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Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 471/2003 of 14 March 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
Commission Regulation (EC) No 472/2003 of 14 March 2003 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 115th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97	3
Commission Regulation (EC) No 473/2003 of 14 March 2003 fixing the maximum purchasing price for butter for the 68th invitation to tender carried out under the standing invitation to tender governed by Regulation (EC) No 2771/1999	5
Commission Regulation (EC) No 474/2003 of 14 March 2003 fixing the maximum aid for concentrated butter for the 287th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90	6
Commission Regulation (EC) No 475/2003 of 14 March 2003 concerning tenders submitted in response to the invitation to tender for the export of husked long grain B rice to the island of Réunion referred to in Regulation (EC) No 1895/2002	7
Commission Regulation (EC) No 476/2003 of 14 March 2003 fixing the maximum export refund on wholly milled round grain rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1896/2002	8
Commission Regulation (EC) No 477/2003 of 14 March 2003 fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1897/2002	9
Commission Regulation (EC) No 478/2003 of 14 March 2003 fixing the maximum export refund on wholly milled long grain B rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1898/2002	10
Commission Regulation (EC) No 479/2003 of 14 March 2003 fixing the import duties in the cereals sector	11

Council

2003/178/EC:

- ★ **Council Recommendation of 7 March 2003 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 2001** 14

2003/179/EC:

- ★ **Council Recommendation of 7 March 2003 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 2001** 15

2003/180/EC:

- ★ **Council Recommendation of 7 March 2003 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1995) (Eighth EDF) for the financial year 2001** 16

Commission

2003/181/EC:

- ★ **Commission Decision of 13 March 2003 amending Decision 2002/657/EC as regards the setting of minimum required performance limits (MRPLs) for certain residues in food of animal origin ⁽¹⁾ (notified under document number C(2003) 764)** 17

2003/182/EC:

- ★ **Commission Decision of 14 March 2003 on a financial contribution from the Community towards the operational costs of the eradication of foot-and-mouth disease in the Netherlands in 2001 (notified under document number C(2003) 742)** 19

2003/183/EC:

- ★ **Commission Decision of 14 March 2003 on a financial contribution from the Community towards the operational costs of the eradication of foot-and-mouth disease in France in 2001 (notified under document number C(2003) 743)** 22

2003/184/EC:

- ★ **Commission Decision of 14 March 2003 on a financial contribution from the Community towards the operational costs of the eradication of foot-and-mouth disease in Ireland in 2001 (notified under document number C(2003) 761)** 25

2003/185/EC:

- ★ **Commission Decision of 14 March 2003 on the allocation of additional days absent from port to Member States in accordance with Annex XVII of Council Regulation (EC) No 2341/2002 ⁽¹⁾ (notified under document number C(2003) 762)** 28

2003/186/EC:

- ★ **Commission Decision of 14 March 2003 amending Decision 2003/172/EC concerning protective measures in relation to avian influenza in the Netherlands ⁽¹⁾ (notified under document number C(2003) 835)** 30

Corrigenda

- Corrigendum to Commission Regulation (EC) No 464/2003 of 13 March 2003 on the issuing of system A3 export licences in the fruit and vegetables sector (OJ L 70 of 14.3.2003) 31

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 471/2003
of 14 March 2003
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 15 March 2003.

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

Done at Brussels, 14 March 2003.

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 14 March 2003 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	108,8
	204	58,4
	212	125,1
	624	129,4
	999	105,4
0707 00 05	052	120,2
	068	69,0
	204	111,0
	220	186,1
	999	121,6
0709 10 00	220	133,3
	999	133,3
0709 90 70	052	140,4
	204	113,2
	999	126,8
0805 10 10, 0805 10 30, 0805 10 50	052	78,1
	204	46,9
	212	46,8
	220	41,2
	624	64,7
0808 10 20, 0808 10 50, 0808 10 90	999	55,5
	039	111,1
	388	94,5
	400	118,1
	404	98,3
	508	90,0
	512	90,8
	524	79,2
	528	85,0
	720	117,1
0808 20 50	728	94,0
	999	97,8
	204	46,1
	388	72,6
	512	85,6
	528	58,8
	999	65,8

⁽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 472/2003
of 14 March 2003**

fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 115th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

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⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽³⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁴⁾, to sell by invitation to tender certain quantities of butter that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price

or aid may vary according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices and the maximum aid and processing securities applying for the 115th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 March 2003.

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

Done at Brussels, 14 March 2003.

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 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 14 March 2003 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 115th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter ≥ 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Processing security		Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Maximum aid	Butter ≥ 82 %		85	81	—	81
	Butter < 82 %		83	79	—	79
	Concentrated butter		105	101	105	101
	Cream		—	—	36	34
Processing security	Butter		94	—	—	—
	Concentrated butter		116	—	116	—
	Cream		—	—	40	—

**COMMISSION REGULATION (EC) No 473/2003
of 14 March 2003**

**fixing the maximum purchasing price for butter for the 68th invitation to tender carried out under
the standing invitation to tender governed by Regulation (EC) No 2771/1999**

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⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 13 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 359/2003 ⁽⁴⁾, provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed in relation to the intervention price applicable and that it may also be decided not to proceed with the invitation to tender.

- (2) As a result of the tenders received, the maximum buying-in price should be fixed as set out below.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 68th invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 11 March 2003, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 15 March 2003.

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

Done at Brussels, 14 March 2003.

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 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 53, 28.2.2003, p. 17.

COMMISSION REGULATION (EC) No 474/2003**of 14 March 2003****fixing the maximum aid for concentrated butter for the 287th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

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⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽³⁾, as last amended by Regulation (EC) No 124/1999 ⁽⁴⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; the end-use security must be fixed accordingly.

- (2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 287th special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

- | | |
|---------------------|-----------------|
| — maximum aid: | EUR 105/100 kg, |
| — end-use security: | EUR 116/100 kg. |

Article 2

This Regulation shall enter into force on 15 March 2003.

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

Done at Brussels, 14 March 2003.

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 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

COMMISSION REGULATION (EC) No 475/2003**of 14 March 2003****concerning tenders submitted in response to the invitation to tender for the export of husked long grain B rice to the island of Réunion referred to in Regulation (EC) No 1895/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 10(1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion ⁽³⁾, as amended by Regulation (EC) No 1453/1999 ⁽⁴⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1895/2002 ⁽⁵⁾ opens an invitation to tender for the subsidy on rice exported to Réunion.
- (2) Article 9 of Regulation (EEC) No 2692/89 allows the Commission to decide, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, to make no award.

(3) On the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89, a maximum subsidy 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 submitted from 10 to 13 March 2003 in response to the invitation to tender referred to in Regulation (EC) No 1895/2002 for the subsidy on exports to Réunion of husked long grain B rice falling within CN code 1006 20 98.

Article 2

This Regulation shall enter into force on 15 March 2003.

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

Done at Brussels, 14 March 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 261, 7.9.1989, p. 8.

⁽⁴⁾ OJ L 167, 2.7.1999, p. 19.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

**COMMISSION REGULATION (EC) No 476/2003
of 14 March 2003**

**fixing the maximum export refund on wholly milled round grain rice to certain third countries in
connection with the invitation to tender issued in Regulation (EC) No 1896/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

(1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1896/2002 ⁽³⁾.

(2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1896/2002 is hereby fixed on the basis of the tenders submitted from 10 to 13 March 2003 at 160,00 EUR/t.

Article 2

This Regulation shall enter into force on 15 March 2003.

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

Done at Brussels, 14 March 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 287, 25.10.2002, p. 5.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

**COMMISSION REGULATION (EC) No 477/2003
of 14 March 2003**

fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1897/2002

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1897/2002 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1897/2002 is hereby fixed on the basis of the tenders submitted from 10 to 13 March 2003 at 165,00 EUR/t.

Article 2

This Regulation shall enter into force on 15 March 2003.

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

Done at Brussels, 14 March 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 287, 25.10.2002, p. 8.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

**COMMISSION REGULATION (EC) No 478/2003
of 14 March 2003**

**fixing the maximum export refund on wholly milled long grain B rice to certain third countries in
connection with the invitation to tender issued in Regulation (EC) No 1898/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

(1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 1898/2002 ⁽³⁾.

(2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled long grain B rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1898/2002 is hereby fixed on the basis of the tenders submitted from 10 to 13 March 2003 at 287,00 EUR/t.

Article 2

This Regulation shall enter into force on 15 March 2003.

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

Done at Brussels, 14 March 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 287, 25.10.2002, p. 11.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

COMMISSION REGULATION (EC) No 479/2003
of 14 March 2003
fixing the import duties in the cereals sector

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 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 1900/2002 ⁽⁴⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 16 March 2003.

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

Done at Brussels, 14 March 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 287, 25.10.2002, p. 15.

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing ⁽²⁾	0,00
1002 00 00	Rye	30,84
1005 10 90	Maize seed other than hybrid	50,17
1005 90 00	Maize other than seed ⁽³⁾	50,17
1007 00 90	Grain sorghum other than hybrids for sowing	30,84

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic coasts of the Iberian peninsula.

⁽²⁾ Importers are entitled to a flat-rate reduction of EUR 14 per tonne.

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 24 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 28 February 2003 to 13 March 2003)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	YC3	HAD2	Medium quality (*)	Low quality (**)	USbarley 2
Quotation (EUR/t)	127,94	84,91	209,93 (***)	199,93 (***)	179,93 (***)	118,54 (***)
Gulf premium (EUR/t)	33,73	14,29	—	—	—	—
Great Lakes premium (EUR/t)	—	—	—	—	—	—

(*) A discount of 10 EUR/t (Article 4(1) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 3 of Regulation (EC) No 2378/2002).

(***) Fob Gulf.

2. Freight/cost: Gulf of Mexico–Rotterdam: 14,86 EUR/t; Great Lakes–Rotterdam: 22,15 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL RECOMMENDATION

of 7 March 2003

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 2001

(2003/178/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Decision 86/283/EEC of 30 June 1986 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid ⁽²⁾, signed in Brussels on 19 February 1985, as amended by Decision 86/281/EEC ⁽³⁾, and in particular Article 29(3) thereof,

Having regard to the Financial Regulation of 11 November 1986 applicable to the Sixth European Development Fund ⁽⁴⁾, and in particular Articles 66 to 73 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1984) (Sixth EDF) as at 31 December 2001 and the Court of Auditors' report relating to the financial year 2001 together with the Commission's replies ⁽⁵⁾,

Whereas:

- (1) Pursuant to Article 29(3) of the Internal Agreement, the discharge for the management of the European Development Fund (1984) (Sixth EDF) must be given to the Commission by the European Parliament on a recommendation from the Council.
- (2) The overall implementation by the Commission of the operations of the European Development Fund (1984) (Sixth EDF) during the financial year 2001 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1984) (Sixth EDF) for the financial year 2001.

Done at Brussels, 7 March 2003.

For the Council

The President

N. CHRISTODOULAKIS

⁽¹⁾ OJ L 175, 1.7.1986, p. 1.

⁽²⁾ OJ L 86, 31.3.1986, p. 210.

⁽³⁾ OJ L 178, 2.7.1986, p. 13.

⁽⁴⁾ OJ L 325, 20.11.1986, p. 42.

⁽⁵⁾ OJ C 295, 28.11.2002, p. 289.

COUNCIL RECOMMENDATION**of 7 March 2003****concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 2001**

(2003/179/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid ⁽²⁾, signed in Brussels on 16 July 1990, and in particular Article 33(3) thereof,

Having regard to the Financial Regulation of 29 July 1991 applicable to the Seventh European Development Fund ⁽³⁾, and in particular Articles 69 to 77 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1989) (Seventh EDF) as at 31 December 2001 and the Court of Auditors' report relating to the financial year 2001 together with the Commission's replies ⁽⁴⁾,

Whereas:

- (1) Pursuant to Article 33(3) of the Internal Agreement, the discharge for the management of the European Development Fund (1989) (Seventh EDF) must be given to the Commission by the European Parliament on a recommendation from the Council.
- (2) The overall implementation by the Commission of the operations of the European Development Fund (1989) (Seventh EDF) during the financial year 2001 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1989) (Seventh EDF) for the financial year 2001.

Done at Brussels, 7 March 2003.

For the Council

The President

N. CHRISTODOULAKIS

⁽¹⁾ OJ L 263, 19.9.1991, p. 1.

⁽²⁾ OJ L 229, 17.8.1991, p. 288.

⁽³⁾ OJ L 266, 21.9.1991, p. 1.

⁽⁴⁾ OJ C 295, 28.11.2002, p. 289.

COUNCIL RECOMMENDATION**of 7 March 2003****concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (1995) (Eighth EDF) for the financial year 2001**

(2003/180/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾, as revised in the interim by Decision 97/803/EC ⁽²⁾,

Having regard to the Internal Agreement on the financing and administration of Community aid ⁽³⁾, signed in Brussels on 20 December 1995, and in particular Article 33(3) thereof,

Having regard to the Financial Regulation of 16 June 1998 applicable to the Eighth European Development Fund ⁽⁴⁾, and in particular Articles 69 to 74 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the European Development Fund (1995) (Eighth EDF) as at 31 December 2001 and the Court of Auditors' report relating to the financial year 2001 together with the Commission's replies ⁽⁵⁾,

Whereas:

- (1) Pursuant to Article 33(3) of the Internal Agreement, the discharge for the management of the European Development Fund (1995) (Eighth EDF) must be given to the Commission by the European Parliament on a recommendation from the Council.
- (2) The overall implementation by the Commission of the operations of the European Development Fund (1995) (Eighth EDF) during the financial year 2001 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the European Development Fund (1995) (Eighth EDF) for the financial year 2001.

Done at Brussels, 7 March 2003.

*For the Council**The President*

N. CHRISTODOULAKIS

⁽¹⁾ OJ L 263, 19.9.1991, p. 1.

⁽²⁾ OJ L 329, 29.11.1997, p. 50.

⁽³⁾ OJ L 156, 29.5.1998, p. 108 and Corrigendum OJ L 173, 18.6.1998, p. 54.

⁽⁴⁾ OJ L 191, 7.7.1998, p. 53.

⁽⁵⁾ OJ C 295, 28.11.2002, p. 289.

COMMISSION

COMMISSION DECISION

of 13 March 2003

amending Decision 2002/657/EC as regards the setting of minimum required performance limits (MRPLs) for certain residues in food of animal origin

(notified under document number C(2003) 764)

(Text with EEA relevance)

(2003/181/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC ⁽¹⁾, and in particular the second subparagraph of Article 15(1) thereof,

Whereas:

(1) The presence of residues in products of animal origin is a matter of concern for public health.

(2) It is necessary to provide for the progressive establishment of minimum required performance limits (MRPLs) of analytical methods for substances for which no permitted limit has been established and in particular for those substances whose use is not authorised or specifically prohibited in the Community, in order to ensure harmonised implementation of Directive 96/23/EC.

(3) As a result of the detection of chloramphenicol, nitrofurans and medroxyprogesterone acetate in food of animal origin, the level to be set for harmonised MRPLs for these substances has been agreed in consultation with the Community Reference Laboratories, national reference laboratories and Member States.

(4) However, the administration of one of the above substances for zootechnical purposes continues to be authorised under the strict conditions laid down in Directive 96/22/EC, Article 5.

(5) It is necessary to provide harmonised levels for the control of these substances to ensure the same level of consumer protection throughout the Community. Commission Decision 2002/657/EC ⁽²⁾ should therefore be amended accordingly.

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 2002/657/EC is amended as follows:

1. in Article 2, 'Annex' is replaced by 'Annex I';
2. in Article 3(b) and (c), 'Annex' is replaced by 'Annex I';
3. Article 4 is replaced by the following:

'Member States shall ensure that the analytical methods used for detecting the following substances meet the minimum required performance limits (MRPLs) set out in Annex II, against the matrixes referred to in that Annex:

- (a) chloramphenicol;
- (b) nitrofurans metabolites;
- (c) medroxyprogesterone.'

4. The text in the Annex to this Decision is added as an Annex II.

⁽¹⁾ OJ L 125, 23.5.1996, p. 10.

⁽²⁾ OJ L 221, 17.8.2002, p. 8.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 March 2003.

For the Commission

David BYRNE

Member of the Commission

*ANNEX**'ANNEX II***Minimum required performance limits**

Substance and/or metabolite	Matrixes	MRPL
Chloramphenicol	Meat Eggs Milk Urine Aquaculture products Honey	0,3 µg/kg
Medroxyprogesterone acetate	Pig kidney fat	1 µg/kg
Nitrofurantoin metabolites: — furazolidone — furaltadone — nitrofurantoin — nitrofurazone'	Poultry meat Aquaculture products	1 µg/kg for all

COMMISSION DECISION

of 14 March 2003

on a financial contribution from the Community towards the operational costs of the eradication of foot-and-mouth disease in the Netherlands in 2001*(notified under document number C(2003) 742)***(Only the Dutch text is authentic)**

(2003/182/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 Article 3(3) and Article 11 thereof,

Whereas:

- (1) As soon as the presence of foot-and-mouth disease was officially confirmed in 2001, the Netherlands reported that it had immediately implemented the control measures to be applied in the event of an outbreak of that disease as provided for in Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease ⁽³⁾, as last amended by Commission Decision 2003/11/EC ⁽⁴⁾, as required in order to obtain a financial contribution from the Community for the eradication of the disease in accordance with Decision 90/424/EEC.
- (2) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agriculture policy ⁽⁵⁾, veterinary and plant health measures undertaken in accordance with Community rules are to be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund; for financial control purposes, Articles 8 and 9 of Regulation (EC) No 1258/1999 apply.
- (3) The financial contribution from the Community should be granted provided that the actions planned are carried out efficiently and that the competent authorities supply all the necessary information within the time limits laid down in this Decision.
- (4) Foot-and-mouth disease represents a serious danger to Community stocks. Accordingly, in order to prevent the spread of that disease and contribute to its eradication, the Community should further contribute to eligible expenditures incurred by the Netherlands. Accordingly, it is appropriate that a financial contribution from the Community should be granted to the Netherlands under the provisions of Decision 90/424/EEC in order to cover the costs related to the outbreak of foot-and-mouth disease in 2001.

- (5) Under Commission Decision 2001/652/EC ⁽⁶⁾, a Community financial contribution was granted towards the compensation of owners for value of animals compulsorily slaughtered under eradication measures relating to outbreaks of foot-and-mouth disease in 2001. A financial contribution from the Community should also be granted towards the other, operational costs associated with the slaughter of those animals and toward other costs directly linked to such measures.

- (6) 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***Payment of a financial contribution from the Community to the Netherlands**

The Netherlands may obtain a financial contribution from the Community of 60 % of the eligible expenditure for the operational costs of the measures foreseen in Article 11(4)(a)(i) to (iv) and(b) of Council Decision 90/424/EEC for the eradication of foot-and-mouth disease in the Netherlands in 2001.

*Article 2***Definitions**

For the purpose of this Decision, the following definitions shall apply:

- (a) 'reasonable payments' means payments for the purchase of materials or services at proportionate prices compared to the market prices before the outbreak of the foot-and-mouth disease;
- (b) 'justified payments' means payments for the purchase of materials or services of which the nature and the direct link with the compulsory slaughter of animals as referred to in Article 11 of Decision 90/424/EEC in the holdings is demonstrated.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 203, 28.7.2001, p. 16.

⁽³⁾ OJ L 315, 26.11.1985, p. 11.

⁽⁴⁾ OJ L 7, 11.1.2003, p. 82.

⁽⁵⁾ OJ L 160, 26.6.1999, p. 103.

⁽⁶⁾ OJ L 230, 28.8.2001, p. 8.

*Article 3***The eligible expenditure covered by the financial contribution from the Community**

1. The financial contribution from the Community as referred to in Article 1 shall only be made in respect of justified and reasonable payments for the eligible costs as set out in Annex I.
2. The financial contribution from the Community as referred to in Article 1 shall exclude:
 - (a) value added tax;
 - (b) salaries of civil servants;
 - (c) use of public material other than consumables.

*Article 4***Conditions for payment and supporting documentation**

1. The financial contribution from the Community as referred to in Article 1 shall be paid on the basis of:
 - (a) a claim submitted in accordance with Annex II and within the time limit as provided for in paragraph 2;
 - (b) detailed documents confirming the figures in the claim referred to in point (a);
 - (c) the results of the on-the-spot checks by the Commission as referred in Article 5.

The documents referred to in point (b) shall be made available for on-the-spot audits by the Commission.

2. The claim referred to in paragraph 1(a) shall be provided in computerised form in accordance with Annex II within 30 calendar days of the date of notification of this Decision. When

that time limit is not observed, the financial contribution from the Community shall be reduced by 25 % for every month of delay.

*Article 5***On-the-spot checks by the Commission**

The Commission may make on-the-spot checks, with the cooperation of the competent national authorities, on the implementation of the foot-and-mouth eradication measures and the related costs incurred.

*Article 6***Information concerning on-the-spot checks by the Commission**

The Commission shall inform the Member States of the results of the on-the-spot checks carried out as provided for in Article 5.

*Article 7***Addressee**

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 14 March 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

Eligible costs as referred to in Article 3

1. Costs for the slaughter of the animals:
 - (a) salaries and fees of the slaughter-men;
 - (b) consumables (bullet, T61, tranquillisers etc.) and specific equipment used for the slaughter;
 - (c) materials used for the transport of the animals to the slaughterhouse.
2. Costs for the destruction of animals:
 - (a) rendering: transport of carcasses to the rendering plant, treatment of carcasses in the rendering plant and destruction of the meal;
 - (b) burying: staff specifically employed, materials specifically rented for the transport and the burying of the carcasses and products used for the disinfection of the holding;
 - (c) burning: staff specifically employed, combustibles or other materials used, materials specifically rented for the transport of the carcasses and products used for the disinfection of the plant.
3. Cost for the destruction of milk:
 - (a) compensation at market price of the milk;
 - (b) destruction of the milk.
4. Costs for the cleaning, disinfection and disinsectisation of holdings:
 - (a) products used for cleaning disinfection and disinsectisation;
 - (b) salaries and fees for the staff specifically employed.
5. Costs for the destruction of contaminated feedingstuffs:
 - (a) compensation at purchase price of the feedingstuffs;
 - (b) destruction of the feedingstuff.
6. Cost for the compensation of contaminated equipment at market value and destruction of such equipment. Costs of compensation for reconstruction or renewal of farm buildings and infrastructure costs are ineligible.

ANNEX II

Claim as referred to in Article 4

‘Other costs’ incurred for holding No (excluding compensation for the value of animals)	
Item	Amount without VAT
Slaughtering	
Destruction (transport and treatment)	
Milk (compensation and destruction)	
Cleaning and disinfection (salary and products)	
Feedingstuff (compensation and destruction)	
Equipment (compensation and destruction)	
TOTAL	

COMMISSION DECISION

of 14 March 2003

on a financial contribution from the Community towards the operational costs of the eradication of foot-and-mouth disease in France in 2001*(notified under document number C(2003) 743)***(Only the French text is authentic)**

(2003/183/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 Article 3(3) and Article 11 thereof,

Whereas:

- (1) As soon as the presence of foot-and-mouth disease was officially confirmed in 2001, France reported that it had immediately implemented the control measures to be applied in the event of an outbreak of that disease as provided for in Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease ⁽³⁾, as last amended by Commission Decision 2003/11/EC ⁽⁴⁾, as required in order to obtain a financial contribution from the Community for the eradication of the disease in accordance with Decision 90/424/EEC.
- (2) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agriculture policy ⁽⁵⁾, veterinary and plant health measures undertaken in accordance with Community rules are to be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund; for financial control purposes, Articles 8 and 9 of Regulation (EC) No 1258/1999 apply.
- (3) The financial contribution from the Community should be granted provided that the actions planned are carried out efficiently and that the competent authorities supply all the necessary information within the time limits laid down in this Decision.
- (4) Foot-and-mouth disease represents a serious danger to Community stocks. Accordingly, in order to prevent the spread of that disease and contribute to its eradication, the Community should further contribute to eligible expenditures incurred by France. Accordingly, it is appropriate that a financial contribution from the

Community should be granted to France under the provisions of Decision 90/424/EEC in order to cover the costs related to the outbreak of foot-and-mouth disease in 2001.

- (5) Under Commission Decision 2001/653/EC ⁽⁶⁾, a Community financial contribution was granted towards the compensation of owners for value of animals compulsorily slaughtered under eradication measures relating to outbreaks of foot-and-mouth disease in 2001. A financial contribution from the Community should also be granted towards the other, operational costs associated with the slaughter of those animals and toward other costs directly linked to such measures.
- (6) 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

Payment of a financial contribution from the Community to France

France may obtain a financial contribution from the Community of 60 % of the eligible expenditure for the operational costs of the measures foreseen in Article 11(4)(a)(i) to (iv) and (b) of Council Decision 90/424/EEC for the eradication of foot-and-mouth disease in France in 2001.

Article 2

Definitions

For the purpose of this Decision, the following definitions shall apply:

- (a) 'reasonable payments' means payments for the purchase of materials or services at proportionate prices compared to the market prices before the outbreak of the foot-and-mouth disease;

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.⁽²⁾ OJ L 203, 28.7.2001, p. 16.⁽³⁾ OJ L 315, 26.11.1985, p. 11.⁽⁴⁾ OJ L 7, 11.1.2003, p. 82.⁽⁵⁾ OJ L 160, 26.6.1999, p. 103.⁽⁶⁾ OJ L 230, 28.8.2001, p. 12.

- (b) 'justified payments' means payments for the purchase of materials or services of which the nature and the direct link with the compulsory slaughter of animals as referred to in Article 11 of Decision 90/424/EEC in the holdings is demonstrated.

Article 3

The eligible expenditure covered by the financial contribution from the Community

1. The financial contribution from the Community as referred to in Article 1 shall only be made in respect of justified and reasonable payments for the eligible costs as set out in Annex I.
2. The financial contribution from the Community as referred to in Article 1 shall exclude:
 - (a) value added tax;
 - (b) salaries of civil servants;
 - (c) use of public material other than consumables.

Article 4

Conditions for payment and supporting documentation

1. The financial contribution from the Community as referred to in Article 1 shall be paid on the basis of:
 - (a) a claim submitted in accordance with Annex II and within the time limit as provided for in paragraph 2;
 - (b) detailed documents confirming the figures in the claim referred to in point (a);
 - (c) the results of the on-the-spot checks by the Commission as referred in Article 5.

The documents referred to in point (b) shall be made available for on-the-spot audits by the Commission.

2. The claim referred to in paragraph 1(a) shall be provided in computerised form in accordance with Annex II within 30 calendar days of the date of notification of this Decision. When that time limit is not observed, the financial contribution from the Community shall be reduced by 25 % for every month of delay.

Article 5

On-the-spot checks by the Commission

The Commission may make on-the-spot checks, with the cooperation of the competent national authorities, on the implementation of the foot-and-mouth eradication measures and the related costs incurred.

Article 6

Information concerning on-the-spot checks by the Commission

The Commission shall inform the Member States of the results of the on-the-spot checks carried out as provided for in Article 5.

Article 7

Addressee

This Decision is addressed to the Republic of France.

Done at Brussels, 14 March 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

Eligible costs as referred to in Article 3

1. Costs for the slaughter of the animals:
 - (a) salaries and fees of the slaughter-men;
 - (b) consumables (bullet, T61, tranquillisers etc.) and specific equipment used for the slaughter;
 - (c) materials used for the transport of the animals to the slaughterhouse.
2. Costs for the destruction of animals:
 - (a) rendering: transport of carcasses to the rendering plant, treatment of carcasses in the rendering plant and destruction of the meal;
 - (b) burying: staff specifically employed, materials specifically rented for the transport and the burying of the carcasses and products used for the disinfection of the holding;
 - (c) burning: staff specifically employed, combustibles or other materials used, materials specifically rented for the transport of the carcasses and products used for the disinfection of the plant.
3. Cost for the destruction of milk:
 - (a) compensation at market price of the milk;
 - (b) destruction of the milk.
4. Costs for the cleaning, disinfection and disinsectisation of holdings:
 - (a) products used for cleaning disinfection and disinsectisation;
 - (b) salaries and fees for the staff specifically employed.
5. Costs for the destruction of contaminated feedingstuffs:
 - (a) compensation at purchase price of the feedingstuffs;
 - (b) destruction of the feedingstuff.
6. Cost for the compensation of contaminated equipment at market value and destruction of such equipment. Costs of compensation for reconstruction or renewal of farm buildings and infrastructure costs are ineligible.

ANNEX II

Claim as referred to in Article 4

‘Other costs’ incurred for holding No (excluding compensation for the value of animals)	
Item	Amount without VAT
Slaughtering	
Destruction (transport and treatment)	
Milk (compensation and destruction)	
Cleaning and disinfection (salary and products)	
Feedingstuff (compensation and destruction)	
Equipment (compensation and destruction)	
TOTAL	

COMMISSION DECISION**of 14 March 2003****on a financial contribution from the Community towards the operational costs of the eradication of foot-and-mouth disease in Ireland in 2001***(notified under document number C(2003) 761)***(Only the English text is authentic)**

(2003/184/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 Article 3(3) and Article 11 thereof,

Whereas:

- (1) As soon as the presence of foot-and-mouth disease was officially confirmed in 2001, Ireland reported that it had immediately implemented the control measures to be applied in the event of an outbreak of that disease as provided for in Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease ⁽³⁾, as last amended by Commission Decision 2003/11/EC ⁽⁴⁾, as required in order to obtain a financial contribution from the Community for the eradication of the disease in accordance with Decision 90/424/EEC.
- (2) Pursuant to Article 3(2) of Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agriculture policy ⁽⁵⁾, veterinary and plant health measures undertaken in accordance with Community rules are to be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund; for financial control purposes, Articles 8 and 9 of Regulation (EC) No 1258/1999 apply.
- (3) The financial contribution from the Community should be granted provided that the actions planned are carried out efficiently and that the competent authorities supply all the necessary information within the time limits laid down in this Decision.
- (4) Foot-and-mouth disease represents a serious danger to Community stocks. Accordingly, in order to prevent the spread of that disease and contribute to its eradication, the Community should further contribute to eligible

expenditures incurred by Ireland. Accordingly, it is appropriate that a financial contribution from the Community should be granted to Ireland under the provisions of Decision 90/424/EEC in order to cover the costs related to the outbreak of foot-and-mouth disease in 2001.

- (5) Under Commission Decision 2001/646/EC ⁽⁶⁾, a Community financial contribution was granted towards the compensation of owners for value of animals compulsorily slaughtered under eradication measures relating to outbreaks of foot-and-mouth disease in 2001. A financial contribution from the Community should also be granted towards the other, operational costs associated with the slaughter of those animals and toward other costs directly linked to such measures.
- (6) 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***Payment of a financial contribution from the Community to Ireland**

Ireland may obtain a financial contribution from the Community of 60 % of the eligible expenditure for the operational costs of the measures foreseen in Article 11(4)(a)(i) to (iv) and (b) of Council Decision 90/424/EEC for the eradication of foot-and-mouth disease in Ireland in 2001.

*Article 2***Definitions**

For the purpose of this Decision, the following definitions shall apply:

- (a) 'reasonable payments' means payments for the purchase of materials or services at proportionate prices compared to the market prices before the outbreak of the foot-and-mouth disease;
- (b) 'justified payments' means payments for the purchase of materials or services of which the nature and the direct link with the compulsory slaughter of animals as referred to in Article 11 of Decision 90/424/EEC in the holdings is demonstrated.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 203, 28.7.2001, p. 16.

⁽³⁾ OJ L 315, 26.11.1985, p. 11.

⁽⁴⁾ OJ L 7, 11.1.2003, p. 82.

⁽⁵⁾ OJ L 160, 26.6.1999, p. 103.

⁽⁶⁾ OJ L 228, 24.8.2001, p. 24.

*Article 3***The eligible expenditure covered by the financial contribution from the Community**

1. The financial contribution from the Community as referred to in Article 1 shall only be made in respect of justified and reasonable payments for the eligible costs as set out in Annex I.
2. The financial contribution from the Community as referred to in Article 1 shall exclude:
 - (a) value added tax;
 - (b) salaries of civil servants;
 - (c) use of public material other than consumables.

*Article 4***Conditions for payment and supporting documentation**

1. The financial contribution from the Community as referred to in Article 1 shall be paid on the basis of:
 - (a) a claim submitted in accordance with Annex II and within the time limit as provided for in paragraph 2;
 - (b) detailed documents confirming the figures in the claim referred to in point (a);
 - (c) the results of the on-the-spot checks by the Commission as referred in Article 5.

The documents referred to in point (b) shall be made available for on-the-spot audits by the Commission.

2. The claim referred to in paragraph 1(a) shall be provided in computerised form in accordance with Annex II within 30 calendar days of the date of notification of this Decision. When

that time limit is not observed, the financial contribution from the Community shall be reduced by 25 % for every month of delay.

*Article 5***On-the-spot checks by the Commission**

The Commission may make on-the-spot checks, with the cooperation of the competent national authorities, on the implementation of the foot-and-mouth eradication measures and the related costs incurred.

*Article 6***Information concerning on-the-spot checks by the Commission**

The Commission shall inform the Member States of the results of the on-the-spot checks carried out as provided for in Article 5.

*Article 7***Addressee**

This Decision is addressed to the Republic of Ireland.

Done at Brussels, 14 March 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

Eligible costs as referred to in Article 3

1. Costs for the slaughter of the animals:
 - (a) salaries and fees of the slaughter-men;
 - (b) consumables (bullet, T61, tranquillisers etc.) and specific equipment used for the slaughter;
 - (c) materials used for the transport of the animals to the slaughterhouse.
2. Costs for the destruction of animals:
 - (a) rendering: transport of carcasses to the rendering plant, treatment of carcasses in the rendering plant and destruction of the meal;
 - (b) burying: staff specifically employed, materials specifically rented for the transport and the burying of the carcasses and products used for the disinfection of the holding;
 - (c) burning: staff specifically employed, combustibles or other materials used, materials specifically rented for the transport of the carcasses and products used for the disinfection of the plant.
3. Cost for the destruction of milk:
 - (a) compensation at market price of the milk;
 - (b) destruction of the milk.
4. Costs for the cleaning, disinfection and disinsectisation of holdings:
 - (a) products used for cleaning disinfection and disinsectisation;
 - (b) salaries and fees for the staff specifically employed.
5. Costs for the destruction of contaminated feedingstuffs:
 - (a) compensation at purchase price of the feedingstuffs;
 - (b) destruction of the feedingstuff.
6. Cost for the compensation of contaminated equipment at market value and destruction of such equipment. Costs of compensation for reconstruction or renewal of farm buildings and infrastructure costs are ineligible.

ANNEX II

Claim as referred to in Article 4

‘Other costs’ incurred for holding No (excluding compensation for the value of animals)	
Item	Amount without VAT
Slaughtering	
Destruction (transport and treatment)	
Milk (compensation and destruction)	
Cleaning and disinfection (salary and products)	
Feedingstuff (compensation and destruction)	
Equipment (compensation and destruction)	
TOTAL	

COMMISSION DECISION
of 14 March 2003
on the allocation of additional days absent from port to Member States in accordance with Annex
XVII of Council Regulation (EC) No 2341/2002

(notified under document number C(2003) 762)

(Text with EEA relevance)

(2003/185/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2341/2002 of 20 December 2002 fixing for 2003 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required ⁽¹⁾, and in particular Annex XVII, paragraph 6, thereof,

Whereas:

- (1) Paragraph 6(a) of Annex XVII to Regulation (EC) No 2341/2002 specifies the number of days on which certain Community fishing vessels may be absent from port in the geographical areas defined in paragraph 2 of that Annex from 1 February 2003 to 31 December 2003.
- (2) Paragraph 6(b) of Annex XVII to Regulation (EC) No 2341/2002 provides the possibility for the Commission to allocate additional days of absence from port to Member States for these vessels to compensate for steaming time between home ports and fishing grounds and for adjustment to the newly-installed effort management scheme.
- (3) The days provided for in paragraph 6(a) of Annex XVII to Regulation (EC) No 2341/2002 are sufficient to allow vessels using gear other than those defined in paragraph 4(a) of that Annex, the necessary time to catch the quantities of cod which they are entitled to fish during 2003.
- (4) Vessels using gears defined in paragraph 4(a) of Annex XVII to Regulation (EC) No 2341/2002 traditionally carry on board different kinds of gear. According to paragraph 7 of Annex XVII to Regulation (EC) No 2341/2002, this practice is not allowed for fishing vessels subject to that Annex. This rule results in a particular need for those vessels to receive additional days for adjustment to the new scheme, in order for to go back to port to change gear when necessary. Two additional days is considered as appropriate for this purpose.
- (5) Every Member State is likely to encounter similar problems in relation with the adjustment to the newly installed effort management system.

- (6) Paragraph 6(c) of Annex XVII to Regulation (EC) No 2341/2002 provides the possibility for the Commission to allocate additional days of absence from port to Member States for vessels carrying on board any of the gear defined in paragraph 4(a) of Annex XVII to Regulation (EC) No 2341/2002 in recognition of the achieved results or expected results of decommissioning of fishing vessels in 2002 and 2003.
- (7) Denmark and United Kingdom have submitted data on decommissioning of such fishing vessels in 2002 and a description of their intentions to decommission such fishing vessels in 2003.
- (8) A Commission Decision is necessary to allocate additional days at sea for fishing vessels carrying on board the fishing gear defined in paragraph 4(a) of Annex XVII to Regulation (EC) No 2341/2002,

HAS ADOPTED THIS DECISION:

Article 1

In accordance with paragraph 6(b) of Annex XVII to Regulation (EC) No 2341/2002 Member States may allocate a maximum of two additional days per calendar month on which vessels may be absent from port while carrying on board any of the fishing gear defined in paragraph 4(a) of that Annex.

Article 2

The maximum number of additional days which may be allocated in each calendar month in accordance with paragraph 6(c) of Annex XVII to Regulation (EC) No 2341/2002 shall be as follows:

- (a) Denmark: two days,
- (b) United Kingdom: four days.

Article 3

The number of additional days allocated under Articles 1 and 2 may be cumulated.

⁽¹⁾ OJ L 356, 31.12.2002, p. 12.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 14 March 2003.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION DECISION
of 14 March 2003
amending Decision 2003/172/EC concerning protective measures in relation to avian influenza in
the Netherlands

(notified under document number C(2003) 835)

(Text with EEA relevance)

(2003/186/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 2002/33/EC of the European Parliament and of the Council ⁽²⁾, and in particular, Article 10 thereof,

Whereas:

- (1) The Netherlands have declared several outbreaks of avian influenza.
- (2) The Dutch authorities have taken immediate action as provided for by Council Directive 92/40/EEC of 19 May 1992 introducing Community measures for the control of avian influenza ⁽³⁾, as amended by the Act of Accession of Austria, Finland and Sweden; furthermore, all movements of live poultry and hatching eggs within the Netherlands and their dispatch to other Member States and third countries have been prohibited.
- (3) For the sake of clarity and transparency the Commission adopted Decision 2003/153/EC ⁽⁴⁾ in cooperation with the Dutch authorities, reinforcing the measures taken by the Netherlands.

(4) By Commission Decisions 2003/156/EC ⁽⁵⁾ and 2003/172/EC ⁽⁶⁾ the measures were prolonged in view of the development of the disease.

(5) In the light of the disease evolution, the protective measures laid down by Decision 2003/172/EC shall be prolonged.

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

HAS ADOPTED THIS DECISION:

Article 1

In Article 2 of Decision 2003/172/EC, the time and date '14 March 2003 at 24.00 (midnight)' shall be replaced by '20 March 2003 at 24.00 (midnight)'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 14 March 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 315, 19.11.2002, p. 14.

⁽³⁾ OJ L 167, 22.6.1992, p. 1.

⁽⁴⁾ OJ L 59, 4.3.2003, p. 32.

⁽⁵⁾ OJ L 64, 7.3.2003, p. 36.

⁽⁶⁾ OJ L 69, 13.3.2003, p. 27.

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 464/2003 of 13 March 2003 on the issuing of system A3 export licences in the fruit and vegetables sector**

(Official Journal of the European Union L 70 of 14 March 2003)

On page 18, in the Annex, in the column headed 'Percentage awarded of quantities tendered for quoting the maximum refund rate', against the entry for 'Oranges':

for: '73 %',

read: '77 %'.
