5 December 2002 fixing the representative prices and the additional import duties for molasses in the sugar sector	7
Commission Regulation (EC) No 2163/2002 of 5 December 2002 fixing the export refunds on white sugar and raw sugar exported in its unaltered state	9
Commission Regulation (EC) No 2164/2002 of 5 December 2002 fixing the maximum export refund for white sugar for the 18th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1331/2002	11
Commission Regulation (EC) No 2165/2002 of 5 December 2002 fixing the export refunds on products processed from cereals and rice	12
Commission Regulation (EC) No 2166/2002 of 5 December 2002 fixing the export refunds on cereal-based compound feedingstuffs	15
Commission Regulation (EC) No 2167/2002 of 5 December 2002 concerning tenders notified in response to the invitation to tender for the export of barley issued in Regulation (EC) No 901/2002	17
Commission Regulation (EC) No 2168/2002 of 5 December 2002 concerning tenders notified in response to the invitation to tender for the export of rye issued in Regulation (EC) No 900/2002	18

Commission Regulation (EC) No 2169/2002 of 5 December 2002 concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 899/2002	19
Commission Regulation (EC) No 2170/2002 of 5 December 2002 concerning tenders notified in response to the invitation to tender for the import of maize issued in Regulation (EC) No 2096/2002	20
Commission Regulation (EC) No 2171/2002 of 5 December 2002 amending the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty	21
Commission Regulation (EC) No 2172/2002 of 5 December 2002 altering the export refunds on milk and milk products	23
Commission Regulation (EC) No 2173/2002 of 5 December 2002 providing for the rejection of applications for export licences for certain milk products	28
* Regulation (EC) No 2174/2002 of the European Central Bank of 21 November 2002 amending Regulation ECB/2001/13 concerning the consolidated balance sheet of the monetary financial institutions sector (ECB/2002/8)	29

II Acts whose publication is not obligatory	
Commission	
2002/950/EC:	
* Commission Decision of 3 December 2002 terminating the review of Council Regulation (EC) No 1601/1999 imposing a definitive countervailing duty on imports of stainless steel wire having a diameter of less than 1 mm originating in India	33
2002/951/EC:	
* Commission Decision of 3 December 2002 terminating the accelerated review of Council Regulation (EC) No 1599/1999 imposing a definitive countervailing duty on imports of stainless steel wire with a diameter of 1 mm or more originating in India	35
2002/952/EC:	
* Commission Decision of 3 December 2002 terminating the accelerated review of Council Regulation (EC) No 1601/1999 imposing a definitive countervailing duty on imports of stainless steel wire with a diameter of less than 1 mm originating in India	37
2002/953/EC:	
* Commission Decision of 5 December 2002 on a Community financial contribution to emergency measures to control foot-and-mouth disease in Armenia, Azerbaijan and Georgia and amending Decision 2001/300/EC (notified under document number C(2002) 4806)	39

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2160/2002
of 5 December 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 1947/2002 ⁽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 6 December 2002.

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

Done at Brussels, 5 December 2002.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 5 December 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	70,3
	204	82,9
	999	76,6
0707 00 05	052	103,8
	204	111,0
	628	196,3
	999	137,0
0709 90 70	052	92,9
	204	84,8
	999	88,8
0805 10 10, 0805 10 30, 0805 10 50	052	62,4
	388	56,0
	624	65,9
	999	61,4
0805 20 10	052	74,8
	204	76,7
	999	75,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	63,9
	464	139,5
	999	101,7
0805 50 10	052	59,0
	600	80,9
	999	70,0
0808 10 20, 0808 10 50, 0808 10 90	060	28,7
	400	90,0
	404	104,5
	720	107,7
	800	166,0
	999	99,4
0808 20 50	052	144,8
	400	117,9
	720	63,7
	999	108,8

⁽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 2161/2002

of 5 December 2002

fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex I to the Treaty

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 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice⁽³⁾, as last amended by Commission Regulation (EC) No 411/2002⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for 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 amount of such refunds⁽⁵⁾, as last amended by Regulation (EC) No 1052/2002⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000 provides that a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1722/93⁽⁸⁾, as last amended by Commission Regulation (EC) No 1786/2001⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark stipulates that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1(1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to amended Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 6 December 2002.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 117, 15.7.2000, p. 1.

⁽⁶⁾ OJ L 160, 18.6.2002, p. 16.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 242, 12.9.2001, p. 3.

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

Done at Brussels, 5 December 2002.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 5 December 2002 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

		(EUR/100 kg)	
CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases	— — — — —	— — — — —
1002 00 00	Rye	1,175	1,175
1003 00 90	Barley – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	— —	— —
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of: – starch: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ : – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – where goods falling within subheading 2208 ⁽³⁾ are exported – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	1,356 — 1,356 1,017 — 1,017 — 1,356 1,356 — 1,356	1,356 — 1,356 1,017 — 1,017 — 1,356 1,356 — 1,356

(EUR/100 kg)			
CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly-milled rice:		
	– round grain	14,600	14,600
	– medium grain	14,600	14,600
	– long grain	14,600	14,600
1006 40 00	Broken rice	3,700	3,700
1007 00 90	Sorghum	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1520/2000 shall be applied (OJ L 177, 15.7.2000, p. 1).

⁽²⁾ The goods concerned fall under CN code 3505 10 50.

⁽³⁾ Goods listed in Annex B of Council Regulation (EEC) No 1766/92 or referred to in Article 2 of Regulation (EEC) No 2825/93.

⁽⁴⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

**COMMISSION REGULATION (EC) No 2162/2002
of 5 December 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 6 December 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, 5 December 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

ANNEX

to the Commission Regulation of 5 December 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⁾	8,20	—	0,01
1703 90 00 ⁽¹⁾	11,48	—	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 2163/2002
of 5 December 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 6 December 2002.

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

Done at Brussels, 5 December 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 5 December 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	40,63 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	40,07 ⁽¹⁾
1701 12 90 9100	A00	EUR/100 kg	40,63 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	40,07 ⁽¹⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4417
1701 99 10 9100	A00	EUR/100 kg	44,17
1701 99 10 9910	A00	EUR/100 kg	43,56
1701 99 10 9950	A00	EUR/100 kg	43,56
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4417

⁽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.

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 2164/2002
of 5 December 2002**

**fixing the maximum export refund for white sugar for the 18th partial invitation to tender issued
within the framework of the standing invitation to tender provided for in Regulation (EC) No
1331/2002**

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 1331/2002 of 23 July 2002 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, for the 2002/2003 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 1331/2002 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 18th 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 18th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1331/2002 the maximum amount of the export refund is fixed at 46,607 EUR/100 kg.

Article 2

This Regulation shall enter into force on 6 December 2002.

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

Done at Brussels, 5 December 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 195, 24.7.2002, p. 6.

COMMISSION REGULATION (EC) No 2165/2002
of 5 December 2002
fixing the export refunds on products processed from cereals and rice

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 organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽³⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.
- (2) Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.
- (3) Article 4 of Commission Regulation (EC) No 1518/95 ⁽⁵⁾, as amended by Regulation (EC) No 2993/95 ⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.
- (4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tégument, protein, fat and starch content of

the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

- (5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.
- (6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (7) The refund must be fixed once a month. It may be altered in the intervening period.
- (8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d) of Regulation (EEC) No 1766/92 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 6 December 2002.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

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

Done at Brussels, 5 December 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

to the Commission Regulation of 5 December 2002 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C11	EUR/t	18,98	1104 23 10 9100	C14	EUR/t	20,34
1102 20 10 9400 ⁽¹⁾	C11	EUR/t	16,27	1104 23 10 9300	C14	EUR/t	15,59
1102 20 90 9200 ⁽¹⁾	C11	EUR/t	16,27	1104 29 11 9000	C13	EUR/t	0,00
1102 90 10 9100	C14	EUR/t	0,00	1104 29 51 9000	C13	EUR/t	0,00
1102 90 10 9900	C14	EUR/t	0,00	1104 29 55 9000	C13	EUR/t	0,00
1102 90 30 9100	C15	EUR/t	0,00	1104 30 10 9000	C13	EUR/t	0,00
1103 19 40 9100	C16	EUR/t	0,00	1104 30 90 9000	C14	EUR/t	3,39
1103 13 10 9100 ⁽¹⁾	C14	EUR/t	24,41	1107 10 11 9000	C13	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C14	EUR/t	18,98	1107 10 91 9000	C13	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C14	EUR/t	16,27	1108 11 00 9200	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C14	EUR/t	16,27	1108 11 00 9300	C10	EUR/t	0,00
1103 19 10 9000	C16	EUR/t	11,75	1108 12 00 9200	C10	EUR/t	21,70
1103 19 30 9100	C14	EUR/t	0,00	1108 12 00 9300	C10	EUR/t	21,70
1103 20 60 9000	C16	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	21,70
1103 20 20 9000	C14	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	21,70
1104 19 69 9100	C14	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	56,24
1104 12 90 9100	C13	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	56,24
1104 12 90 9300	C13	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 19 10 9000	C13	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	C10	EUR/t	21,26
1104 19 50 9110	C14	EUR/t	21,70	1702 30 59 9000 ⁽²⁾	C10	EUR/t	16,27
1104 19 50 9130	C14	EUR/t	17,63	1702 30 91 9000	C10	EUR/t	21,26
1104 29 01 9100	C14	EUR/t	0,00	1702 30 99 9000	C10	EUR/t	16,27
1104 29 03 9100	C14	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	16,27
1104 29 05 9100	C14	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	21,26
1104 29 05 9300	C14	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	16,27
1104 22 20 9100	C13	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	22,27
1104 22 30 9100	C13	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	15,46
				2106 90 55 9000	C10	EUR/t	16,27

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), as amended.

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 Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

The other destinations are as follows:

C10: All destinations except for Estonia,

C11: All destinations except for Estonia, Hungary, and Poland,

C12: All destinations except for Estonia, Hungary, Latvia and Poland,

C13: All destinations except for Estonia, Hungary and Lithuania,

C14: All destinations except for Estonia and Hungary,

C15: All destinations except for Estonia, Hungary, Latvia, Lithuania and Poland,

C16: All destinations except for Estonia, Hungary, Latvia and Lithuania.

COMMISSION REGULATION (EC) No 2166/2002
of 5 December 2002
fixing the export refunds on cereal-based compound feedingstuffs

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 organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.
- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) However, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported.
- (6) The refund must be fixed once a month; whereas it may be altered in the intervening period.
- (7) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 6 December 2002.

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

Done at Brussels, 5 December 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. 51.

ANNEX

to the Commission Regulation of 5 December 2002 fixing the export refunds on cereal-based compound feedingstuffs

Product codes benefiting from export refund:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	C10	EUR/t	13,56
Cereal products excluding maize and maize products	C10	EUR/t	0,00

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

The other destinations are as follows:

C10 All destinations except for Estonia.

COMMISSION REGULATION (EC) No 2167/2002
of 5 December 2002
concerning tenders notified in response to the invitation to tender for the export of barley 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 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, 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 the United States of America, Canada, Estonia and Latvia was opened pursuant to Commission Regulation (EC) No 901/2002 ⁽⁶⁾, as amended by Regulation (EC) No 1230/2002 ⁽⁷⁾.

- (2) Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.
- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 29 November to 5 December 2002 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 901/2002.

Article 2

This Regulation shall enter into force on 6 December 2002.

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

Done at Brussels, 5 December 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 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 127, 9.5.2002, p. 11.

⁽⁷⁾ OJ L 180, 10.7.2002, p. 3.

COMMISSION REGULATION (EC) No 2168/2002
of 5 December 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 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, 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 Hungary, Estonia, Lithuania and Latvia was opened pursuant to Commission Regulation (EC) No 900/2002 ⁽⁶⁾, as amended by Regulation (EC) No 1632/2002 ⁽⁷⁾.

- (2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.
- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 29 November to 5 December 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 6 December 2002.

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

Done at Brussels, 5 December 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 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 142, 31.5.2002, p. 14.

⁽⁷⁾ OJ L 247, 14.9.2002, p. 3.

**COMMISSION REGULATION (EC) No 2169/2002
of 5 December 2002**

**concerning tenders notified in response to the invitation to tender for the export of common
wheat 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 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to all third countries, with the exclusion of Poland, Estonia, Lithuania and Latvia was opened pursuant to Commission Regulation (EC) No 899/2002 ⁽⁶⁾, as amended by Regulation (EC) No 1520/2002 ⁽⁷⁾.

- (2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.
- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 29 November to 5 December 2002 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 899/2002.

Article 2

This Regulation shall enter into force on 6 December 2002.

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

Done at Brussels, 5 December 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 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 133, 16.5.2001, p. 3.

⁽⁷⁾ OJ L 228, 24.8.2002, p. 18.

COMMISSION REGULATION (EC) No 2170/2002
of 5 December 2002
concerning tenders notified in response to the invitation to tender for the import of maize issued
in Regulation (EC) No 2096/2002

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 Spain from third countries was opened pursuant to Commission Regulation (EC) No 2096/2002 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EC) No 1839/95 ⁽⁴⁾, as last amended by Regulation (EC) No 2235/2000 ⁽⁵⁾, 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 29 November to 5 December 2002 in response to the invitation to tender for the reduction in the duty on imported maize issued in Regulation (EC) No 2096/2002.

Article 2

This Regulation shall enter into force on 6 December 2002.

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

Done at Brussels, 5 December 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 323, 28.11.2002, p. 40.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.

**COMMISSION REGULATION (EC) No 2171/2002
of 5 December 2002**

**amending the rates of the refunds applicable to certain milk products exported in the form of
goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the markets in the milk and milk products sector ⁽¹⁾, as last amended by Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) The rates of the refunds applicable from 1 December 2002 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 2135/2002 ⁽³⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 2135/2002 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 2135/2002 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 December 2002.

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

Done at Brussels, 5 December 2002.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 325, 30.11.2002, p. 26.

ANNEX

to the Commission Regulation of 5 December 2002 altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):	
	(a) On exportation of goods of CN code 3501	—
	(b) On exportation of other goods	54,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):	
	(a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	71,67
	(b) On exportation of other goods	98,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):	
	(a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	100,00
	(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	192,25
	(c) On exportation of other goods	185,00

COMMISSION REGULATION (EC) No 2172/2002
of 5 December 2002
altering the export refunds on milk and milk products

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 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 31(3), last indent thereof,

Whereas:

- (1) The export refunds on milk and milk products were fixed by Commission Regulation (EC) No 2110/2002 ⁽³⁾.
- (2) It follows from the application of the detailed rules contained in Regulation (EC) No 2110/2002 to the information known to the Commission that the export refunds for the products listed in the Annex hereto should be altered to the amounts set out therein,

Article 1

The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state, as fixed in the Annex to Regulation (EC) No 2110/2002 are hereby altered, in respect of the products set out in the Annex hereto, to the amounts set out therein.

Article 2

This Regulation shall enter into force on 6 December 2002.

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

Done at Brussels, 5 December 2002.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 324, 29.11.2002, p. 30.

ANNEX

to the Commission Regulation of 5 December 2002 altering the export refunds on milk and milk products

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0401 10 10 9000	970	EUR/100 kg	2,458	0402 91 39 9300	L06	EUR/100 kg	8,058
0401 10 90 9000	970	EUR/100 kg	2,458	0402 91 99 9000	L06	EUR/100 kg	43,93
0401 20 11 9100	970	EUR/100 kg	2,458	0402 99 11 9350	L06	EUR/kg	0,1734
0401 20 11 9500	970	EUR/100 kg	3,798	0402 99 19 9350	L06	EUR/kg	0,1734
0401 20 19 9100	970	EUR/100 kg	2,458	0402 99 31 9150	L06	EUR/kg	0,1816
0401 20 19 9500	970	EUR/100 kg	3,798	0402 99 31 9300	L06	EUR/kg	0,2629
0401 20 91 9000	970	EUR/100 kg	4,806	0402 99 31 9500	L06	EUR/kg	0,4530
0401 20 99 9000	970	EUR/100 kg	4,806	0402 99 39 9150	L06	EUR/kg	0,1816
0401 30 11 9400	970	EUR/100 kg	11,09	0403 90 11 9000	L06	EUR/100 kg	53,25
0401 30 11 9700	970	EUR/100 kg	16,66	0403 90 13 9200	L06	EUR/100 kg	53,25
0401 30 19 9700	970	EUR/100 kg	16,66	0403 90 13 9300	L06	EUR/100 kg	87,33
0401 30 31 9100	L06	EUR/100 kg	40,46	0403 90 13 9500	L06	EUR/100 kg	91,14
0401 30 31 9400	L06	EUR/100 kg	63,20	0403 90 13 9900	L06	EUR/100 kg	97,12
0401 30 31 9700	L06	EUR/100 kg	69,70	0403 90 19 9000	L06	EUR/100 kg	97,73
0401 30 39 9100	L06	EUR/100 kg	40,46	0403 90 33 9400	L06	EUR/kg	0,8733
0401 30 39 9400	L06	EUR/100 kg	63,20	0403 90 33 9900	L06	EUR/kg	0,9712
0401 30 39 9700	L06	EUR/100 kg	69,70	0403 90 51 9100	970	EUR/100 kg	2,458
0401 30 91 9100	L06	EUR/100 kg	79,43	0403 90 59 9170	970	EUR/100 kg	16,66
0401 30 91 9500	L06	EUR/100 kg	116,74	0403 90 59 9310	L06	EUR/100 kg	40,46
0401 30 99 9100	L06	EUR/100 kg	79,43	0403 90 59 9340	L06	EUR/100 kg	59,20
0401 30 99 9500	L06	EUR/100 kg	116,74	0403 90 59 9370	L06	EUR/100 kg	59,20
0402 10 11 9000	L06	EUR/100 kg	54,00	0403 90 59 9510	L06	EUR/100 kg	59,20
0402 10 19 9000	L06	EUR/100 kg	54,00	0404 90 21 9120	L06	EUR/100 kg	46,06
0402 10 91 9000	L06	EUR/kg	0,5400	0404 90 21 9160	L06	EUR/100 kg	54,00
0402 10 99 9000	L06	EUR/kg	0,5400	0404 90 23 9120	L06	EUR/100 kg	54,00
0402 21 11 9200	L06	EUR/100 kg	54,00	0404 90 23 9130	L06	EUR/100 kg	88,12
0402 21 11 9300	L06	EUR/100 kg	88,12	0404 90 23 9140	L06	EUR/100 kg	91,96
0402 21 11 9500	L06	EUR/100 kg	91,96	0404 90 23 9150	L06	EUR/100 kg	98,00
0402 21 11 9900	L06	EUR/100 kg	98,00	0404 90 29 9110	L06	EUR/100 kg	98,61
0402 21 17 9000	L06	EUR/100 kg	54,00	0404 90 29 9115	L06	EUR/100 kg	99,19
0402 21 19 9300	L06	EUR/100 kg	88,12	0404 90 29 9125	L06	EUR/100 kg	100,22
0402 21 19 9500	L06	EUR/100 kg	91,96	0404 90 29 9140	L06	EUR/100 kg	107,70
0402 21 19 9900	L06	EUR/100 kg	98,00	0404 90 81 9100	L06	EUR/kg	0,5400
0402 21 91 9100	L06	EUR/100 kg	98,61	0404 90 83 9110	L06	EUR/kg	0,5400
0402 21 91 9200	L06	EUR/100 kg	99,19	0404 90 83 9130	L06	EUR/kg	0,8812
0402 21 91 9350	L06	EUR/100 kg	100,22	0404 90 83 9150	L06	EUR/kg	0,9196
0402 21 91 9500	L06	EUR/100 kg	107,70	0404 90 83 9170	L06	EUR/kg	0,9800
0402 21 99 9100	L06	EUR/100 kg	98,61	0404 90 83 9936	L06	EUR/kg	0,1734
0402 21 99 9200	L06	EUR/100 kg	99,19	0405 10 11 9500	L05	EUR/100 kg	180,49
0402 21 99 9300	L06	EUR/100 kg	100,22	0405 10 11 9700	L05	EUR/100 kg	185,00
0402 21 99 9400	L06	EUR/100 kg	105,76	0405 10 19 9500	L05	EUR/100 kg	180,49
0402 21 99 9500	L06	EUR/100 kg	107,70	0405 10 19 9700	L05	EUR/100 kg	185,00
0402 21 99 9600	L06	EUR/100 kg	115,29	0405 10 30 9100	L05	EUR/100 kg	180,49
0402 21 99 9700	L06	EUR/100 kg	119,59	0405 10 30 9300	L05	EUR/100 kg	185,00
0402 21 99 9900	L06	EUR/100 kg	124,56	0405 10 30 9700	L05	EUR/100 kg	185,00
0402 29 15 9200	L06	EUR/kg	0,5400	0405 10 50 9300	L05	EUR/100 kg	185,00
0402 29 15 9300	L06	EUR/kg	0,8812	0405 10 50 9500	L05	EUR/100 kg	180,49
0402 29 15 9500	L06	EUR/kg	0,9196	0405 10 50 9700	L05	EUR/100 kg	185,00
0402 29 15 9900	L06	EUR/kg	0,9800	0405 10 90 9000	L05	EUR/100 kg	191,78
0402 29 19 9300	L06	EUR/kg	0,8812	0405 20 90 9500	L05	EUR/100 kg	169,22
0402 29 19 9500	L06	EUR/kg	0,9196	0405 20 90 9700	L05	EUR/100 kg	175,98
0402 29 19 9900	L06	EUR/kg	0,9800	0405 90 10 9000	L05	EUR/100 kg	235,07
0402 29 91 9000	L06	EUR/kg	0,9861	0405 90 90 9000	L05	EUR/100 kg	185,00
0402 29 99 9100	L06	EUR/kg	0,9861	0406 10 20 9100	A00	EUR/100 kg	—
0402 29 99 9500	L06	EUR/kg	1,0576	0406 10 20 9230	L03	EUR/100 kg	—
0402 91 11 9370	L06	EUR/100 kg	6,804		L04	EUR/100 kg	39,41
0402 91 19 9370	L06	EUR/100 kg	6,804		400	EUR/100 kg	—
0402 91 31 9300	L06	EUR/100 kg	8,058		A01	EUR/100 kg	39,41

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 10 20 9290	L03	EUR/100 kg	—	0406 30 31 9910	L03	EUR/100 kg	—
	L04	EUR/100 kg	36,66		L04	EUR/100 kg	8,10
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	36,66		A01	EUR/100 kg	15,17
0406 10 20 9300	L03	EUR/100 kg	—	0406 30 31 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	16,09		L04	EUR/100 kg	11,87
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	16,09		A01	EUR/100 kg	22,26
0406 10 20 9610	L03	EUR/100 kg	—	0406 30 31 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	53,46		L04	EUR/100 kg	17,26
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	53,46		A01	EUR/100 kg	32,38
0406 10 20 9620	L03	EUR/100 kg	—	0406 30 39 9500	L03	EUR/100 kg	—
	L04	EUR/100 kg	54,22		L04	EUR/100 kg	11,87
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	54,22		A01	EUR/100 kg	22,26
0406 10 20 9630	L03	EUR/100 kg	—	0406 30 39 9700	L03	EUR/100 kg	—
	L04	EUR/100 kg	60,52		L04	EUR/100 kg	17,26
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	60,52		A01	EUR/100 kg	32,38
0406 10 20 9640	L03	EUR/100 kg	—	0406 30 39 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	88,94		L04	EUR/100 kg	17,26
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	88,94		A01	EUR/100 kg	32,38
0406 10 20 9650	L03	EUR/100 kg	—	0406 30 39 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	74,11		L04	EUR/100 kg	19,53
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	74,11		A01	EUR/100 kg	36,60
0406 10 20 9660	A00	EUR/100 kg	—	0406 30 90 9000	L03	EUR/100 kg	—
0406 10 20 9830	L03	EUR/100 kg	—		L04	EUR/100 kg	20,48
	L04	EUR/100 kg	27,49		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	38,40
0406 10 20 9850	A01	EUR/100 kg	27,49	0406 40 50 9000	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	94,14
	L04	EUR/100 kg	33,33		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	94,14
0406 10 20 9870	A01	EUR/100 kg	33,33	0406 40 90 9000	L03	EUR/100 kg	—
	A00	EUR/100 kg	—		L04	EUR/100 kg	96,66
	A00	EUR/100 kg	—		400	EUR/100 kg	—
	A00	EUR/100 kg	—		A01	EUR/100 kg	96,66
0406 20 90 9100	A00	EUR/100 kg	—	0406 90 13 9000	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	106,29
	L04	EUR/100 kg	61,46		400	EUR/100 kg	34,20
	400	EUR/100 kg	17,96		A01	EUR/100 kg	121,71
0406 20 90 9913	A01	EUR/100 kg	61,46	0406 90 15 9100	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	109,84
	L04	EUR/100 kg	81,13		400	EUR/100 kg	35,25
	400	EUR/100 kg	23,93		A01	EUR/100 kg	125,77
0406 20 90 9915	A01	EUR/100 kg	81,13	0406 90 17 9100	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	109,84
	L04	EUR/100 kg	86,20		400	EUR/100 kg	35,25
	400	EUR/100 kg	25,44		A01	EUR/100 kg	125,77
0406 20 90 9917	A01	EUR/100 kg	86,20	0406 90 21 9900	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	107,63
	L04	EUR/100 kg	96,33		400	EUR/100 kg	25,29
	400	EUR/100 kg	28,38		A01	EUR/100 kg	122,94
0406 20 90 9919	A01	EUR/100 kg	96,33	0406 90 23 9900	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	94,51
	L04	EUR/100 kg	96,33		400	EUR/100 kg	—
	400	EUR/100 kg	28,38		A01	EUR/100 kg	108,69
0406 20 90 9990	A01	EUR/100 kg	—	0406 90 25 9900	L03	EUR/100 kg	—
	A00	EUR/100 kg	—		L04	EUR/100 kg	93,89
	L03	EUR/100 kg	—		400	EUR/100 kg	—
	L04	EUR/100 kg	8,10		A01	EUR/100 kg	107,52
0406 30 31 9710	400	EUR/100 kg	—				
	A01	EUR/100 kg	15,17				
	L03	EUR/100 kg	—				
	L04	EUR/100 kg	11,87				
0406 30 31 9730	400	EUR/100 kg	—				
	A01	EUR/100 kg	22,26				
	L03	EUR/100 kg	—				
	L04	EUR/100 kg	—				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 27 9900	L03	EUR/100 kg	—	0406 90 78 9100	L04	EUR/100 kg	94,38
	L04	EUR/100 kg	85,04		400	EUR/100 kg	13,13
	400	EUR/100 kg	—		A01	EUR/100 kg	107,15
	A01	EUR/100 kg	97,38		L03	EUR/100 kg	—
0406 90 31 9119	L03	EUR/100 kg	—	0406 90 78 9300	L04	EUR/100 kg	91,53
	L04	EUR/100 kg	78,15		400	EUR/100 kg	—
	400	EUR/100 kg	14,50		A01	EUR/100 kg	106,96
	A01	EUR/100 kg	89,64		L03	EUR/100 kg	—
0406 90 33 9119	L03	EUR/100 kg	—	0406 90 78 9500	L04	EUR/100 kg	97,04
	L04	EUR/100 kg	78,15		400	EUR/100 kg	—
	400	EUR/100 kg	14,50		A01	EUR/100 kg	110,84
	A01	EUR/100 kg	89,64		L03	EUR/100 kg	—
0406 90 33 9919	L03	EUR/100 kg	—	0406 90 79 9900	L04	EUR/100 kg	96,13
	L04	EUR/100 kg	71,43		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	109,15
	A01	EUR/100 kg	82,21		L03	EUR/100 kg	—
0406 90 33 9951	L03	EUR/100 kg	—	0406 90 81 9900	L04	EUR/100 kg	78,47
	L04	EUR/100 kg	72,14		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	90,23
	A01	EUR/100 kg	82,27		L03	EUR/100 kg	—
0406 90 35 9190	L03	EUR/100 kg	—	0406 90 85 9930	L04	EUR/100 kg	99,20
	L04	EUR/100 kg	110,56		400	EUR/100 kg	27,02
	400	EUR/100 kg	34,88		A01	EUR/100 kg	113,61
	A01	EUR/100 kg	127,15		L03	EUR/100 kg	—
0406 90 35 9990	L03	EUR/100 kg	—	0406 90 85 9970	L04	EUR/100 kg	107,14
	L04	EUR/100 kg	110,56		400	EUR/100 kg	33,67
	400	EUR/100 kg	22,80		A01	EUR/100 kg	123,32
	A01	EUR/100 kg	127,15		L03	EUR/100 kg	—
0406 90 37 9000	L03	EUR/100 kg	—	0406 90 85 9999	L04	EUR/100 kg	98,22
	L04	EUR/100 kg	106,29		400	EUR/100 kg	29,46
	400	EUR/100 kg	34,20		A01	EUR/100 kg	113,03
	A01	EUR/100 kg	121,71		A00	EUR/100 kg	—
0406 90 61 9000	L03	EUR/100 kg	—	0406 90 86 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	117,14		L03	EUR/100 kg	—
	400	EUR/100 kg	32,46		L04	EUR/100 kg	90,13
	A01	EUR/100 kg	135,59		400	EUR/100 kg	17,68
0406 90 63 9100	L03	EUR/100 kg	—	0406 90 86 9200	A01	EUR/100 kg	106,94
	L04	EUR/100 kg	116,53		L03	EUR/100 kg	—
	400	EUR/100 kg	36,31		L04	EUR/100 kg	91,43
	A01	EUR/100 kg	134,46		400	EUR/100 kg	19,38
0406 90 63 9900	L03	EUR/100 kg	—	0406 90 86 9400	A01	EUR/100 kg	108,06
	L04	EUR/100 kg	112,03		L03	EUR/100 kg	—
	400	EUR/100 kg	27,77		L04	EUR/100 kg	97,13
	A01	EUR/100 kg	129,88		400	EUR/100 kg	21,93
0406 90 69 9100	A00	EUR/100 kg	—	0406 90 86 9900	A01	EUR/100 kg	113,61
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	112,03		L04	EUR/100 kg	107,14
	400	EUR/100 kg	27,77		400	EUR/100 kg	25,67
0406 90 73 9900	A01	EUR/100 kg	129,88	0406 90 87 9100	A01	EUR/100 kg	123,32
	L03	EUR/100 kg	—		A00	EUR/100 kg	—
	L04	EUR/100 kg	97,56		L03	EUR/100 kg	—
	400	EUR/100 kg	29,89		L04	EUR/100 kg	75,11
0406 90 75 9900	A01	EUR/100 kg	111,82	0406 90 87 9200	400	EUR/100 kg	15,81
	L03	EUR/100 kg	—		A01	EUR/100 kg	89,10
	L04	EUR/100 kg	98,22		L03	EUR/100 kg	—
	400	EUR/100 kg	12,61		L04	EUR/100 kg	83,95
0406 90 76 9300	A01	EUR/100 kg	113,03	0406 90 87 9400	400	EUR/100 kg	17,85
	L03	EUR/100 kg	—		A01	EUR/100 kg	99,25
	L04	EUR/100 kg	88,57		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	86,15
0406 90 76 9400	A01	EUR/100 kg	101,43	0406 90 87 9951	400	EUR/100 kg	19,55
	L03	EUR/100 kg	—		A01	EUR/100 kg	100,75
	L04	EUR/100 kg	99,20		L03	EUR/100 kg	—
	400	EUR/100 kg	13,13		L04	EUR/100 kg	97,43
0406 90 76 9500	A01	EUR/100 kg	113,61		400	EUR/100 kg	27,03
	L03	EUR/100 kg	—		A01	EUR/100 kg	111,58

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 87 9971	L03	EUR/100 kg	—	0406 90 87 9975	400	EUR/100 kg	15,39
	L04	EUR/100 kg	97,43		A01	EUR/100 kg	118,38
	400	EUR/100 kg	21,93		L03	EUR/100 kg	—
	A01	EUR/100 kg	111,58		L04	EUR/100 kg	105,90
0406 90 87 9972	L03	EUR/100 kg	—	0406 90 87 9979	400	EUR/100 kg	20,40
	L04	EUR/100 kg	41,51		A01	EUR/100 kg	119,70
	400	EUR/100 kg	—		L03	EUR/100 kg	—
	A01	EUR/100 kg	47,73		L04	EUR/100 kg	94,51
0406 90 87 9973	L03	EUR/100 kg	—	0406 90 88 9100	400	EUR/100 kg	15,39
	L04	EUR/100 kg	95,66		A01	EUR/100 kg	108,69
	400	EUR/100 kg	15,39		A00	EUR/100 kg	—
	A01	EUR/100 kg	109,55		L03	EUR/100 kg	—
0406 90 87 9974	L03	EUR/100 kg	—	0406 90 88 9300	L04	EUR/100 kg	74,16
	L04	EUR/100 kg	103,82		400	EUR/100 kg	19,38
					A01	EUR/100 kg	87,34

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).

The other destinations are defined as follows:

L03 Ceuta, Melilla, Iceland, Norway, Switzerland, Liechtenstein, Andorra, Gibraltar, Holy See (often referred to as Vatican City), Malta, Turkey, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovakia, Hungary, Romania, Bulgaria, Canada, Cyprus, Australia and New Zealand,

L04 Albania, Slovenia, Croatia, Bosnia and Herzegovina, Yugoslavia and the Former Yugoslav Republic of Macedonia,

L05 all destinations except Poland, Estonia, Latvia, Lithuania, Hungary and the United States of America.

L06 all destinations except Estonia, Latvia, Lithuania, Hungary and the United States of America.

970 includes the exports referred to in Articles 36(1)(a) and (c) and 44(1)(a) and (b) of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11) and exports under contracts with armed forces stationed on the territory of a Member State which do not come under its flag.

**COMMISSION REGULATION (EC) No 2173/2002
of 5 December 2002
providing for the rejection of applications for export licences for certain milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾,

Having regard to Commission Regulation (EC) No 174/1999 of 26 January 1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 1472/2002 ⁽⁴⁾, and in particular Article 10(3) thereof,

Whereas:

Uncertainty is a feature of the market in certain milk products. It is necessary to prevent speculative applications that may lead to a distortion in competition between traders. Applications for export licences for the products concerned should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for export licences for milk products falling within CN codes 0402 10, 0402 21, and 0402 29 made between 29 November and 4 December 2002 inclusive, shall be rejected.

Article 2

This Regulation shall enter into force on 6 December 2002.

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

Done at Brussels, 5 December 2002.

For the Commission

J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 219, 14.8.2002, p. 4.

REGULATION (EC) No 2174/2002 OF THE EUROPEAN CENTRAL BANK
of 21 November 2002
amending Regulation ECB/2001/13 concerning the consolidated balance sheet of the monetary
financial institutions sector

(ECB/2002/8)

THE GOVERNING COUNCIL OF THE EUROPEAN CENTRAL BANK,

ments in respect of these entities for the purposes of this Regulation a list of reporting OFIs may need to be drawn up,

Having regard to Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank ⁽¹⁾, and in particular to Article 5(1) and Article 6(4) thereof,

Whereas:

HAS ADOPTED THIS REGULATION:

- (1) Regulation (EC) No 2423/2001 (ECB/2001/13) of 22 November 2001 concerning the consolidated balance sheet of the monetary financial institutions sector ⁽²⁾, as corrected by Regulation (EC) No 993/2002 (ECB/2002/4) ⁽³⁾, requires statistical data on the monetary financial institutions' (MFIs') balance sheets to be reported according to the residency of the counterparty, to allow the compilation of monetary aggregates and other measures of liquidity and credit that may exclude assets and liabilities of MFIs held by non-residents of the participating Member States.
- (2) Regulation (EC) No 2423/2001 (ECB/2001/13) requires data in respect of the liability item 'money market fund shares/units' (MMF shares/units) to be reported only as a total amount instead of according to the residency of the counterparty.
- (3) However, to compile monetary aggregates, the European Central Bank needs data on the residency breakdown of holders of MMF shares/units. It is therefore necessary to establish a procedure according to which the reporting agents provide the national central banks with the relevant statistical information. It is not necessary to collect data on price revaluations of MMF shares/units because, for money and banking statistical purposes, changes in the value of these instruments are considered as interest reinvested in the same instrument.
- (4) For the purpose of obtaining complete information on the MFIs' balance sheets, it is necessary to impose certain reporting requirements on other financial intermediaries except insurance corporations and pension funds (hereinafter referred to as 'OFIs') (S. 123), when acting in the context of financial activities involving MMF shares/units. In order to establish statistical reporting require-

Article 1

Regulation (EC) No 2423/2001 (ECB/2001/13) is amended as follows:

1. Article 2 is amended as follows:

The following paragraph 3 is added:

'3. For the purposes of Annex I(1)(III)(vi), the actual reporting population shall also consist of other financial intermediaries except insurance corporations and pension funds (hereinafter referred to as "OFIs"), as set out in Article 2(2)(a) of Regulation (EC) No 2533/98. NCBs may grant derogations to those entities provided that the required statistical information is collected from other available sources in accordance with Annex I(1)(III)(vi). NCBs shall check the fulfilment of this condition in good time in order to grant or withdraw, if necessary, any derogation with effect from the start of each year in agreement with the ECB. For the purposes of this Regulation, NCBs may establish and maintain a list of reporting OFIs in accordance with the principles set out in Annex I(1)(III)(vi).'

2. Annex I(1), Introduction is amended as follows:

- (a) The following paragraph is inserted before the final paragraph:

'For the purpose of obtaining complete information on the MFIs' balance sheets, it is necessary to impose certain reporting requirements on other financial intermediaries except insurance corporations and pension funds (hereinafter referred to as "OFIs"), when acting in the context of financial activities involving MMF shares/units.'

- (b) The final paragraph is replaced by the following:

'This statistical information is collected by the national central banks (NCBs) from the MFIs and from OFIs, within the limits set out in Section I(6), according to national arrangements relying on the harmonised definitions and classifications set out in this Annex.'

⁽¹⁾ OJ L 318, 27.11.1998, p. 8.

⁽²⁾ OJ L 333, 17.12.2001, p. 1.

⁽³⁾ OJ L 151, 11.6.2002, p. 11.

3. Annex I(1)(I) is amended as follows:

- (a) The following sentence is added at the end of paragraph 6:

'The MMF itself or the persons legally representing it ensures the provision of any information required to meet the statistical reporting requirements of MMFs. Where necessary for practical reasons, the data may be effectively submitted by any of the entities that act in the context of financial activities involving MMF shares/units, such as depositories.'

- (b) The following paragraph 9 is added:

'9. For the purposes of this Regulation:

- "MMF registered shares/units" shall mean MMF shares/units in respect of which, in accordance with national legislation, a record is kept identifying the holders of its shares/units, including information on the residency of the holder,
- "MMF bearer shares/units" shall mean MMF shares/units in respect of which, in accordance with national legislation, a record is not kept identifying the holders of its shares/units, or in respect of which a record is kept which does not contain information on the residency of the holder.'

4. Annex I(1)(III) is amended as follows:

The following subsection (vi) is inserted:

'(vi) Residency of the holders of MMF shares/units

- 13a. Reporting agents report, on a monthly basis, as a minimum data on the residency of the holders of MMF shares/units issued by MFIs of the participating Member States according to a domestic/other participating Member States/rest of the world breakdown. This will enable NCBs to provide the ECB with data on the residency of the holders of this instrument and allow the exclusion of holdings of non-residents of the participating Member States for the purposes of the compilation of monetary aggregates.

- 13b. In accordance with Article 4(4), NCBs may require data on additional breakdowns not covered in the requirements of this Regulation, including breakdowns by counterparty sector, currency or maturity.

- 13c. As regards registered shares/units, issuing MMFs or the persons legally representing them or the entities referred to in Annex I(1)(I)(6) report data on the residency breakdown of the holders of their shares/units issued in the monthly balance sheet.

- 13d. As regards bearer shares/units, reporting agents report data on the residency breakdown of the holders of MMF shares/units according to the approach decided by the relevant NCB in agreement with the ECB. This requirement is limited to one or a combination of the following options, to be adopted having regard to the organisation of the relevant markets and the national legal arrangements in the Member State(s) in question. This will be periodically monitored by the NCB and the ECB.

(a) Issuing MMFs

Issuing MMFs or the persons legally representing them or the entities referred to in Annex I(1)(I)(6) report data on the residency breakdown of the holders of their shares/units issued. If an issuing MMF is not in a position to identify directly the residency of the holder, it reports the relevant data on the basis of available information. Such information may come from the agent distributing the shares/units or from any other entity involved in the issuance, buy-back or transfer of the shares/units.

(b) MFIs and OFIs as custodians of MMF shares/units

As reporting agents, MFIs and OFIs acting as custodians of MMF shares/units report data on the residency breakdown of the holders of shares/units issued by resident MMFs and held in custody on behalf of the holder or of another intermediary also acting as a custodian. This option is applicable if the following conditions are met. First, the custodian distinguishes MMF shares/units kept in custody on behalf of holders from those that are kept on behalf of other custodians. Second, most of the MMF shares/units are in the custody of domestic resident institutions that are classified as financial intermediaries (MFIs or OFIs).

(c) MFIs and OFIs as reporters of transactions of residents with non-residents involving shares/units of a resident MMF

As reporting agents, MFIs and OFIs acting as reporters of transactions of residents with non-residents involving shares/units of a resident MMF report data on the residency breakdown of the holders of shares/units issued by resident MMFs, which they trade on behalf of the holder or another intermediary also involved in the transaction. This option is applicable if the following conditions are met. First, the reporting coverage is comprehensive, i.e. it covers substantially all of the transactions carried out by the reporting agents. Second, accurate data on purchases and sales with non-residents of the participating Member States are provided. Third, differences between issuing value and redemption value, excluding fees, of the same

shares/units are minimal. Fourth, the amount of shares/units held by non-residents of the participating Member States issued by resident MMFs is low. If the reporting agent is not in a position to identify directly the residency of the holder, it reports the relevant data on the basis of available information.

- 13e. If registered shares/units or bearer shares/units are issued for the first time or if market developments require a change of option or combination of options, NCBs may grant derogations for one year in respect of the requirements set out in paragraphs 13c and d.'

5. Annex I(2), Table 1 (Stocks) is amended as follows:

- (a) row 10 (MMFs shares/units) is replaced by the row set out in the Annex to this Regulation;
- (b) a footnote 6, related to row 10 (MMFs shares/units), is added:

'Data under this item may be subject to different statistical collection procedures, as decided by an NCB in accordance with the rules contained in Part 1(III).'

6. Annex V is amended as follows:

The following paragraph 7 is added:

'7. From 1 May 2003 until 31 December 2003, monthly data on the residency of the holders of MMF shares/units issued by MFI of the participating Member States according to a domestic/other participating Member States/rest of the world breakdown may be reported to the ECB with a delay of a further one month from the close of business on the 15th working day following the end of the month to which the data relate. NCBs decide when they need to receive data from reporting agents in order to meet this deadline.'

Article 2

This Regulation shall enter into force on 1 May 2003.

Done at Frankfurt am Main, 21 November 2002.

On behalf of the Governing Council of the ECB

The President

Willem F. DUISENBERG

ANNEX

Table 1

(Stocks)

Data required to be provided at monthly frequency

BALANCE SHEET ITEMS	A. Domestic				B. Other participating Member States				C. Rest of the world	D. Not allocated									
	MFIs (3)	of which credit institu- tions subject to RRS, ECB and NCBs	Non-MFIs		MFIs (3)	of which credit institu- tions subject to RRS, ECB and NCBs	Non-MFIs												
			General government	Other resident sectors			General government	Other resident sectors											
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)	(t)

LIABILITIES

10. MMFs shares/units ⁽⁹⁾

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 3 December 2002

terminating the review of Council Regulation (EC) No 1601/1999 imposing a definitive countervailing duty on imports of stainless steel wire having a diameter of less than 1 mm originating in India

(2002/950/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidised imports from countries not members of the European Community⁽¹⁾, as amended by Regulation (EC) No 1973/2002⁽²⁾, and in particular Article 20 thereof,

After consulting the Advisory Committee,

Whereas:

(hereinafter referred to as 'the basic Regulation'), from one Indian producer, Nevatia Steel & Alloys Private Limited ('Nevatia'), in Bombay. The company concerned claimed that it was not related to any other exporters of the product concerned in India. Furthermore, it claimed that it had not exported the product concerned during the original investigation period (1 April 1997 to 31 March 1998), but had exported the product concerned to the Community since then.

2. Initiation of an accelerated review

A. PREVIOUS PROCEDURE

- (1) By Regulation (EC) No 1601/1999⁽³⁾, the Council imposed a definitive countervailing duty on imports of stainless steel wire having a diameter of less than 1 mm (hereinafter referred to as 'the product concerned') falling within CN code ex 7223 00 19 originating in India. The measures took the form of *ad valorem* duties of between 0 % and 42,9 % on individual exporters, with a residual duty of 44,4 %.

- (3) The Commission examined the evidence submitted by the Indian company concerned and considered it sufficient to justify the initiation of a review in accordance with the provisions of Article 20 of the basic Regulation. After consultation of the Advisory Committee and after the Community industry concerned had been given the opportunity to comment, the Commission initiated, by a notice in the *Official Journal of the European Communities*⁽⁴⁾, an accelerated review of Regulation (EC) No 1601/1999 with regard to the company concerned and commenced its investigation.

B. CURRENT PROCEDURE

1. Request for review

- (2) Subsequent to the imposition of definitive measures, the Commission received a request for the initiation of an accelerated review of Regulation (EC) No 1601/1999, pursuant to Article 20 of Regulation (EC) No 2026/97

3. Product concerned

- (4) The product covered by the current review is the same product as that under consideration in Regulation (EC) No 1601/1999, namely stainless steel wire having a diameter of less than 1 mm.

⁽¹⁾ OJ L 288, 21.10.1997, p. 1.

⁽²⁾ OJ L 305, 7.11.2002, p. 4.

⁽³⁾ OJ L 189, 22.7.1999, p. 26.

⁽⁴⁾ OJ C 261, 15.9.1999, p. 4.

4. Parties concerned

- (5) The Commission officially advised the company concerned and the Government of India of the initiation of the procedure. Furthermore, it gave other parties directly concerned the opportunity to make their views known in writing and to request for a hearing. However, no such views nor any request for a hearing was received by the Commission.
- (6) The Commission sent a questionnaire to the company concerned and received a full reply within the required deadline. The Commission sought and verified all information it deemed necessary for the purpose of the investigation and carried out a verification visit to the premises of the company concerned.

C. RESULTS OF THE INVESTIGATION

- (7) The Commission first examined whether Nevatia had actually exported the product to the Community during the investigation period of the original investigation.
- (8) In this respect, it was established that Nevatia had not directly exported the product during the original investigation period. However, Nevatia had sold the product concerned to Mukand, one of the Indian exporting producers which had exported in the original investigation period and which was made subject to countervailing measures with regard to its exports to the Community. Nevatia argued that it had no knowledge of the ultimate destination of the products it sold to Mukand and could not rule out that some or even all of them were exported to the Community.
- (9) Despite the lack of clarity with regard to whether Nevatia's products had been exported to the Community or not during the original investigation period, the Commission examined whether an individual subsidy rate could be calculated for Nevatia. In this regard, it was established that Nevatia did not export the product concerned either to the Community or to any other country during the review investigation period, i.e. from 1 April 1998 to 31 March 1999.
- (10) The Commission also examined whether there was any alternative basis for calculating an individual rate for Nevatia within the context of Article 28 of the basic

Regulation relating to 'best facts available'. In this respect, consideration was given to the use of data relating to one shipment of the product exported to the Community by Nevatia after the investigation period of this review. However, this shipment could not in any case provide a representative basis for the establishment of a reliable individual rate, particularly as this shipment was considered negligible, i.e. represented less than 0,01 % of its total sales of steel wires during the review investigation period. In these circumstances, no individual countervailing duty rate can be established for Nevatia.

D. FINAL COURSE OF ACTION

- (11) The Commission informed the company concerned of the essential facts and considerations on the basis of which it was proposed to terminate the review, and gave the company a reasonable period of time to comment. No comments which could change the proposal to terminate the review were submitted.
- (12) Accordingly, it is confirmed that no individual countervailing duty rate can be established for Nevatia in accordance with Article 20 of the basic Regulation. The accelerated review should therefore be terminated,

HAS ADOPTED THIS DECISION:

Sole Article

The accelerated review of Council Regulation (EC) No 1601/1999 concerning imports of stainless steel wire having a diameter of less than 1 mm originating in India is hereby terminated.

Done at Brussels, 3 December 2002.

For the Commission

Pascal LAMY

Member of the Commission

COMMISSION DECISION

of 3 December 2002

terminating the accelerated review of Council Regulation (EC) No 1599/1999 imposing a definitive countervailing duty on imports of stainless steel wire with a diameter of 1 mm or more originating in India

(2002/951/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidised imports from countries not members of the European Community ⁽¹⁾ (hereinafter referred to as 'the basic Regulation'), as amended by Regulation (EC) No 1973/2002 ⁽²⁾, and in particular Article 20 thereof,

After consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURE

- (1) By Regulation (EC) No 1599/1999 ⁽³⁾, as amended by Regulation (EC) No 164/2002 ⁽⁴⁾, the Council imposed a definitive countervailing duty on imports of stainless steel wire having a diameter 1 mm or more (hereinafter referred to as 'the product concerned') falling within CN code ex 7223 00 19 originating in India. The measures took the form of *ad valorem* duties of between 0 % and 35,4 % on individual exporters, with a residual duty of 48,8 %.

B. CURRENT PROCEDURE

1. Request for review

- (2) Subsequent to the imposition of definitive measures, the Commission received a request for the initiation of an accelerated review of Regulation (EC) No 1599/1999, pursuant to Article 20 of the basic Regulation, from one Indian producer, Garg Sales Co. PVT Ltd (the applicant). The applicant claimed that it was not related to any other exporters of the product concerned in India. Furthermore, it claimed that it had not exported the product concerned during the original period of investigation (1 April 1997 to 31 March 1998), but had

exported the product concerned to the Community after that period. On the basis of the above, it requested that an individual duty rate be established for it.

2. Initiation of an accelerated review

- (3) The Commission examined the evidence submitted by the applicant and considered it sufficient to justify the initiation of a review in accordance with the provisions of Article 20 of the basic Regulation. After consultation of the Advisory Committee and after the Community industry concerned had been given the opportunity to comment, the Commission initiated, by a notice in the *Official Journal of the European Communities* ⁽⁵⁾, an accelerated review of Regulation (EC) No 1599/1999 with regard to the company concerned and commenced its investigation.

3. Non cooperation by the exporting producer

- (4) In order to obtain the information it deemed necessary for its investigation, the Commission sent a questionnaire to the applicant. However, the Commission did not receive any reply to the questionnaire within the deadline set for that purpose. Neither did the applicant request an extension of that deadline. The Commission informed the applicant that in these circumstances it was intended to proceed with the termination of the review investigation without examining further its request for establishing an individual duty rate. The applicant was given a period of 10 days to comment. No comments from the applicant were received on the disclosure of the Commission's intention to terminate the review investigation.
- (5) Consequently, it must be concluded that Garg Sales Co. PVT Ltd has failed to cooperate in the investigation by not replying to the questionnaire sent by the Commission. The accelerated review should therefore be terminated,

⁽¹⁾ OJ L 288, 21.10.1997, p. 1.

⁽²⁾ OJ L 305, 7.11.2002, p. 4.

⁽³⁾ OJ L 189, 22.7.1999, p. 1.

⁽⁴⁾ OJ L 30, 31.1.2002, p. 9.

⁽⁵⁾ OJ C 175, 23.7.2002, p. 3.

HAS ADOPTED THIS DECISION:

Sole Article

The accelerated review of Council Regulation (EC) No 1599/1999 concerning imports of stainless steel wire with a diameter of 1 mm or more originating in India is hereby terminated.

Done at Brussels, 3 December 2002.

For the Commission

Pascal LAMY

Member of the Commission

COMMISSION DECISION

of 3 December 2002

terminating the accelerated review of Council Regulation (EC) No 1601/1999 imposing a definitive countervailing duty on imports of stainless steel wire with a diameter of less than 1 mm originating in India

(2002/952/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2026/97 of 6 October 1997 on protection against subsidised imports from countries not members of the European Community ⁽¹⁾ (hereinafter referred to as 'the basic Regulation'), as amended by Regulation (EC) No 1973/2002 ⁽²⁾, and in particular Article 20 thereof,

After consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURE

- (1) By Regulation (EC) No 1601/1999 ⁽³⁾, the Council imposed a definitive countervailing duty on imports of stainless steel wire having a diameter of less than 1 mm (hereinafter referred to as 'the product concerned') falling within CN code ex 7223 00 19 originating in India. The measures took the form of *ad valorem* duties of between 0 % and 42,9 % on individual exporters, with a residual duty of 44,4 %.

B. CURRENT PROCEDURE

1. Request for review

- (2) Subsequent to the imposition of definitive measures, the Commission received a request for the initiation of an accelerated review of Regulation (EC) No 1601/1999, pursuant to Article 20 of the basic Regulation, from one Indian producer, Garg Sales Co. PVT Ltd (the applicant). The company concerned claimed that it was not related to any other exporters of the product concerned in India. Furthermore, it claimed that it had not exported the product concerned during the original period of investigation (1 April 1997 to 31 March 1998), but had

exported the product concerned to the Community after that period. On the basis of the above, it requested that an individual duty rate be established for it.

2. Initiation of an accelerated review

- (3) The Commission examined the evidence submitted by the applicant and considered it sufficient to justify the initiation of a review in accordance with the provisions of Article 20 of the basic Regulation. After consultation of the Advisory Committee and after the Community industry concerned had been given the opportunity to comment, the Commission initiated, by a notice in the *Official Journal of the European Communities* ⁽⁴⁾, an accelerated review of Regulation (EC) No 1601/1999 with regard to the company concerned and commenced its investigation.

3. Non cooperation by the exporting producer

- (4) In order to obtain the information it deemed necessary for its investigation, the Commission sent a questionnaire to the applicant. However, the Commission did not receive any reply to the questionnaire within the deadline set for that purpose. Neither did the applicant request an extension of that deadline. The Commission informed the applicant that in these circumstances it was intended to proceed with the termination of the review investigation without examining further its request for establishing an individual duty rate. The applicant was given a period of 10 days to comment. No comments from the applicant were received on the disclosure of the Commission's intention to terminate the review investigation.
- (5) Consequently, it must be concluded that Garg Sales Co. PVT Ltd has failed to cooperate in the investigation by not replying to the questionnaire sent by the Commission. The accelerated review should therefore be terminated,

⁽¹⁾ OJ L 288, 21.10.1997, p. 1.

⁽²⁾ OJ L 305, 7.11.2002, p. 4.

⁽³⁾ OJ L 189, 22.7.1999, p. 26.

⁽⁴⁾ OJ C 175, 23.7.2002, p. 4.

HAS ADOPTED THIS DECISION:

Sole Article

The accelerated review of Council Regulation (EC) No 1601/1999 concerning imports of stainless steel wire with a diameter of less than 1 mm originating in India is hereby terminated.

Done at Brussels, 3 December 2002.

For the Commission

Pascal LAMY

Member of the Commission

COMMISSION DECISION

of 5 December 2002

on a Community financial contribution to emergency measures to control foot-and-mouth disease in Armenia, Azerbaijan and Georgia and amending Decision 2001/300/EC*(notified under document number C(2002) 4806)*

(2002/953/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 2001/572/EC ⁽²⁾, and in particular Articles 12 and 13 thereof,

Whereas:

- (1) Foot-and-mouth disease, due to types A, O and ASIA 1, is endemic in Armenia, Azerbaijan and Georgia and bordering countries. The presence of different types and subtypes of the foot-and-mouth disease virus and the emergence of new antigenically distinct viruses in that area constitute a threat to the Community and jeopardise the Community-supported efforts of Turkey to control the disease.
- (2) The Community, in close cooperation with the European Commission for the Control of Foot-and-Mouth Disease (EUFMD) and the Office international des épizooties (OIE), supported campaigns of emergency vaccination against foot-and-mouth disease in Armenia, Azerbaijan and Georgia in 1999 and 2000 by the use of Trust Fund 911100/MTF/INT/003/EEC. This support was discontinued due to shortcomings identified during a joint mission in these countries by experts from the Commission and the EUFMD in 2000.
- (3) In early 2002 representatives of the Commission, the EUFMD, the Food and Agriculture Organisation (FAO) and the OIE, together with the chief veterinary officers of Armenia, Azerbaijan and Georgia elaborated a programme for the establishment of a vaccination belt along the southern borders of those countries in order to enhance the protection of Turkey from the incursion of the foot-and-mouth disease.
- (4) With a view to preventing the spread of foot-and-mouth disease, the Community should contribute to emergency measures to control that disease in Armenia, Azerbaijan and Georgia.

- (5) The amount provided for in Commission Decision 2001/300/EC of 30 March 2001 on Community cooperation with the Food and Agriculture Organisation with particular regard to activities carried out by the European Commission for the Control of Foot-and-Mouth Disease ⁽³⁾, and the Implementing Agreement concluded in accordance with that Decision, is insufficient to cover the expenses provided for by this Decision. The total Community contribution to Trust Fund 911100/MTF/INT/003/EEC should therefore be increased by the amount necessary to carry out the joint EC/EUFMD/OIE programme for the control of foot-and-mouth disease in Armenia, Azerbaijan and Georgia.
- (6) The Implementing Agreement concluded between the European Commission and the FAO should be amended to take into account the amendments made to Decision 2001/300/EC.
- (7) Decision 2001/300/EC should therefore be amended accordingly.
- (8) 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

The Funds contained in Trust Fund 911100/MTF/INT/003/EEC, provided for in Decision 2001/300/EC, shall be used for the following measures:

- (a) the purchase of 1 000 000 doses of Al(OH)₃-adjuvated trivalent vaccine against the foot-and-mouth disease virus of types O1, A-Iran 96 and ASIA1 with a potency of 6 PD₅₀;
- (b) the delivery of the doses of the vaccine referred to in point (a) to the central veterinary authorities of Armenia, Azerbaijan and Georgia for emergency vaccination in the districts along their southern borders of susceptible animals in accordance with the vaccination programme to be set up by letter of agreement between the veterinary authorities of those countries and the European Commission for the Control of Foot-and-Mouth Disease (EUFMD);

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 3, 6.1.2001, p. 27.

⁽³⁾ OJ L 102, 12.4.2001, p. 71.

- (c) on-the-spot supervision of the vaccination campaign and organisation of a serological surveillance by an expert appointed by EUFMD;
- (d) the supply of test kits for the detection of antibodies against non-structural proteins, the monitoring of the vaccination campaign and the substantiation of the disease situation.

Article 2

For the measures referred to in Article 1, the Commission shall transfer to Trust Fund 911100/MTF/INT/003/EEC the additional amount of USD 650 000.

Article 3

The Director-General of the Health and consumer protection Directorate-General shall be authorised to make the necessary arrangements for the implementation of the measures provided for in Article 2, with the EUFMD of the Food Agriculture Organisation (FAO).

Article 4

Decision 2001/300/EC is amended as follows:

1. Article 1(2) is replaced by the following:
 - '2. As from 1 January 2001, the financial obligation of the Community to the fund referred to in paragraph 1 shall

be set at a maximum of EUR 2 450 000 for a period of four years from that date.'

2. Article 2(3) is replaced by the following:

'3. The Director-General of the Health and consumer protection Directorate-General shall be authorised to sign the Implementing Agreement referred to in paragraph 1 on behalf of the Commission. He shall also be authorised to conclude with the FAO an amended Implementing Agreement in order to take account of the amendments made to Article 1(2).'

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 5 December 2002.

For the Commission

David BYRNE

Member of the Commission
