

English edition

## Legislation

### Contents

#### I Acts whose publication is obligatory

Commission Regulation (EC) No 700/2001 of 6 April 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables .....	1
Commission Regulation (EC) No 701/2001 of 6 April 2001 opening tendering procedure No 39/2001 EC for the sale of wine alcohol for new industrial uses .....	3
Commission Regulation (EC) No 702/2001 of 6 April 2001 on the issuing of a standing invitation to tender for the resale on the internal market of 47 000 tonnes of common wheat held by the Swedish intervention agency .....	5
<b>* Commission Regulation (EC) No 703/2001 of 6 April 2001 laying down the active substances of plant protection products to be assessed in the second stage of the work programme referred to in Article 8(2) of Council Directive 91/414/EEC and revising the list of Member States designated as rapporteurs for those substances</b>	<b>6</b>
<b>* Commission Regulation (EC) No 704/2001 of 6 April 2001 amending Regulation (EC) No 2300/97 on detailed rules to implement Council Regulation (EC) No 1221/97 laying down general rules for the application of measures to improve the production and marketing of honey</b> .....	<b>14</b>
Commission Regulation (EC) No 705/2001 of 6 April 2001 fixing the maximum export refund on wholly milled round grain rice in connection with the invitation to tender issued in Regulation (EC) No 2281/2000 .....	15
Commission Regulation (EC) No 706/2001 of 6 April 2001 fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2282/2000 .....	16
Commission Regulation (EC) No 707/2001 of 6 April 2001 fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2283/2000 .....	17
Commission Regulation (EC) No 708/2001 of 6 April 2001 fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2284/2000 .....	18

**Council**

2001/280/EC:

- \* **Decision No 2/2001 of the EU-Lithuania Association Council of 22 February 2001 adopting the implementing rules for the application of the provisions on State aid referred to in Article 64(1)(iii) and (2) pursuant to Article 64(3) of the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Lithuania, of the other part** ..... 19

**Commission**

2001/281/EC:

- \* **Commission Decision of 28 March 2001 providing for the temporary marketing of seed of certain species not satisfying the requirements of Council Directives 66/401/EEC, 66/402/EEC or 69/208/EEC (notified under document number C(2001) 784)** 23

2001/282/EC:

- \* **Commission Decision of 6 April 2001 amending for the second time Decision 2001/223/EC concerning certain protection measures with regard to foot-and-mouth disease in the Netherlands <sup>(1)</sup> (notified under document number C(2001) 1081) ....** 27

2001/283/EC:

- \* **Decision No 1/2001 of the EC-Turkey Customs Cooperation Committee of 28 March 2001 amending Decision No 1/96 laying down detailed rules for the application of Decision No 1/95 of the EC-Turkey Association Council** ..... 31

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<sup>(1)</sup> Text with EEA relevance

## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 700/2001**  
**of 6 April 2001**  
**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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1498/98 <sup>(2)</sup>, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 7 April 2001.

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

Done at Brussels, 6 April 2001.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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<sup>(1)</sup> OJ L 337, 24.12.1994, p. 66.

<sup>(2)</sup> OJ L 198, 15.7.1998, p. 4.

## ANNEX

**to the Commission Regulation of 6 April 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value	
0702 00 00	052	94,9	
	204	68,7	
	212	117,1	
	999	93,6	
0707 00 05	052	111,6	
	628	144,3	
	999	128,0	
0709 90 70	052	106,5	
	204	59,9	
	999	83,2	
0805 10 10, 0805 10 30, 0805 10 50	052	77,5	
	204	45,1	
	212	43,7	
	220	57,2	
	600	54,7	
	624	56,9	
	999	55,8	
0808 10 20, 0808 10 50, 0808 10 90	388	96,1	
	400	102,8	
	404	88,6	
	508	90,1	
	512	90,7	
	528	90,6	
	720	97,9	
	804	113,8	
	999	96,3	
	0808 20 50	388	78,3
		512	87,9
528		77,4	
999		81,2	

<sup>(1)</sup> Country nomenclature as fixed by Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 701/2001**  
**of 6 April 2001**  
**opening tendering procedure No 39/2001 EC for the sale of wine alcohol for new industrial uses**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine <sup>(1)</sup>, as amended by Regulation (EC) No 2826/2000 <sup>(2)</sup>,

Tendering procedure No 39/2001 EC is hereby opened for the sale of wine alcohol for new industrial uses. The alcohol concerned has been produced from distillation under Articles 35, 36 and 39 of Regulation (EEC) No 822/87, and under Article 27 of Regulation (EC) No 1493/1999 and is held by the French intervention agency.

Having regard to Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms <sup>(3)</sup>, as last amended by Regulation (EC) No 545/2001 <sup>(4)</sup>, and in particular Article 80 thereof,

The volume put up for sale is 100 000 hectolitres of alcohol at 100 % vol. The vat numbers, places of storage and the volume of alcohol at 100 % vol contained in each vat are detailed in the Annex hereto.

Whereas:

*Article 2*

(1) Regulation (EC) No 1623/2000 lays down, *inter alia*, the detailed rules for disposing of stocks of alcohol arising from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 held by intervention agencies.

The sale shall be conducted in accordance with Articles 79, 81, 82, 83, 84, 85, 95, 96, 97, 100 and 101 of Regulation (EC) No 1623/2000 and Article 2 of Regulation (EC) No 2799/98.

(2) Tendering procedures should be organised for the sale of wine alcohol for new industrial uses with a view to reducing the stocks of wine alcohol in the Community and enabling small-scale industrial projects to be carried out and such alcohol to be processed into goods intended for export for industrial uses. The wine alcohol of Community origin in storage in the Member States consists of quantities produced from distillation under Articles 35, 36 and 39 of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine <sup>(5)</sup>, as last amended by Regulation (EC) No 1677/1999 <sup>(6)</sup>, as well as Articles 27 and 28 of Regulation (EC) No 1493/1999.

*Article 3*

Tenders must be submitted to the intervention agency holding the alcohol concerned: Onivins-Libourne, Délégation nationale, 17, avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33) 557 55 20 00; telex 57 20 25; fax (33) 557 55 20 59) or sent by registered mail to that address.

(3) Since the adoption of Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro <sup>(7)</sup>, the prices offered in tenders and securities must be expressed in euro and payments must be made in euro.

Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 39/2001 EC for new industrial uses', the outer envelope bearing the address of the intervention agency concerned.

(4) Minimum prices should be fixed for the submission of tenders, broken down according to the type of end use.

Tenders must reach the intervention agency concerned not later than 12 noon Brussels time on 27 April 2001.

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

All tenders must be accompanied by proof that a tendering security of EUR 4 per hectolitre of alcohol at 100 % vol has been lodged with the intervention agency concerned.

*Article 4*

The minimum prices which may be offered are EUR 7,5 per hectolitre of alcohol at 100 % vol intended for the manufacture of baker's yeast, EUR 7,5 per hectolitre of alcohol at 100 % vol intended for the manufacture of amine- and chloral-type chemical products for export and EUR 7,5 per hectolitre of alcohol at 100 % vol intended for other industrial uses.

<sup>(1)</sup> OJ L 179, 14.7.1999, p. 1.

<sup>(2)</sup> OJ L 328, 23.12.2000, p. 2.

<sup>(3)</sup> OJ L 194, 31.7.2000, p. 45.

<sup>(4)</sup> OJ L 81, 21.3.2001, p. 21.

<sup>(5)</sup> OJ L 84, 27.3.1987, p. 1.

<sup>(6)</sup> OJ L 199, 30.7.1999, p. 8.

<sup>(7)</sup> OJ L 349, 24.12.1998, p. 1.

*Article 5*

The formalities for sampling shall be as set out in Article 98 of Regulation (EC) No 1623/2000. The price of samples shall be EUR 10 per litre.

The intervention agency shall provide all the necessary information on the characteristics of the alcohol put up for sale.

*Article 6*

The performance guarantee shall be EUR 30 per hectolitre of alcohol at 100 % vol.

*Article 7*

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

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

Done at Brussels, 6 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

## ANNEX

**INVITATION TO TENDER No 39/2001 EC FOR THE SALE OF ALCOHOL FOR NEW INDUSTRIAL USES****Place of storage, volume and characteristics of the alcohol put up for sale**

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EEC) No 822/87 and (EC) No 1493/1999 Article	Type of alcohol	Alcoholic strength (% vol)
France	Deulep Boul. Chanzy F-30800 Saint-Gilles-du-Gard	228	3 720,00	35	Raw	+ 92 %
		228	10 025,00	27	Raw	+ 92 %
	Onivins-Longuefuye F-53200 Longuefuye	3	21 390,00	35	Raw	+ 92 %
		16	3 435,00	39	Raw	+ 92 %
		18	21 070,00	39	Raw	+ 92 %
		17	17 835,00	39	Raw	+ 92 %
		21	6 565,00	36	Raw	+ 92 %
	Onivins-Port-la-Nouvelle Avenue Adolphe Turrel BP 62 F-11210 Port-la-Nouvelle	16	11 295,00	36	Raw	+ 92 %
		12	4 405,00	36	Raw	+ 92 %
		12	260,00	35	Raw	+ 92 %
	Total		100 000			

**COMMISSION REGULATION (EC) No 702/2001****of 6 April 2001****on the issuing of a standing invitation to tender for the resale on the internal market of 47 000 tonnes of common wheat held by the Swedish intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EEC) No 2131/93<sup>(3)</sup>, as last amended by Regulation (EC) No 1630/2000<sup>(4)</sup>, lays down the procedure and conditions for the disposal of cereals held by the intervention agencies.
- (2) In the present market situation, a standing invitation to tender for the resale on the internal market of 47 000 tonnes of common wheat held by the Swedish intervention agency should be issued.
- (3) 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 Swedish intervention agency shall issue pursuant to Regulation (EEC) No 2131/93 a standing invitation to tender for the

resale on the internal market of 47 000 tonnes of common wheat held by it.

*Article 2*

1. The final date for the submission of tenders for the first partial invitation to tender shall be 18 April 2001.
2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 16 May 2001.
3. Tenders must be lodged with the Swedish intervention agency at the following address:

Statens Jordbruksverk  
Vallgatan 8  
S-551 82 Jönköping  
Fax (+ 46-36) 19 05 46, 71 95 11.

*Article 3*

Not later than Wednesday of the week following the final date for the submission of tenders, the Swedish intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

*Article 4*

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

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

Done at Brussels, 6 April 2001.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 191, 31.7.1993, p. 76.

<sup>(4)</sup> OJ L 187, 26.7.2000, p. 24.

## COMMISSION REGULATION (EC) No 703/2001

of 6 April 2001

**laying down the active substances of plant protection products to be assessed in the second stage of the work programme referred to in Article 8(2) of Council Directive 91/414/EEC and revising the list of Member States designated as rapporteurs for those substances**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market <sup>(1)</sup>, as last amended by Commission Directive 2001/21/EC <sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 451/2000 of 28 February 2000 laying down the detailed rules for the implementation of the second and third stages of the work programme referred to in Article 8(2) of Directive 91/414/EEC <sup>(3)</sup>, and in particular Article 5(2) and (6) thereof,

Whereas:

- (1) Producers wishing to secure the inclusion in Annex I to Directive 91/414/EEC of active substances which were already on the market on 26 July 1993 and which were listed in Annex I to Regulation (EC) No 451/2000 were required to notify the relevant rapporteur Member State of this wish by 31 August 2000 at the latest.
- (2) Rapporteur Member States have reported to the Commission on whether such notifications satisfied the criteria for admissibility referred to in Part 1 of Annex V to Regulation (EC) No 451/2000, as required by Article 5(1) of that Regulation.
- (3) The Commission in conjunction with the Standing Committee on Plant Health has further reviewed those notifications in order to establish whether they were received by rapporteur Member States before the deadline and whether they satisfy the criteria for admissibility.
- (4) A decision should therefore be taken determining the active substances to be evaluated in the framework of the Regulation and the persons entitled to act as notifiers for those substances.
- (5) The designation of Member States as rapporteurs for the second stage of the work programme provided for in Article 8(2) of Directive 91/414/EEC was set out in

Article 4(1) and Annex I to Regulation (EC) No 451/2000. In view of certain imbalances that have appeared following examination of the requests for inclusion in Annex I, the role of rapporteur in respect of certain active substances should be transferred to a different Member State.

- (6) In order to ensure that the review required under Article 8(2) of Directive 91/414/EEC can be completed in a timely manner, a time limit should also be set for the submission to the rapporteur Member State of the dossiers and other technical or scientific information, required pursuant to Regulation (EC) No 451/2000.
- (7) The names and addresses of the producers who have presented a notification satisfying the above mentioned requirements should be published in order to ensure that contacts can be made for presenting collective dossiers.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The list of active substances which will be assessed in the framework of Regulation (EC) No 451/2000 is set out in column A of Annex I to this Regulation.
2. The Member State designated as rapporteur Member State for each of the substances referred to in paragraph 1 is indicated in column B of Annex I to this Regulation against the corresponding active substance.
3. The producers who have, in due time submitted notification in accordance with Article 4(2) of Regulation (EC) No 451/2000 are listed in column C of Annex I to this Regulation, by a three- or five-letter code, against the corresponding active substance. The name and address of each producer is identified for each code in Annex II to this Regulation.

<sup>(1)</sup> OJ L 230, 19.8.1991, p. 1.

<sup>(2)</sup> OJ L 69, 10.3.2001, p. 17.

<sup>(3)</sup> OJ L 55, 29.2.2000, p. 25.



*Article 2*

The time limit referred to in Article 5(4)(c) and (d) of Regulation (EC) No 451/2000 for the submission to the rapporteur Member State of the dossiers and the other relevant information is set at 30 April 2002.

*Article 3*

This Regulation shall enter into force on 1 May 2001.

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

Done at Brussels, 6 April 2001.

*For the Commission*  
David BYRNE  
*Member of the Commission*

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## ANNEX I

List of active substances (column A), rapporteur Member States (column B) and notifying producers (code identification) (column C)

## PART A: ANTICHOLINESTERASE ACTIVE SUBSTANCES

A	B	C
Name	Rapporteur Member State	Notifying producers
<b>Organophosphates</b>		
Cadusafos	Greece	FMC
Diazinon	Portugal	MAK
Dichlorvos	Italy	DEN AMV UPL
Dimethoate	United Kingdom	RIV SCC
Ethephon	Netherlands	AVS-FR PHY SCC
Ethion	France	CHE
Ethoprophos	United Kingdom	AVS-DE
Fenamiphos	Netherlands	BAY
Fenitrothion	United Kingdom	SUM
Isoxathion	Spain	SAN
Malathion	Finland	CHE CEQ
Methidathion	Portugal	MAK NCP-PT
Mevinphos	Sweden	AMV
Monocrotophos	Italy	UPL
Naled	France	AMV
Oxydemeton-methyl	France	GW OTF
Phorate	United Kingdom	UPL
Phosalone	Austria	AVS-DE
Phosmet	Spain	GW
Phosphamidon	Germany	UPL
Pirimiphos-methyl	United Kingdom	ZEN
Tolclofos-methyl	Netherlands	SUM
Trichlorfon	Spain	CEQ
<b>Carbamates</b>		
Benfuracarb	Belgium	OTS
Carbaryl	Spain	AVS-DE
Carbofuran	Belgium	DIA PHY FMC

A	B	C
Name	Rapporteur Member State	Notifying producers
Carbosulfan	Belgium	FMC PPC
Formetanate	Italy	AVS-DE
Methiocarb	United Kingdom	BAY
Methomyl	United Kingdom	DPD-DE MAK
Oxamyl	Ireland	DPD-DE
Pirimicarb	United Kingdom	ZEN SDE
Propamocarb	Ireland	AVS-FR CAG
Thiodicarb	United Kingdom	AVS-DE
Triazamate	United Kingdom	BAS-BE

## PART B

A	B	C
Name	Rapporteur Member State	Notifying producers
1,3-Dichloropropene	Spain	BAS-BE DAS AGL UNI
1,3-Dichloropropene (cis)	Spain	BAS-BE
Captan	Italy	TOM IQV MAK
Clodinafop	Netherlands	NCP-NL
Clopyralid	Finland	DAS BCL UPL
Cyanazine	Sweden	BAS-BE
Cyprodinil	France	NCP-FR
Dichlorprop-P	Denmark	PTF
Dimethenamid	Germany	BAS-DE
Dimethomorph	Germany	BAS-BE
Diuron	Denmark	DTF PHY MAK
Fipronil	France	AVS-FR
Folpet	Italy	MAK
Fosetyl	France	AVS-FR INA CAL PRO

A	B	C
Name	Rapporteur Member State	Notifying producers
Glufosinate	Sweden	AVS-DE
Haloxypop-R	Denmark	DAS
Metconazole	Belgium	BAS-BE
Metribuzin	Germany	FSG
		CTX
		UPL
		BAY
		PPC
Prometryn	Greece	MAK
Pyrimethanil	Austria	AVS-FR
Rimsulfuron	Germany	DPD-UK
Terbutryn	Germany	MAK
Tolylfluazid	Finland	BAY
Tribenuron	Sweden	DPD-DK
Triclopyr	Ireland	DAS
		BCL
Trifluralin	Greece	DAS
		MAK
		PHY
Trinexapac	Netherlands	NCP-NL
Triticonazole	Austria	AVS-FR

## ANNEX II

## List of notifying producers' code identifications, names and addresses

Code identification	Name	Address
AGL	Agroquímicos de Levante SA	Polígono industrial Castilla Vial nº 5, s/n E-46380 Cheste (Valencia)
AMV	Amvac Chemical Corp.	Surrey Technology Centre 40 Occam Road The Surrey Research Park Guildford GU2 5YG Surrey United Kingdom
AVS-DE	Aventis Crop Science GmbH	Industriepark Hoechst, Gebäude K607 D-65926 Frankfurt am Main
AVS-FR	Aventis Crop Science	14-20, rue Pierre-Baizet — BP 9163 F-69263 Lyon Cedex 09
BAS-BE	BASF Brussels Regulatory Office	Chaussée de Tirlemont 105 B-5030 Gembloux
BAS-DE	BASF AG	Agrarzentrum, Postfach 120 D-67114 Limburgerhof
BAY	Bayer AG PF-E/Registrierung	Business Group Crop Protection Agricultural Center Protection D-51368 Leverkusen
BCL	Barclay Chemicals	Tyrellstown Way Damastown Industrial Estate Mulhuddart Dublin 15 Ireland
CAG	Chimac-Agriphar SA	Rue de Renory 26 B-4102 Ougrée
CAL	Calliope SA	Route d'Artix — BP 80 F-64150 Noguères
CEQ	Cequisa	Muntaner, 322, 1º 2ª E-08021 Barcelona
CHE	Cheminova Agro A/S	Postboks 9 DK-7620 Lemvig
CTX	Chemtox A/S	Pakhustorvet 4 DK-6000 Kolding
DAS	Dow Agro Sciences	Letcombe Laboratory Letcombe Regis Wantage OX12 9JT Oxfordshire United Kingdom
DEN	Denka International BV	Postbus 337 3770 AH Barneveld Nederland
DIA	Dianica sa	Route d'Artix, BP 80 F-64150 Noguères
DPD-UK	DuPont (UK) Limited	Wedgwood Way Stevenag SG1 4QN Hertfordshire United Kingdom
DPD-DK	DuPont Danmark A/S	Skøjtevej 26 Postboks 3000 DK-2770 Kastrup
DPD-DE	DuPont de Nemours GmbH	DuPont Str. 1, D-61352 Bad Homburg

Code identification	Name	Address
DTF	The European Diuron Taskforce	c/o Ir. SD van Hoogstraten Poenaardlaan 7 B-3090 Overijse
FMC	FMC Europe NV	Avenue Louise 480, boîte 9 B-1050 Bruxelles
FSG	Feinchemie Schwebda	Straßburger Straße 5 D-37269 Eschwege
GWI	Gowan Internacional	Rua do Bom Jesus, 18-3.º Esq P-9050-028 Funchal
INA	Industrias Afrasa SA	Ciudad de Sevilla, 53 Polígono industrial Fuente del Jarro E-46988 Paterna (Valencia)
IQV	Industrias Químicas del Vallès	Av. de Rafael de Casanova, 81 E-08100 Mollet del Vallès (Barcelona)
MAK	Makhteshim Agan Intern. Coordination	Avenue Louise 283, boîte 7 B-1050 Bruxelles
NCP-FR	Novartis Agro SA	14, Bd. Richelieu BP 420 F-92845 Rueil-Malmaison
NCP-NL	Novartis Crop Protection AG	Novartis Agro Benelux BV Stepvelden 10 — Postbus 1048 4704 RM Roosendaal Nederland
NCP-PT	Novartis Agro Lda	Av. Duque d'Ávila, 141-6.º Esq. P-1050-081 Lisboa
OTF	Oxydemeton-methyl Task Force	Oxydemeton-methyl Task Force c/o United Phosphorus (Europe) Ltd Chadwick House, Birchwood Park Warrington WA3 6AE Cheshire United Kingdom
OTS	Otsuka Chemical Co. Ltd	London Representative Office Roman House, Wood Street London EC2Y 5BA United Kingdom
PHY	Phytorus SA	1 bis, rue du 8 mai 1945 F-77410 Claye-Souilly
PPC	Proplan Plant Protection Company, SL	Vía de las Dos Castillas, 11 Bloque 4, 2º A E-28224 Pozuelo de Alarcón (Madrid)
PRO	Probelte SA	Ctra. Madrid, km 384,6 Polígono industrial El Tivo E-30100 Espinardo (Murcia)
PTF	2,4-DP-P (1988) Task Force	2,4-DP-P (1988) Task Force, c/o BASF Aktiengesellschaft, Agricultural Center, D-67114 Limburgerhof
RIV	Rivendell Consulting Ltd	Rivendell House Stamullen Co. Meath Ireland
SAN	Sankyo Company Ltd	ANA House 6-8 Old Bond St London W1X 3TA United Kingdom
SCC	SCC GmbH, Scientific Consulting Company	Chemische-Wissenschaftliche Beratung GmbH Mikroforum Ring 1 D-55234 Wendelsheim
SDE	Sundat (Europe) Limited	Molukkenstraat 200 1098 TW Amsterdam Nederland

Code identification	Name	Address
SUM	Sumitomo Chemical Agro Europe SA	Parc d'Affaires de Crécy 2, rue Claude-Chappe F-69370 Saint-Didier-au-Mont-d'Or
TOM	Tomen France SA	18, avenue de l'Opéra F-75001 Paris
UNI	Uniroyal Chemical Ltd	Kennet House 4 Langley Quay Slough SL3 6EH Berkshire United Kingdom
UPL	United Phosphorus (Europe) Ltd	Chadwick House, Birchwood Park Warrington WA3 6AE Cheshire United Kingdom
ZEN	Zeneca Agrochemicals Regulatory Affairs D	Fernhurst Haslemere GU27 3JE Surrey United Kingdom

**COMMISSION REGULATION (EC) No 704/2001****of 6 April 2001****amending Regulation (EC) No 2300/97 on detailed rules to implement Council Regulation (EC) No 1221/97 laying down general rules for the application of measures to improve the production and marketing of honey**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1221/97 of 25 June 1997 laying down general rules for the application of measures to improve the production and marketing of honey <sup>(1)</sup>, as amended by Regulation (EC) No 2070/98 <sup>(2)</sup>, and in particular Article 5 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2300/97 <sup>(3)</sup>, as last amended by Regulation (EC) No 1438/2000 <sup>(4)</sup>, lays down provisions for the implementation of measures to improve the production and the marketing of honey.
- (2) The conclusions of the Commission report to the Council and the European Parliament on the implementation of Council Regulation (EC) No 1221/97 laying down general rules for the application of measures to improve the production and marketing of honey <sup>(5)</sup> provides for the introduction of simplified administration to permit Member States each year

simply to present any amendments or adjustments to programmes presented the previous year.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Article 2(1) of Regulation (EC) No 2300/97 is replaced by the following:

'1. Member States shall notify their programmes to the Commission before 15 April of each year. However, Member States may simply notify any amendments or adjustments to programmes notified the previous year.'

*Article 2*

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

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

Done at Brussels, 6 April 2001.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

<sup>(1)</sup> OJ L 173, 1.7.1997, p. 1.

<sup>(2)</sup> OJ L 265, 30.9.1998, p. 1.

<sup>(3)</sup> OJ L 319, 21.11.1997, p. 4.

<sup>(4)</sup> OJ L 161, 1.7.2000, p. 65.

<sup>(5)</sup> COM(2001) 70 final.



**COMMISSION REGULATION (EC) No 705/2001****of 6 April 2001****fixing the maximum export refund on wholly milled round grain rice in connection with the invitation to tender issued in Regulation (EC) No 2281/2000**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1667/2000 <sup>(2)</sup>, and in particular Article 13 <sup>(3)</sup> thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2281/2000 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, 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 2281/2000 is hereby fixed on the basis of the tenders submitted from 30 March to 5 April 2001 at 224,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 7 April 2001.

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

Done at Brussels, 6 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 3.

<sup>(3)</sup> OJ L 260, 14.10.2000, p. 7.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 35, 15.2.1995, p. 8.

**COMMISSION REGULATION (EC) No 706/2001****of 6 April 2001****fixing the maximum export refund on wholly milled medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2282/2000**

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 organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EC) No 1667/2000 <sup>(2)</sup>, and in particular Article 13 <sup>(3)</sup> thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2282/2000 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, 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 medium grain and long grain A rice to be exported to certain European third countries pursuant to the invitation to tender issued in Regulation (EC) No 2282/2000 is hereby fixed on the basis of the tenders submitted from 30 March to 5 April 2001 at 230,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 7 April 2001.

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

Done at Brussels, 6 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 3.

<sup>(3)</sup> OJ L 260, 14.10.2000, p. 10.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 35, 15.2.1995, p. 8.

**COMMISSION REGULATION (EC) No 707/2001****of 6 April 2001****fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice in connection with the invitation to tender issued in Regulation (EC) No 2283/2000**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1667/2000 <sup>(2)</sup>, 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 2283/2000 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, 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 2283/2000 is hereby fixed on the basis of the tenders submitted from 30 March to 5 April 2001 at 248,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 7 April 2001.

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

Done at Brussels, 6 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 3.

<sup>(3)</sup> OJ L 260, 14.10.2000, p. 13.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 35, 15.2.1995, p. 8.

**COMMISSION REGULATION (EC) No 708/2001****of 6 April 2001****fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2284/2000**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1667/2000 <sup>(2)</sup>, and in particular Article 13 <sup>(3)</sup> thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2284/2000 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, 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 rice falling within CN code 1006 30 67 to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2284/2000 is hereby fixed on the basis of the tenders submitted from 30 March to 5 April 2001 at 320,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 7 April 2001.

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

Done at Brussels, 6 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 3.

<sup>(3)</sup> OJ L 260, 14.10.2000, p. 16.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 35, 15.2.1995, p. 8.

## II

(Acts whose publication is not obligatory)

## COUNCIL

**DECISION No 2/2001 OF THE EU-LITHUANIA ASSOCIATION COUNCIL  
of 22 February 2001**

**adopting the implementing rules for the application of the provisions on State aid referred to in Article 64(1)(iii) and (2) pursuant to Article 64(3) of the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Lithuania, of the other part**

(2001/280/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Lithuania, of the other part, and in particular Article 64(3) thereof,

Whereas:

- (1) Article 64(3) of the Europe Agreement lays down that the Association Council shall, by 31 December 1997, adopt by decision the necessary rules for the implementation of paragraphs 1 and 2 of that Article.
- (2) It is recalled that in accordance with Article 64(2) of the Europe Agreement, the concept of 'public aid' as contained in Article 64(1)(iii) of the Europe Agreement is to be assessed on the basis of criteria arising from the application of the rules of Article 87 of the Treaty establishing the European Community, and thus covers any aid granted by the State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods, in so far as it may affect trade between the European Community and the Republic of Lithuania (State aid).
- (3) The Republic of Lithuania will appoint a national institution or administration to become a monitoring authority with responsibility for State aid matters.
- (4) This monitoring authority will be responsible for the analysis of existing and future individual aid awards and programmes in the Republic of Lithuania and will give an opinion as to their compatibility with Article 64(1)(iii) and (2) of the Europe Agreement.

- (5) The Republic of Lithuania will, when providing for the necessary rules to ensure effective supervision, ensure in particular that the monitoring authority receives in due time all the relevant information from the other government departments at central, regional and local level.
- (6) The Commission of the European Communities will, under the relevant Community programmes, assist the monitoring authority by providing for documentation, training, study tours and other relevant technical assistance,

HAS DECIDED AS FOLLOWS:

*Article 1*

The implementing rules for the application of the provisions on State aid referred to in Article 64(1)(iii) and (2) pursuant to Article 64(3) of the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Lithuania, of the other part, are hereby adopted.

*Article 2*

These implementing rules shall enter into force on the first day of the month following their adoption.

Done at Brussels, 22 February 2001.

*For the Association Council*

*The President*

A. VALIONIS

## IMPLEMENTING RULES

### for the application of the provisions on State aid referred to in Article 64(1)(iii) and (2) pursuant to Article 64(3) of the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Lithuania, of the other part

#### SURVEILLANCE OF STATE AID BY MONITORING AUTHORITIES

##### Article 1

#### Surveillance of State aid by monitoring authorities

Subject to the procedural rules in force in the European Community ('the Community') and the Republic of Lithuania, the granting of State aid shall be surveyed and assessed as to its compatibility with the Europe Agreement by the responsible monitoring authorities in the Community and the Republic of Lithuania, respectively. The monitoring authority in the Community shall be the Commission of the European Communities ('the Commission'), and in the Republic of Lithuania the State Competition and Consumer Protection Office.

#### GUIDANCE FOR DEALING WITH CASES

##### Article 2

#### Criteria for compatibility

1. The assessment of compatibility of individual aid awards and programmes with the Europe Agreement, as provided for in Article 1 of these rules, shall be made on the basis of the criteria arising from the application of the rules of Article 87 of the Treaty establishing the European Community, including the present and future secondary legislation, frameworks, guidelines and other relevant administrative acts in force in the Community, as well as the case-law of the Court of First Instance and the Court of Justice of the European Communities and any decision taken by the Association Council pursuant to Article 4(3).

In so far as the aid awards or aid programmes are destined for products covered by the Treaty establishing the European Coal and Steel Community, the first sentence of this paragraph applies fully with the exception that the assessment shall not be made on the basis of the criteria arising from the application of the rules of Article 87 of the Treaty establishing the European Community but on the basis of the criteria arising from the application of the rules on State aid of the Treaty establishing the European Coal and Steel Community.

2. The monitoring authority of the Republic of Lithuania shall be informed of any acts relating to the adoption, abolition or modification of the Community criteria of compatibility

referred to in paragraph 1, in so far as these are not published but are specifically brought to the attention of all Member States.

3. Where such changes do not encounter objections from the Republic of Lithuania within three months from the date of receiving the official information about them, they shall become criteria of compatibility as provided for in paragraph 1 of this Article. Where such changes encounter objections from the Republic of Lithuania and having regard to the approximation of legislation as provided for in the Europe Agreement, consultations shall take place, in accordance with Articles 7 and 8 of these rules.

4. The same principles shall apply in respect of other significant changes in Community policy on State aids.

##### Article 3

#### De minimis aid

Aid programmes or individual aid awards which do not involve export aid and which fall below the threshold applicable in the Community for *de minimis* aid<sup>(1)</sup> shall be considered as having only a negligible effect on competition and trade between the Parties and shall therefore not be treated under these rules. This Article does not apply to the industries covered by the Treaty establishing the European Coal and Steel Community, to shipbuilding, to transport nor to aid towards expenditure in connection with agriculture or fisheries.

##### Article 4

#### Derogations

1. In accordance with and within the limits of Article 64(4)(a) of the Europe Agreement, the Republic of Lithuania shall be regarded as an area identical to those areas of the Community referred to in Article 87(3)(a) of the Treaty establishing the European Community.

2. The monitoring authorities shall jointly evaluate the maximum aid intensities and specific regional coverage of areas in the Republic of Lithuania eligible for national regional aid. They shall submit a joint proposal to the Association Committee which shall establish a decision to this effect.

3. The monitoring authorities may, if necessary and at the request of the Republic of Lithuania jointly evaluate problems raised by the implementation of the Community *acquis* in the field of State aids awarded by the Republic of Lithuania as it completes transition to a market economy. The evaluation of such problems shall not relate to the agricultural sector, fisheries, coal and steel, or to sensitive sectors (automobiles, man-made fibres or shipbuilding) for which specific Community arrangements exist. Where appropriate, the monitoring authorities shall submit a joint proposal to the Association Council, which may adopt a decision.

<sup>(1)</sup> Currently the Community *de minimis* threshold according to the Commission notice on *de minimis* aid (OJ C 68, 6.3.1996, p. 9) is EUR 100 000 of total aid per firm over a three-year period.

## PROCEDURES FOR CONSULTATION AND PROBLEM SOLVING

*Article 5***Examination of certain aid**

1. Where the amount of the aid in question amounts to over EUR 3 million, aid programmes or individual aid awards, whether or not covered by frameworks and guidelines in the Community, may be referred by the relevant monitoring authority to the sub-committee dealing with competition policy and State aids for examination. The sub-committee may submit a report to the Association Committee which may adopt appropriate decisions or recommendations concerning the compatibility of the aid programme or aid award with the Europe Agreement and these rules.
2. The principal purpose of such decisions or recommendations shall be to avoid the resorting to commercial defence measures as a consequence of the aid in question.
3. The Association Committee may decide to extend further the possibility of examination as provided for in this Article.

*Article 6***Request for information**

Whenever the monitoring authority of a Party becomes aware of the fact that an aid programme or individual aid award appears to affect important interests of that Party, it may request information about this from the authority responsible. In any event, both monitoring authorities shall endeavour to keep each other informed of important developments that may be of practical interest for the other.

*Article 7***Consultation and comity**

1. Whenever the Commission or the monitoring authority of the Republic of Lithuania considers that the award of State aid on the territory for which the other authority is responsible substantially affects its important interests, it may request consultation with the other authority, and consequently it may request that the other Party's monitoring authority initiate any appropriate procedures with a view to taking remedial action. This is without prejudice to any action under the respective Parties' relevant legislation and does not hamper the full freedom of ultimate decision of the authority so addressed, within the framework of the Europe Agreement.
2. The monitoring authority so addressed shall give full and sympathetic consideration to such views and factual material as may be presented by the requesting authority and in particular to the alleged harmful effects on the important interests of the requesting Party.

3. Without prejudice to any of their rights and obligations, the monitoring authorities involved in consultations under this Article shall endeavour to find, within three months, a mutually acceptable solution in the light of the respective important interests involved.

*Article 8***Problem solving**

1. Where consultations under Article 7 do not lead to a mutually acceptable solution, an exchange of views shall take place within the sub-committee dealing with competition policy and State aids established in the framework of the Europe Agreement at the request of one Party within three months following the request.
2. Where this exchange of views does not lead to a mutually acceptable solution, or after the expiration of the period referred to in paragraph 1, the matter may be submitted to the Association Committee which may make appropriate recommendations for the settlement of these cases.
3. These procedures shall be without prejudice to any action under Article 64(6) of the Europe Agreement. Trade Instruments should however only be used as a last resort.

*Article 9***Secrecy and confidentiality of information**

1. With respect to Article 64(7) of the Europe Agreement, neither monitoring authority is required to provide information to the other authority if disclosure of that information to the requesting authority is prohibited by the law of the authority possessing the information.
2. Each monitoring authority agrees to maintain the confidentiality of any information provided to it in confidence by the other authority.

## TRANSPARENCY

*Article 10***Inventory**

1. Under the relevant Community programmes, the Commission shall assist the Republic of Lithuania to draw up and thereafter update an inventory of its aid programmes and individual aid awards, established on the same basis as in the Community, in order to ensure and continuously improve transparency.
2. The Commission shall provide the Republic of Lithuania with regular information on the documentation it produces with a similar aim in relation to the Member States of the Community.

*Article 11***Mutual information**

Both Parties shall ensure transparency in the domain of State aid by providing for appropriate publications and the exchange of information on State aid policy on a regular and reciprocal basis.

## MISCELLANEOUS

*Article 12***Administrative assistance (languages)**

The Commission and the monitoring authority of the Republic of Lithuania shall provide for practical arrangements for mutual assistance or any other appropriate solution concerning in particular the question of translations.

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# COMMISSION

## COMMISSION DECISION

of 28 March 2001

**providing for the temporary marketing of seed of certain species not satisfying the requirements of Council Directives 66/401/EEC, 66/402/EEC or 69/208/EEC**

(notified under document number C(2001) 784)

(2001/281/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed <sup>(1)</sup>, as last amended by Directive 98/96/EC <sup>(2)</sup>, and in particular Article 17 thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed <sup>(3)</sup>, as last amended by Directive 1999/54/EC <sup>(4)</sup>, and in particular Article 17 thereof,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants <sup>(5)</sup>, as last amended by Directive 98/96/EC, and in particular Article 16 thereof,

Having regard to the notifications regarding supply difficulties of seed submitted by various Member States,

Whereas:

- (1) In Germany the quantity of available seed of spring varieties of field bean which satisfies the requirements of Directive 66/401/EEC is insufficient in relation to the germination capacity and is therefore not adequate to meet this country's needs.
- (2) In France the quantity of available seed of spring varieties of field pea which satisfies the requirements of Directive 66/401/EEC is insufficient in relation to the germination capacity and is therefore not adequate to meet this country's needs.
- (3) In Luxembourg the quantity of available seed of spring varieties of field bean which satisfies the requirements of Directive 66/401/EEC is insufficient in relation to the

germination capacity and is therefore not adequate to meet this country's needs.

- (4) In the Netherlands the quantity of available seed of spring varieties of wheat which satisfies the requirements of Directive 66/402/EEC is insufficient in relation to the examination of the satisfaction of the conditions to be satisfied by the crop and is therefore not adequate to meet this country's needs.
- (5) In Austria the quantity of available seed of spring varieties of field bean, blue lupin and soya bean which satisfies the requirements of Directives 66/401/EEC or 69/208/EEC is insufficient in relation to the germination capacity and is therefore not adequate to meet this country's needs.
- (6) In Finland the quantity of available seed of linseed which satisfies the requirements of Directive 69/208/EEC is insufficient in relation to the germination capacity and is therefore not adequate to meet this country's needs.
- (7) In Sweden the quantity of available seed of spring varieties of field bean which satisfies the requirements of Directive 66/401/EEC is insufficient in relation to the germination capacity and is therefore not adequate to meet this country's needs.
- (8) In the United Kingdom the quantity of available seed of soya bean which satisfies the requirements of Directive 69/208/EEC is insufficient in relation to the germination capacity and is therefore not adequate to meet this country's needs.
- (9) It is not possible to cover these demands satisfactorily with seed from other Member States, or from non-member countries, satisfying all the requirements laid down in the Directives.
- (10) The Member States should therefore permit, for a period expiring on 30 June 2001, the marketing of seed subject to less stringent requirements.

<sup>(1)</sup> OJ 125, 11.7.1966, p. 2298/66.

<sup>(2)</sup> OJ L 25, 1.2.1999, p. 27.

<sup>(3)</sup> OJ 125, 11.7.1966, p. 2309/66.

<sup>(4)</sup> OJ L 142, 5.6.1999, p. 30.

<sup>(5)</sup> OJ L 169, 10.7.1969, p. 3.

- (11) Moreover, the Member States which have notified the supply difficulties of seed should act as coordinators in order to ensure that the total amount covered by the permits does not exceed the maximum quantity covered by this Decision.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

#### Article 1

The Member States shall permit, for a period expiring on 30 June 2001, on the terms set out in the Annex hereto, the marketing throughout the Community of seed of field bean which does not satisfy the requirements laid down in Directive 66/401/EEC with regard to the minimum germination capacity, provided that the following requirements are satisfied:

- (a) the seed was first placed on the market by a person authorised to do so in accordance with Article 9 below;
- (b) the germination capacity is at least 70 %;
- (c) the official label shall state:
- (aa) that the seed is of a category satisfying less stringent requirements;
- (bb) the germination ascertained in the report on official seed testing.

#### Article 2

The Member States shall permit, for a period expiring on 30 June 2001, on the terms set out in the Annex hereto, the marketing throughout the Community of seed of field pea which does not satisfy the requirements laid down in Directive 66/401/EEC with regard to the minimum germination capacity, provided that the following requirements are satisfied:

- (a) the seed was first placed on the market by a person authorised to do so in accordance with Article 9 below;
- (b) the germination capacity is at least 75 %;
- (c) the official label shall state:
- (aa) that the seed is of a category satisfying less stringent requirements;
- (bb) the germination ascertained in the report on official seed testing.

#### Article 3

The Member States shall permit, for a period expiring on 30 June 2001, on the terms set out in the Annex hereto, the marketing throughout the Community of seed of field bean which does not satisfy the requirements laid down in Directive

66/401/EEC with regard to the minimum germination capacity, provided that the following requirements are satisfied:

- (a) the seed was first placed on the market by a person authorised to do so in accordance with Article 9 below;
- (b) the germination capacity is at least 70 %;
- (c) the official label shall state:
- (aa) that the seed is of a category satisfying less stringent requirements;
- (bb) the germination ascertained in the report on official seed testing.

#### Article 4

The Member States shall permit, for a period expiring on 30 June 2001, on the terms set out in the Annex hereto, the marketing throughout the Community of seed of wheat which does not satisfy the requirements laid down in Directive 66/402/EEC, with regard to the examination of the satisfaction of the conditions to be satisfied by the crop, provided that the following requirements are satisfied:

- (a) the seed was first placed on the market by a person authorised to do so in accordance with Article 9 below;
- (b) the official label shall state that:
- (aa) the seed is of a category satisfying less stringent requirements;
- (bb) the seed satisfies the conditions laid down in Annex I to Directive 66/402/EEC;
- (cc) the seed has not been found by official examination or examination under official supervision to satisfy the conditions under point (bb) above;
- (c) the official label is brown.

#### Article 5

The Member States shall permit, for a period expiring on 30 June 2001, on the terms set out in the Annex hereto, the marketing throughout the Community of seed of field bean, blue lupin and soya bean which do not satisfy the requirements laid down in Directive 66/401/EEC or 69/208/EEC with regard to the minimum germination capacity, provided that the following requirements are satisfied:

- (a) the seed was first placed on the market by a person authorised to do so in accordance with Article 9 below;
- (b) the germination capacity is at least:
- field bean: 65 %
- blue lupin: 65 %
- soya bean: 65 %;
- (c) the official label shall state:
- (aa) that the seed is of a category satisfying less stringent requirements;
- (bb) the germination ascertained in the report on official seed testing.

*Article 6*

The Member States shall permit, for a period expiring on 30 June 2001, on the terms set out in the Annex hereto, the marketing throughout the Community of seed of linseed which do not satisfy the requirements laid down in Directive 69/208/EEC with regard to the minimum germination capacity, provided that the following requirements are satisfied:

- (a) the seed was first placed on the market by a person authorised to do so in accordance with Article 9 below;
- (b) the germination capacity is at least 65 %;
- (c) the official label shall state:
  - (aa) that the seed is of a category satisfying less stringent requirements;
  - (bb) the germination ascertained in the report on official seed testing.

*Article 7*

The Member States shall permit, for a period expiring on 30 June 2001, on the terms set out in the Annex hereto, the marketing throughout the Community of seed of field bean which does not satisfy the requirements laid down in Directive 66/401/EEC with regard to the minimum germination capacity, provided that the following requirements are satisfied:

- (a) the seed was first placed on the market by a person authorised to do so in accordance with Article 9 below;
- (b) the germination capacity is at least 75 %;
- (c) the official label shall state:
  - (aa) that the seed is of a category satisfying less stringent requirements;
  - (bb) the germination ascertained in the report on official seed testing.

*Article 8*

The Member States shall permit, for a period expiring on 30 June 2001, on the terms set out in the Annex hereto, the marketing throughout the Community of seed of soya bean which do not satisfy the requirements laid down in Directive 69/208/EEC with regard to the minimum germination capacity, provided that the following requirements are satisfied:

- (a) the seed was first placed on the market by a person authorised to do so in accordance with Article 9 below;
- (b) the germination capacity is at least 60 %;
- (c) the official label shall state:
  - (aa) that the seed is of a category satisfying less stringent requirements;
  - (bb) the germination ascertained in the report on official seed testing.

*Article 9*

Any seed producer wishing to take advantage of the derogations in Articles 1 to 8 to first place seed on the market shall apply to the Member State in which it is established, stating the

derogation it wishes to take advantage of and the quantity and species of seed which it wishes to market.

The Member State concerned shall authorise the producer to place that seed on the market, unless:

- (a) it has well founded doubts that the producer will be able to place on the market the amount of seed for which it has sought authorisation; or
- (b) the total quantity of that species authorised to be marketed pursuant to the derogation concerned would then exceed the maximum quantity specified in the Annex to this Decision.

*Article 10*

For the purpose of the applications of Articles 1 to 9, the Member States shall assist each other administratively.

The following Member States (which have notified the supply difficulties of seed) shall act as coordinators of the authorisations to be granted under Article 9, in order to ensure that the total amount which Member States permit seed produce established in their respective territories to place on the market does not exceed the maximum quantities as specified in the Annex:

- Germany in respect of Article 1,
- France in respect of Article 2,
- Luxembourg in respect of Article 3,
- The Netherlands in respect of Article 4,
- Austria in respect of Article 5,
- Finland in respect of Article 6,
- Sweden in respect of Article 7,
- The United Kingdom in respect of Article 8.

Any Member State receiving an application under Article 9 shall immediately notify the appropriate coordinating Member State of the species and amount covered by the application. The coordinating Member State shall immediately notify the notifying Member State whether authorisation of the application would result in the maximum quantity for that species being exceeded.

*Article 11*

Member States shall immediately notify the Commission and the other Member States of the various quantities of seed labelled and authorised to be marketed throughout the Community pursuant to this Decision.

*Article 12*

This Decision is addressed to the Member States.

Done at Brussels, 28 March 2001.

*For the Commission*

David BYRNE

*Member of the Commission*

## ANNEX

Species	Type of variety	Maximum quantity (tonnes)
<b>In respect of Article 1</b>		
<i>Vicia faba</i>	Bertabo, Columbo, Condor, Gloria, Hiverna, Limbo, Samba, Scirocco, Valeria	270
<b>In respect of Article 2</b>		
<i>Pisum sativum</i>	Athos, Baccara, Badminton, Bridge, Focus, Obelisque, Podium, Sydney, Univers	5 200
<b>In respect of Article 3</b>		
<i>Vicia faba</i>	Alfred, Divine, Scirocco	10
<b>In respect of Article 4</b>		
<i>Triticum aestivum</i>	Anemos, Baldus, Cadenza, Lavett, Minaret	1 500
<b>In respect of Article 5</b>		
<i>Vicia faba</i>	Aurelia, Carola, Gloria, Nero, Protea, Styria, Valeria	110
<i>Lupinus angustifolius</i>	Bordako	20
<i>Glycine max.</i>	Aladir, Armor, Ceresia, Dolores, Dorena, Eссор, Fuego, Gregor, Merlin, Nebraska, Quito, York	750
<b>In respect of Article 6</b>		
<i>Linum usitatissimum</i>	Helmi	20
<b>In respect of Article 7</b>		
<i>Vicia faba</i>	Columbo, Scirocco	110
<b>In respect of Article 8</b>		
<i>Glycine max.</i>	Northern Conquest	150

## COMMISSION DECISION

of 6 April 2001

**amending for the second time Decision 2001/223/EC concerning certain protection measures with regard to foot-and-mouth disease in the Netherlands**

(notified under document number C(2001) 1081)

(Text with EEA relevance)

(2001/282/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 <sup>(1)</sup>, as last amended by Directive 92/118/EEC <sup>(2)</sup>, and in particular Article 10 thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market <sup>(3)</sup>, as last amended by Directive 92/118/EEC, and in particular Article 9 thereof,

Whereas:

- (1) Following the reports of outbreaks of foot-and-mouth disease in the Netherlands, the Commission adopted Decision 2001/223/EC concerning certain protection measures with regard to foot-and-mouth disease in the Netherlands <sup>(4)</sup>, as last amended by Decision 2001/262/EC <sup>(5)</sup>.
- (2) The foot-and-mouth disease situation in certain parts of the Netherlands is liable to endanger the herds in other parts of the territory of the Netherlands and in other Member States in view of the placing on the market and trade in live biungulate animals and certain of their products.
- (3) The Netherlands have taken measures in the framework of Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease <sup>(6)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and furthermore has introduced further measures within the affected areas, and the measures laid down in Decision 2001/172/EC <sup>(7)</sup>, as last amended by Decision 2001/263/EC <sup>(8)</sup>.

(4) In the light of the disease evolution the Commission adopted Decision 2001/246/EC laying down the conditions for the control and eradication of foot-and-mouth disease in the Netherlands in application of Article 13 of Directive 85/511/EEC <sup>(9)</sup>.

(5) It appears appropriate to prolong the measure introduced by Decision 2001/223/EC and at the same time to adjust the regionalisation in the light of the disease evolution.

(6) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

Commission Decision 2001/223/EC is amended as follows:

1. A second subparagraph is added to Article 4(1) as follows:

This prohibition shall not apply to milk transported from holdings situated in the areas listed in Annex I outside the zones established in accordance with Article 9 of Directive 85/511/EEC directly to a designated establishment situated in parts of the territory listed in Annex II for treatment in accordance with paragraph 2, under the condition that:

- (a) transport of raw milk from holdings situated in the areas listed in Annex I to the establishments in the areas listed in Annex II is carried out in vehicles which were cleansed and disinfected prior to leaving the areas listed in Annex I and had no subsequent contact with holdings in the areas listed in Annex I keeping animals of species susceptible to foot-and-mouth disease,
- (b) effective measures are taken to avoid the dispersion of aerosol from the milk tank during transport and the evacuation of the milk from the means of transport to the milk tanks in the establishment,
- (c) the means of transport must be cleansed and disinfected after each such operation,

<sup>(1)</sup> OJ L 224, 18.8.1990, p. 29.<sup>(2)</sup> OJ L 62, 15.3.1993, p. 49.<sup>(3)</sup> OJ L 395, 30.12.1989, p. 13.<sup>(4)</sup> OJ L 82, 22.3.2001, p. 29.<sup>(5)</sup> OJ L 93, 3.4.2001, p. 58.<sup>(6)</sup> OJ L 315, 26.11.1985, p. 11.<sup>(7)</sup> OJ L 62, 2.3.2001, p. 22.<sup>(8)</sup> OJ L 93, 3.4.2001, p. 59.<sup>(9)</sup> OJ L 88, 28.3.2001, p. 11.

- (d) all milk processed on the same production line must undergo the treatment referred to in paragraph 2, unless the sanitary status of the line is re-established following effective cleansing and disinfection under the responsibility of the competent authorities,
- (e) the control of the compliance with the above listed conditions shall be carried out by the competent veterinary authority under the supervision of the central veterinary authorities who will communicate to other Member States and the Commission a list of those establishments which they have approved in application of these provisions.'
2. The date in Article 14 is replaced by '25 April 2001'.
3. The words in Annex I are replaced by 'In the Netherlands the areas of: The provinces of Gelderland, Overijssel, Flevoland and the areas of Sprang-Capelle and Maren-Kessel en Berghem in the province of Noord-Brabant as detailed in Annex III'.
4. The words in Annex II are replaced by 'In the Netherlands the areas of: All areas of mainland Netherlands except those in Annex I'.
5. A third Annex is added in accordance with the Annex to this Decision.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 6 April 2001.

*For the Commission*

David BYRNE

*Member of the Commission*

## ANNEX

## 'ANNEX III

## (1) Description of the area Sprang-Capelle:

1. Vanaf de Afslag Nieuwendijk nr. 22 (Nieuwendijk) de N322 volgend in oostelijke richting tot de Provincialeweg-Oost de N267.
2. De Provincialeweg-Oost, de N267 volgend in zuidoostelijke richting tot De Kromme Nol.
3. De Kromme Nol volgend in oostelijke richting overgaand in de Bergsche Maasdijk.
4. De Bergsche Maasdijk volgend in oostelijke richting tot de Slijkwellsedijk.
5. De Slijkwellsedijk volgend in zuidelijke richting overgaand in de Maaijenstraat.
6. De Maaijenstraat volgend in oostelijke richting overgaand in de Dorpstraat in Well.
7. De Dorpstraat volgend in oostelijke richting overgaand in de Dreef.
8. De Dreef volgend in noordoostelijke richting overgaand in de Horenkamp.
9. De Horenkamp volgend in noordelijke richting tot de Wellsedam.
10. De Wellsedam volgend in oostelijke richting overgaand in de Ammerstraat.
11. De Ammerstraat volgend in noordoostelijke richting tot de Kerkstraat.
12. De Kerkstraat volgend in oostelijke richting overgaand in de Haarstraat.
13. De Haarstraat volgend in oostelijke richting overgaand in de Ammerzodenseweg.
14. De Ammerzodenseweg volgend in oostelijke richting overgaand in de Uithovensestraat (Ammerzoden).
15. De Uithovensestraat volgend in oostelijke richting overgaand in de Voorstraat.
16. De Voorstraat volgend in oostelijke richting overgaand in de Blankensteijn.
17. De Blankensteijn volgend in oostelijke richting tot de Oude Rijksweg.
18. De Oude Rijksweg volgend in zuidelijke richting overgaand in de Treurenburg.
19. De Treurenburg volgend in zuidelijke richting tot de A59 's-Hertogenbosch-Centrum (afslag nr. 47).
20. Vanaf de A59, 's-Hertogenbosch-Centrum (afslag nr. 47) de A59 volgend in westelijke richting tot de Ring 's-Hertogenbosch-West (afslag nr. 45).
21. De A59, Ring 's-Hertogenbosch-West (afslag nr. 45) de Vlijmenseweg volgend in zuidoostelijke richting tot de Koningsweg.
22. De Koningsweg volgend in zuidelijke richting overgaand in de Vughterweg.
23. De Vughterweg volgend in zuidelijke richting tot de Rijksweg West, de N65.
24. De Rijksweg West, de N65 volgend in zuidwestelijke richting overgaand in de A65.
25. De A65 volgend in zuidelijke richting overgaand in de A58.
26. De A58 volgend in westelijke richting tot het knooppunt St. Annabosch.
27. Vanaf knooppunt St. Annabosch de A27 volgend in noordelijke richting tot de Afslag Nieuwendijk nr. 22 (Nieuwendijk).

## (2) Description of the area Maren-Kessel en Berghem:

1. Vanaf de Afslag Echteld 34 (Echteld) de N323 volgend in zuidelijke richting tot de Van Heemstraweg de N322.
2. De Van Heemstraweg, de N322 volgend in oostelijke richting tot de Noord-Zuid.
3. De Noord-Zuid, de N322 volgend in zuidelijke richting tot de Maas- en Waalweg.
4. De Maas- en Waalweg, de N322 volgend in oostelijke richting overgaand in de A73.
5. De A73 volgend in oostelijke richting tot het knooppunt Neerbosch.
6. Het knooppunt Neerbosch de A73 volgend in zuidelijke richting tot het knooppunt Haps 5.
7. Vanaf knooppunt Haps 5 de N264 volgend in westelijke richting overgaand in de rondweg Zuid in Uden.
8. De Rondweg Zuid volgend in westelijke richting tot de Rondweg N265.
9. De Rondweg N265 volgend in noordelijke richting tot de Nistelrodeseweg.

10. De Nistelrodeseweg volgend in noordelijke richting tot de Looweg in Uden.
  11. De Looweg volgend in westelijke richting overgaand in de Karperdijk.
  12. De Karperdijk volgend in westelijke richting overgaand in de Bedafseweg.
  13. De Bedafseweg volgend in westelijke richting overgaand in de Rietdijk.
  14. De Rietdijk volgend in westelijke richting tot de Heuvel.
  15. De Heuvel volgend in zuidelijke richting tot de Kapelstraat in Vorstenbosch.
  16. De Kapelstraat volgend in noordwestelijke richting overgaand in de Kampweg.
  17. De Kampweg volgend in noordwestelijke richting overgaand in de Dorpsstraat in Loosbroek.
  18. De Dorpsstraat volgend in noordwestelijke richting overgaand in de De Bleken.
  19. De Bleken volgend in westelijke richting overgaand in de Hooghei.
  20. De Hooghei volgend in westelijke richting overgaand in de Loofaert.
  21. De Loofaert volgend in westelijke richting tot de Berlicumseweg.
  22. De Berlicumseweg volgend in noordelijke richting tot de afslag Rosmalen 11.
  23. Vanaf de afslag Rosmalen (nr. 11) de A50 volgend in zuidelijke richting tot het knooppunt Hintham.
  24. Vanaf knooppunt Hintham de A2 volgend in noordelijke richting tot het knooppunt Empel.
  25. Vanaf knooppunt Empel de A59 volgend in westelijke richting tot de Treurenburg.
  26. De Treurenburg volgend in noordelijke richting overgaand in de Oude Rijksweg in Hedel.
  27. De Oude Rijksweg volgend in noordelijke richting tot het knooppunt Hedel (nr. 18) de A2.
  28. Vanaf knooppunt Hedel (nr. 18) de A2 volgend in noordelijke richting tot het knooppunt Deil.
  29. Vanaf knooppunt Deil de A15 volgend in oostelijke richting tot de Afslag Echteld 34 (Echteld).'
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**DECISION No 1/2001 OF THE EC-TURKEY CUSTOMS COOPERATION COMMITTEE**  
**of 28 March 2001**  
**amending Decision No 1/96 laying down detailed rules for the application of Decision No 1/95 of**  
**the EC-Turkey Association Council**

(2001/283/EC)

THE CUSTOMS COOPERATION COMMITTEE,

Having regard to the Agreement of 12 September 1963 establishing an Association between the European Economic Community and Turkey,

Having regard to Decision No 1/95 of the EC-Turkey Association Council of 22 December 1995 on implementing the final phase of the customs union <sup>(1)</sup> and in particular Article 3(6), Article 13(3) and Article 28(3) thereof,

Whereas:

- (1) There is a need to amend Decision No 1/96 of the Customs Cooperation Committee of 20 May 1996 laying down detailed rules for the application of Decision No 1/95 of the EC-Turkey Association Council <sup>(2)</sup>, as last amended by Decision No 2/97 of the

EC-Turkey Customs Cooperation Committee <sup>(3)</sup>, in respect of the conditions under which A.TR. certificates are issued and the subsequent verification of A.TR. certificates.

- (2) Adjustments occurred during the implementation of the final phase of the EC-Turkey customs union, which make amendments necessary to Decision No 1/96.
- (3) As from 1 January 2001, Turkey will apply for the products covered by Decision 1/95 the same customs duties in respect of third countries as the Community due to the expiry of the exception set out in Article 15 of Decision No 1/95,

HAS DECIDED AS FOLLOWS:

TITLE I

**GENERAL PROVISIONS**

*Article 1*

This Decision sets out implementing provisions for Decision No 1/95 of the EC-Turkey Association Council, hereafter referred to as the 'basic Decision'.

*Article 2*

For the purposes of this Decision:

1. 'third country' shall mean a country or territory which does not belong to the customs territory of the EC-Turkey customs union;
2. 'part of the customs union' shall mean, on the one hand, the customs territory of the Community and, on the other hand, the customs territory of Turkey.

TITLE II

**CUSTOMS PROVISIONS APPLICABLE TO TRADE IN GOODS BETWEEN THE TWO PARTS OF THE CUSTOMS UNION**

CHAPTER 1

*Article 4*

**General**

*Article 3*

Without prejudice to the provisions on free circulation laid down in the basic Decision, the Community Customs Code and its implementing provisions, which are applicable in the customs territory of the Community, and the Turkish Customs Code and its implementing provisions, which are applicable in the customs territory of Turkey, shall apply in trade in goods between the two parts of the customs union under the conditions laid down in this Decision.

1. For the implementation of Article 3(4) of the basic Decision, the import formalities shall be considered as having been complied with in the exporting State by the validation of the document necessary to enable the free circulation of the goods concerned.

2. The validation referred to in paragraph 1 shall cause a customs debt on importation to be incurred. It shall also give rise to the application of the commercial policy measures described in Article 12 of the basic Decision and to which the goods may be subject.

<sup>(1)</sup> OJ L 35, 13.2.1996, p. 1.

<sup>(2)</sup> OJ L 200, 9.8.1996, p. 14.

<sup>(3)</sup> OJ L 249, 12.9.1997, p. 18.

3. The moment when such customs debt is incurred shall be deemed to be the moment when the customs authorities accept the export declaration relating to the goods in question.

4. The debtor shall be the declarant. In the event of indirect representation, the person on whose behalf the declaration is made shall also be a debtor.

5. The amount of the customs duties corresponding to this customs debt shall be determined under the same conditions as in the case of a customs debt resulting from the acceptance, on the same date, of the declaration for release for free circulation of the goods concerned for the purpose of terminating the inward processing procedure.

## CHAPTER 2

### **Provisions concerning administrative cooperation for the movement of goods**

#### *Article 5*

Without prejudice to Article 11, proof that the necessary conditions for implementation of the provisions on free circulation for industrial products between the Community and Turkey are met shall be provided by documentary evidence issued at the exporter's request by the customs authorities of Turkey or of a Member State.

#### *Article 6*

1. The documentary evidence referred to in Article 5 shall be the A. TR. movement certificate. The specimen of this form is contained in Annex I.

2. The A. TR. certificate may be used only when the products are transported directly from the Community to Turkey or from Turkey to the Community. However, products constituting one single consignment may be transported through other territories with, should the occasion arise, transshipment or temporary warehousing in such territories, provided that they remain under the surveillance of the customs authorities in the country of transit or warehousing and do not undergo operations other than unloading, reloading or any operation designed to preserve them in good condition.

Products from Turkey or from the Community may be transported by pipeline across territory other than that of the Community or that of Turkey.

3. Evidence that the conditions set out in paragraph 2 have been fulfilled shall be supplied to the customs authorities of the importing country by the production of:

- (a) a single transport document covering the passage from the exporting country through the country of transit; or
- (b) a certificate issued by the customs authorities of the country of transit:

- (i) giving an exact description of the products;
- (ii) stating the dates of unloading and reloading of the products and, where applicable, the names of the ships, or the other means of transport used; and
- (iii) certifying the conditions under which the products remained in the transit country; or

(c) failing these, any substantiating documents.

#### *Article 7*

1. An A. TR. movement certificate shall be endorsed by the customs authorities of the exporting State when goods to which it relates are exported. It shall be made available to the exporter as soon as actual exportation has been effected or ensured.

2. An A. TR. movement certificate may be endorsed only where it can serve as the documentary evidence required for the purpose of implementing the free circulation provided for in the basic Decision.

3. The exporter applying for the issue of an A. TR. movement certificate shall be prepared to submit at any time, at the request of the customs authorities of the exporting State where the A. TR. movement certificate is issued, all appropriate documents proving the status of the products concerned as well as the fulfilment of the other requirements of the basic Decision and this Decision.

4. The issuing customs authorities shall take any steps necessary to verify the status of the products and the fulfilment of the other requirements of the basic Decision and this Decision. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate. The issuing customs authorities shall also ensure that the certificates are duly completed. In particular, they shall check whether the space reserved for the description of the products has been completed in such a manner as to exclude all possibility of fraudulent additions.

#### *Article 8*

1. An A. TR. movement certificate must be submitted, within four months of the date of issue by the customs authorities of the exporting State, to the customs authorities of the importing State.

2. A. TR. movement certificates submitted to the customs authorities of the importing State after the final date for presentation specified in paragraph 1 may be accepted where the failure to submit these documents by the final date set is due to exceptional circumstances.

3. In other cases of belated presentation, the customs authorities of the importing State shall accept movement A. TR. where the goods have been submitted before the said final date.

*Article 9*

1. A.TR. movement certificates shall be made out on the appropriate form, the specimen of which appears in Annex I, in one of the official languages of the Community or in Turkish and in accordance with the provisions of the domestic law of the exporting State. When certificates are made out in Turkish, they shall also be made out in one of the official languages of the Community. They shall be typed or hand-written in block letters in ink.

2. Each form shall measure 210 × 297 mm. The paper used must be white, sized for writing, not containing mechanical pulp and weighing not less than 25 g/m<sup>2</sup>. It shall have a printed green guilloche pattern background making any falsification by mechanical or chemical means apparent to the eye.

The Member States and Turkey may reserve the right to print the forms themselves or may have them printed by approved printers. In the latter case, each form shall include a reference to such approval. Each form shall bear the name and address of the printer or a mark by which the printer can be identified. It shall also bear a serial number by which it can be identified.

3. A.TR. movement certificates must be completed in accordance with the explanatory note contained in Annex II and any additional rules laid down in the framework of the customs union.

*Article 10*

1. Movement certificates shall be submitted to customs authorities in the importing State in accordance with the procedures laid down by that State. These authorities may require a translation of a certificate. They may also require the import declaration to be accompanied by a statement from the importer to the effect that the goods meet the conditions required for the free circulation.

2. The discovery of slight discrepancies between the statements made in the A.TR. movement certificates and those made in the document submitted to the customs authorities for the purpose of carrying out the import formalities for the goods shall not ipso facto render the certificates null and void if it is duly established that the certificates correspond to the goods presented.

3. Obvious formal errors such as typing errors on A. TR. movement certificates should not cause these certificates to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in these certificates.

4. In the event of the theft, loss or destruction of an A. TR. movement certificate, the exporter may apply to the customs authority which issued it for a duplicate to be made on the basis of the export documents in their possession. The duplicate A.TR. form issued in this way must be endorsed in box 8, with one of the following words together with the date of issue and serial number of the original certificate:

- DUPLICADO
- DUPLIKAT
- DUPLIKAT
- ΑΝΤΙΓΡΑΦΟ
- DUPLICATE
- DUPLICATA
- DUPLICATO
- DUPLICAAT
- SEGUNDA VIA
- KAKSOISKAPPALE
- DUPLIKAT
- İKINCI NÜSHADIR.

*Article 11*

1. By way of derogation from Article 7, a simplified procedure for the issue of A. TR movement certificates can be used in accordance with the following provisions.

2. The customs authorities in the exporting State may authorise any exporter, hereinafter referred to as an 'approved exporter', making frequent shipments for which A. TR. movement certificates may be issued and who offers, to the satisfaction of the competent authorities, all guarantees necessary to verify the status of the goods, not to submit at the time of the export to the customs office of the exporting State either the goods or the application for an A. TR. movement certificate relating to those goods, for the purpose of obtaining an A. TR. movement certificate under the conditions laid down in Article 7.

3. The customs authorities shall refuse the authorisation referred to in paragraph 2 to exporters who do not offer all the guarantees which they consider necessary. The competent authorities may withdraw the authorisation at any time. They must do so where the approved exporter no longer satisfies the conditions or no longer offers these guarantees.

4. The authorisation to be issued by the customs authorities shall specify in particular:

- (a) the office responsible for pre-endorsement of the certificates;
- (b) the manner in which the approved exporter must prove that those certificates have been used;
- (c) in the cases referred to in paragraph 5(b), the authority competent to carry out the subsequent verification referred to in Article 15.

5. The authorisation shall stipulate, at the choice of the competent authorities that the box reserved for endorsement by the customs must:

- (a) either be endorsed beforehand with the stamp of the competent customs office of the exporting State and the signature, which may be a facsimile, of an official of that office; or

(b) be endorsed by the approved exporter with a special stamp which has been approved by the customs authorities of the exporting State and corresponds to the specimen in Annex III. Such stamp may be preprinted on the forms.

6. In the cases referred to in paragraph 5(a), one of the following phrases shall be entered in box 8 'Remarks' of the A. TR. movement certificate:

«Procedimiento simplificado»

»Forenklet fremgangsmåde«

„Vereinfachtes Verfahren“

«Απλουστευμένη διαδικασία»

'Simplified procedure'

«Procédure simplifiée»

«Procedura semplificata»

„Vereenvoudigde regeling“

«Procedimento simplificado»

”Yksinkertaistettu menettely”

”Förenklat förfarande”

”Basitleştirilmiş prosedür”.

7. The completed certificate, bearing the phrase specified in paragraph 6 and signed by the approved exporter, shall be equivalent to a document certifying that the conditions specified in Article 5 have been fulfilled.

#### Article 12

When goods are placed under the control of a customs office in the Community or Turkey, it shall be possible to replace the original A. TR. movement certificate by one or more A. TR. movement certificates for the purpose of sending all or some of these goods elsewhere within the Community or Turkey. The replacement A. TR. movement certificate(s) shall be issued by the customs office under whose control the products are placed.

#### Article 13

1. The customs authorities of the Member States of the Community and of Turkey shall provide each other, through the European Commission, with specimen impressions of stamps used in their customs offices for the issue of A. TR. movement certificates and with the addresses of the customs authorities responsible for verifying those certificates.

2. In order to ensure the proper application of this Decision, the Community and Turkey shall assist each other, through the competent customs administrations, in checking the authenticity of A. TR. movement certificates and the correctness of the information given in them.

#### Article 14

1. Notwithstanding Article 7(1), A. TR. movement certificates may exceptionally be issued after exportation of the

products to which it relates if:

(a) it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances; or

(b) it is demonstrated to the satisfaction of the customs authorities that an A. TR. movement certificate was issued but was not accepted at importation for technical reasons.

2. For the implementation of paragraph 1, the exporter must indicate in his application the place and date of exportation of the products to which the A. TR. movement certificate relates, and state the reasons for his request.

3. The customs authorities may issue an A. TR. movement certificate retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

4. A. TR. movement certificates issued retrospectively must be endorsed in box 8 with one of the following phrases:

«EXPEDIDO A POSTERIORI»

»UDSTEDT EFTERFØLGENDE«

„NACHTRÄGLICH AUSGESTELLT“

«ΕΚΔΟΘΕΝ ΕΚ ΤΩΝ ΎΣΤΕΡΩΝ»

'ISSUED RETROSPECTIVELY'

«DELIVRE A POSTERIORI»

«RILASCIATO A POSTERIORI»

„AFGEGEVEN A POSTERIORI“

«EMITIDO A POSTERIORI»

”ANNETTU JÄLKIKÄTEEN”

”UTFÄRDAT I EFTERHAND”

”SONRADAN VERILMISTIR”.

#### Article 15

1. Subsequent verifications of A. TR. movement certificates shall be carried out at random or whenever the customs authorities of the importing State have reasonable doubts as to the authenticity of the certificates, the status of the products concerned or the fulfilment of the other requirements of the basic Decision or this Decision.

2. For the purposes of implementing the provisions of paragraph 1, the customs authorities of the importing State shall send the A. TR. movement certificate to the customs authorities of the exporting State, and the invoice, if it has been submitted, or a copy of these documents, giving, where appropriate, the reasons for the enquiry. In order to assist the verification, the customs authorities shall provide all the necessary documents and any information collected which indicate that the information on the A. TR. movement certificate is incorrect.

3. The verification shall be carried out by the customs authorities of the exporting State. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate.

4. If the customs authorities of the importing State decide to refuse the products concerned, the treatment provided for in the basic Decision while awaiting the results of the verification, release of the products shall be offered to the importer subject to any precautionary measures judged necessary.

5. The customs authorities requesting the verification shall be informed of the results of this verification within a maximum of 10 months. These results must indicate clearly whether the documents are authentic and whether the products concerned were in free circulation in the Community or Turkey and fulfil the other requirements of the basic Decision and this Decision.

6. If, in cases of reasonable doubt, there is no reply within 10 months or if the reply does not contain sufficient information to determine the authenticity of the document in question or the true status of the product, the requesting customs authorities shall, except in exceptional circumstances, refuse the treatment provided for in the basic Decision.

#### Article 16

Where disputes arise in relation to the verification procedures of Article 15 which cannot be settled between the customs authorities requesting a verification and the customs authorities responsible for carrying out this verification, or where they raise a question as to the interpretation of this Decision, they shall be submitted to the Customs Cooperation Committee.

In all cases, disputes between the importer and the customs authorities of the importing country shall be settled under the legislation of the said country.

### TITLE III

#### CUSTOMS PROVISIONS APPLICABLE TO TRADE IN GOODS WITH THIRD COUNTRIES

##### CHAPTER 1

#### **Provisions concerning the value of goods for customs purposes**

##### Article 20

The costs of transport and insurance, loading and handling charges associated with transport of third country goods after introduction of the goods into the territory of the customs union shall not be taken into consideration for customs valuation purposes, provided they are shown separately from the price actually paid or payable for the said goods.

##### CHAPTER 2

#### **Outward processing**

##### Article 21

For the purpose of this Chapter, 'triangular traffic' shall mean the system under which the compensating products after outward processing are released for free circulation with partial or total relief from import duties in the one part of the

##### Article 17

Penalties shall be imposed on any person who draws up, or causes to be drawn up, a document which contains incorrect information for the purpose of obtaining the treatment provided for in the basic Decision.

##### CHAPTER 3

#### **Provisions concerning the goods brought by travellers**

##### Article 18

Provided that they are not intended for commercial use, goods brought by travellers from one part of the customs union to the other part of the customs union shall benefit from free movement without being the subject of the certificate provided for in Chapter 2 when they are declared as goods fulfilling the conditions for free circulation and there is no doubt as to the accuracy of the declaration.

##### CHAPTER 4

#### **Postal consignments**

##### Article 19

Postal consignments (including postal packages) shall benefit from free movement without being the subject of the certificate provided for in Chapter 2, provided there is no indication on the packing or on the accompanying documents that the goods contained therein do not comply with the conditions set out in the basic Decision. This indication consists of a yellow label, the specimen of which is contained in Annex IV, affixed in all cases of this kind by the competent authorities of the exporting State.

customs union other than that from which the goods were temporarily exported.

##### Article 22

The use of the triangular traffic for outward processing operations shall be allowed, at the request of the holder, except for cases where the standard exchange system with prior importation is used.

##### Article 23

1. Where the triangular traffic system is used, information sheet INF 2 shall be used.

2. Information sheet INF 2, corresponding to the specimen and provisions contained in the Community and Turkish customs provisions, shall comprise one original and one copy which shall be presented together at the office of entry. Information sheet INF 2 shall be made out for the quantity of goods entered for the procedure. Where it is expected that the compensating or replacement products will be re-imported in

more than one consignment at different customs offices, the office of entry shall, at the request of the holder of the authorisation, issue the requisite number of INF 2 sheets made out for the quantity of goods entered for the procedure.

3. In the event of theft, loss or destruction of information sheet INF 2, the holder of the outward processing operation may ask the customs office which endorsed it for a duplicate to be issued. The said office shall comply with this request provided it can be shown that the temporary export goods in respect of which the duplicate is requested have not been re-imported.

The duplicate so issued shall bear one of the following indications:

- DUPLICADO
- DUPLIKAT
- DUPLIKAT
- ΑΝΤΙΠΛΑΦΟ
- DUPLICATE
- DUPLICATA
- DUPLICATO
- DUPLICAAT
- SEGUNDA VIA
- KAKSOISKAPPALE
- DUPLIKAT
- IKINCI NÜSHADIR.

4. The request for the issue of information sheet INF 2 shall constitute the consent of the holder of the authorisation to concede the benefit of the total or partial relief from import duties to another person.

#### Article 24

1. The office of entry for the procedure shall endorse the original and the copy of information sheet INF 2. It shall retain the copy and return the original to the declarant.

2. Where the office of entry for the procedure considers that the customs office where the declaration for free circulation will be presented requires certain authorisation particulars which do not appear on the information sheet, it shall enter such particulars on the information sheet.

3. The original of information sheet INF 2 shall be presented to the customs office where the goods leave the customs territory. That office shall certify on the original that the goods have left the said territory and shall return it to the person presenting it.

#### Article 25

1. Where the office of entry for the procedure is called upon to endorse information sheet INF 2, it shall indicate in box 16 thereof the means used to identify the temporary export goods.

2. Where samples are taken or illustrations or technical descriptions are used, the office referred to in paragraph 1 shall authenticate such samples, illustrations or technical descrip-

tions by affixing its customs seal either on the items, where their nature permits it, or on the packaging, in such a way that it cannot be tampered with.

A label bearing the stamp of the office and reference particulars of the export declaration shall be attached to the samples, illustrations or technical descriptions in a manner which prevents substitution.

3. The samples, illustrations or technical descriptions, authenticated and sealed in accordance with paragraph 2, shall be returned to the exporter, who shall present them with the seals intact when the compensating or replacement products are re-imported.

4. Where an analysis is required and the results will not be known until after the customs office has endorsed information sheet INF 2, the document containing the results of the analysis shall be given to the exporter in a sealed tamper-proof envelope.

#### Article 26

1. The importer of the compensating or replacement products shall present the original of information sheet INF 2 and, where appropriate, the means of identification referred to in Article 25(3) and (4) to the office of discharge when he lodges the declaration for release for free circulation.

2. Where the compensating or replacement products are released for free circulation in a single consignment or in more than one consignment but at the same customs office, that office shall note on the original of information sheet INF 2 the quantities of temporary export goods corresponding to the quantities of compensating or replacement products released for free circulation.

When information sheet INF 2 is discharged, it shall be annexed to the corresponding declaration. If it is not completely discharged, it shall be returned to the declarant and the declaration for release for free circulation shall be annotated accordingly.

3. Where the compensating or replacement products are released for free circulation in more than one consignment at more than one customs office and Article 23(2) has not been applied, the customs office where the first declaration for release for free circulation is lodged shall, at the request of the declarant, replace the initial information sheet INF 2 with further INF 2 sheets made out for the quantity of temporary export goods not yet released for free circulation. The customs office shall indicate on the replacement information sheet or sheets the number of the initial information sheet and the customs office which issued it. The quantities entered on the replacement information sheet or sheets shall be offset against the quantities entered on the initial information sheet INF 2 which, once discharged in this way, shall be annexed to the initial declaration for release for free circulation. As each of the replacement information sheets is discharged, it shall be annexed to the declaration for free circulation to which it refers.

*Article 27*

The office of discharge shall be empowered to ask the customs office which endorsed information sheet INF 2 for post-clearance verification of the authenticity of the information sheet and the accuracy of the particulars which it contains and any additional information entered on it.

The latter customs office shall comply with this request as soon as possible.

## CHAPTER 3

**Returned goods***Article 28*

1. Goods of one part of the customs union which, having been exported from its customs territory, are returned to the territory of the other part of the customs union and released for free circulation within a period of three years shall, at the request of the person concerned, be granted relief from import duties.

The three-year period may be exceeded in order to take account of special circumstances.

2. Where, prior to their exportation from the customs territory of one part of customs union, the returned goods had been released for free circulation at reduced or zero import duty because of their use for a particular purpose, exemption from duty under paragraph 1 shall be granted only if they are to be re-imported for the same purpose.

Where the purpose for which the goods in question are to be imported is no longer the same, the amount of import duties chargeable upon them shall be reduced by any amount levied on the goods when they were first released for free circulation. Should the latter amount exceed that levied on the entry for free circulation of returned goods, no refund shall be granted.

3. The relief from import duties provided for in paragraph 1 shall not be granted in the case of goods exported from the customs territory of one part of customs union under the outward processing procedure unless those goods remain in the state in which they were exported.

*Article 29*

The relief from import duties provided for in Article 28 shall be granted only if goods are re-imported in the state in which they were exported.

*Article 30*

Articles 28 and 29 shall apply *mutatis mutandis* to compensating products originally exported or re-exported subsequent to an inward processing procedure.

The amount of import duty legally owed shall be determined on the basis of the rules applicable under the inward processing procedure, the date of re-export of the compensating products being regarded as the date of release for free circulation.

*Article 31*

Returned goods shall be exempt from import duties even where they represent only a proportion of the goods previously exported from the customs territory of the other part of the customs union.

The same applies where the goods consist of parts or accessories belonging to machines, instruments, apparatus or other products previously exported from the customs territory of the other part of the customs union.

*Article 32*

1. By way of derogation from Article 29, returned goods in one of the following situations shall be exempt from import duties:

- (a) goods which, after having been exported from the customs territory of the other part of the customs union, have received no treatment other than that necessary to maintain them in good condition or handling which alters their appearance only;
- (b) goods which, after having been exported from the customs territory of the other part of the customs union, received treatment other than that necessary to maintain them in good condition or handling other than that altering their appearance, but which proved to be defective or unsuitable for their intended use, provided that one of the following conditions is fulfilled:
  - such treatment or handling was applied to the goods solely with a view to repairing them or restoring them to good condition,
  - their unsuitability for their intended use became apparent only after such treatment or handling had commenced.

2. Where returned goods have undergone treatment or handling permitted under paragraph 1(b) and such treatment would have rendered them liable to import duties if they had come under outward processing arrangements, the rules in force for charging duty under the said arrangement shall apply.

However, if goods have undergone an operation consisting of repair or restoration to good condition which became necessary as a result of unforeseen circumstances which arose outside the customs territories of both parts of the customs union, this being established to the satisfaction of the customs authorities, relief from import duties shall be granted provided that the value of the returned goods is not higher, as a result of such operation, than their value at the time of export from the customs territory of the other part of the customs union.

3. For the purposes of the second subparagraph of paragraph 2:

- (a) 'repair or restoration to good condition which became necessary' shall mean any operation to remedy operating defects or material damage suffered by goods while they were outside the customs territories of both parts of the customs union, without which the goods could no longer be used in the normal way for the purposes for which they were intended;
- (b) the value of returned goods shall be considered not to be higher, as a result of the operation which they have undergone, than their value at the time of export from the customs territory of the other part of the customs union, when the operation does not exceed that which is strictly necessary to enable them to continue to be used in the same way as at that time.

When the repair or restoration to good condition of goods necessitates the incorporation of spare parts, such incorporation shall be limited to those parts strictly necessary to enable the goods to be used in the same way as at the time of export.

#### Article 33

When completing the customs export formalities, the customs authorities shall, at the request of the person concerned, issue a document containing the information necessary for identification of the goods in the event of their being returned to the customs territory of one part of the customs union.

#### Article 34

1. The following shall be accepted as returned goods:
  - goods for which the following documents are produced in support of the declaration for release for free circulation:
    - (a) the copy of the export declaration returned to the exporter by the customs authorities, or a copy of such document certified true by the said authorities; or
    - (b) the information sheet provided for in Article 35.

Where evidence available to the customs authorities at the customs office of re-importation or ascertainable by them from the person concerned indicates that the goods declared for free circulation were originally exported from the customs territory of the other part of the customs union, and at the time satisfied the conditions for acceptance as returned goods, the documents referred to in (a) and (b) shall not be required;

- goods covered by an ATA carnet issued in the other part of the customs union.

These goods may be accepted as returned goods within the limits laid down by Article 28, even when the validity of the ATA carnet has expired.

In all cases, the following formalities shall be carried out:

- verification of the information given in boxes A to G of the re-importation voucher,
- completion of the counterfoil and box H of the re-importation sheet,
- retention of the re-importation voucher.

2. The first indent of paragraph 1 shall not apply to the international movement of packing materials, means of transport or certain goods admitted under specific customs arrangements where autonomous or conventional provisions lay down that customs documents are not required in these circumstances.

Nor shall it apply in cases where goods may be declared for release for free circulation orally or by any other act.

3. Where they consider it necessary, the customs authorities at the customs office of re-importation may ask the person concerned to submit additional evidence, in particular for the purposes of identification of the returned goods.

#### Article 35

Information sheet INF 3 shall be drawn up in an original and two copies on forms which conform to the specimens contained in the Community and Turkish customs provisions.

#### Article 36

1. Information sheet INF 3 shall be issued at the exporter's request by the customs authorities at the customs office of exportation at the time of completion of the export formalities for the goods concerned, if the exporter declares that it is probable that these goods will be returned via a customs office of the other part of the customs union.

2. Information sheet INF 3 may also be issued, at the exporter's request, by the customs authorities at the customs office of exportation after completion of the export formalities for the goods concerned, provided that these authorities can establish, on the basis of the information at their disposal, that the particulars in the exporter's request relate to the goods exported.

#### Article 37

1. Information sheet INF 3 shall contain all items of information required by the customs authorities for the purpose of identifying the exported goods.

2. Where it is expected that the exported goods will be returned to the customs territory of the other part of the customs union or to the customs territory of both parts of the customs union through several customs offices other than the customs office of exportation, the exporter may ask for several information sheets INF 3 to be issued to cover the total quantity of the goods exported.



Similarly, the exporter may ask the customs authorities which issued an information sheet INF 3 to replace it by several information sheets INF 3 covering the total quantity of goods included in the information sheet INF 3 initially issued.

The exporter may also ask for an information sheet INF 3 to be issued in respect of a proportion only of the exported goods.

*Article 38*

The original and one copy of information sheet INF 3 shall be returned to the exporter for presentation at the customs office of re-importation. The second copy shall be kept in the official files of the customs authorities that issued it.

*Article 39*

The customs office of re-importation shall record on the original and on the copy of information sheet INF 3 the quantity of returned goods exempted from import duties, retaining the original and sending the copy, bearing the reference number and the date of declaration for free circulation, to the customs authorities which issued it.

The said customs authorities shall compare this copy with the one in their possession and retain it in their official files.

*Article 40*

In the event of theft, loss or destruction of the original information sheet INF 3, the person concerned may ask the customs authorities which issued it for a duplicate. They shall comply with this request if the circumstances warrant it. A duplicate so issued shall bear one of the following indications:

- DUPLICADO
- DUPLIKAT
- DUPLIKAT
- ΑΝΤΙΓΡΑΦΟ
- DUPLICATE
- DUPLICATA

- DUPLICATO
- DUPLICAAT
- SEGUNDA VIA
- KAKSOISKAPPALE
- DUPLIKAT
- İKİNCİ NÜSHADIR.

The customs authorities shall record on the copy of information sheet INF 3 in their possession that a duplicate has been issued.

*Article 41*

1. At the request of the customs authorities at the customs office of re-importation, the customs authorities at the customs office of exportation shall communicate to the former all the information at their disposal to enable them to determine whether the goods meet the conditions necessary to benefit from the provisions of this chapter.

2. Information sheet INF 3 may be used for the request and the transmission of the information referred to in paragraph 1.

TITLE IV

**FINAL PROVISIONS**

*Article 42*

This Decision shall replace Decision No 1/96.

This Decision shall apply from 1 January 2001.

Done at Ankara, 28 March 2001.

*For the Customs Cooperation Committee*

*The President*

O. ÖNAL

ANNEX I

MOVEMENT CERTIFICATE

1. <b>Exporter</b> (Name, full address, country)		<b>A.TR. No A 000000</b>	
		2. <b>Transport document</b> (Optional) No ..... Date .....	
3. <b>Consignee</b> (Name, full address, country) (Optional)		<b>ASSOCIATION between the EUROPEAN ECONOMIC COMMUNITY and TURKEY</b>	
		5. <b>Country of exportation</b>	6. <b>Country of destination</b> <sup>(1)</sup>
7. <b>Transport details</b> (Optional)		8. <b>Remarks</b>	
9. <b>Item No</b>	10. <b>Marks and numbers; number and kind of packages (for goods in bulk, indicate the name of the ship or the number of the railway wagon or road vehicle); description of goods</b>	11. <b>Gross weight weight (kg) or other measure (hl, m<sup>3</sup>, etc.)</b>	
12. <b>CUSTOMS ENDORSEMENT</b>		13. <b>DECLARATION BY THE EXPORTER</b>	
Declaration certified Export document <sup>(2)</sup> : Form ..... No ..... Customs office ..... Issuing country ..... ..... ..... ..... (Place and date) ..... (Signature)		Stamp I, the undersigned, declare that the goods described above meet the conditions required for the issue of this certificate. ..... (Place and date) ..... (Signature)	

<sup>(1)</sup> Insert the Member State or Turkey.  
<sup>(2)</sup> Complete only where the exporting country requires.

<p>14. REQUEST FOR VERIFICATION, to:</p>	<p>15. RESULT OF VERIFICATION</p>
<p>Verification of the authenticity and accuracy of this certificate is requested</p> <p>..... (Place and date)</p> <p>Stamp</p> <p>..... (Signature)</p>	<p>Verification carried out shows that this certificate <sup>(1)</sup></p> <p><input type="checkbox"/> was issued by the customs office indicated and that the information contained therein is accurate.</p> <p><input type="checkbox"/> does not meet the requirements as to authenticity and accuracy (see remarks appended).</p> <p>..... (Place and date)</p> <p>Stamp</p> <p>..... (Signature)</p> <p>..... (Signature)</p> <p>(<sup>1</sup>) Insert X in the appropriate box.</p>
<p>Full address of office making the request</p>	

## ANNEX II

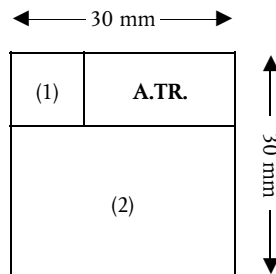
**EXPLANATORY NOTES FOR THE MOVEMENT CERTIFICATE****I. Rules for completing the movement certificate**

1. The A.TR. movement certificate must be completed in one of the languages in which the Agreement is drawn up and shall comply with the internal laws of the exporting State. When the certificate is completed in Turkish, it shall also be completed in one of the official languages of the Community.
2. The A.TR. movement certificate must be typed or handwritten; if the latter, it must be completed in ink in block letters. It must not contain any erasure or superimposed correction. Any alteration must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and be endorsed by the customs authorities. A description of the products must be given in the box reserved for this purpose without leaving any blank lines. Where the box is not completely filled, a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

**II. Particulars to be entered in the various boxes**

1. Enter the full name and address of the person or company concerned.
  2. Where appropriate, enter the number of the transport document.
  3. Where appropriate, enter the full name and address of the person(s) or company(ies) to whom the goods are to be delivered.
  5. Enter the name of the country from which the goods are exported.
  6. Enter the name of the country concerned.
  9. Enter the number of the item in question in relation to the total number of articles on the certificate.
  10. Enter the marks, numbers, quantity, kind of packages and the normal trade description of the goods.
  11. Enter the gross mass of the goods described in the corresponding box 10, expressed in kilograms or other measure (hl, m<sup>3</sup>, etc).
  12. To be completed by the customs authority. Where appropriate, enter the particulars related to the export document (type and No of the form, name of the customs office and of the issuing country).
  13. Enter the place and date, signature and name of the exporter.
-

## ANNEX III

**Special stamp referred to in Article 11(5)**

- (1) Initials or coat of arms of the exporting State.  
(2) Such information as is necessary for the identification of the approved exporter.

## ANNEX IV

**Yellow label referred to in Article 19**