

English edition

Legislation

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 822/2001
of 24 April 2001
opening a Community tariff quota for barley for malting falling within CN code 1003 00**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) The Community has undertaken, in the conclusion of the GATT Article XXIV:6 negotiations, to examine problems identified if the functioning of the 'representative price' system for cereals appears to be impeding trade. Certain consignments of barley for malting have been subject to impediment.
- (2) In order to remedy such impediment, a Community tariff quota for barley for malting falling within CN code 1003 00 should be opened for 2001 and 2002.
- (3) Detailed rules for the application of this Regulation should be adopted pursuant to Article 23 of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. An annual Community tariff quota of 50 000 tonnes is hereby opened for 2001 and 2002 for high-graded barley falling within CN code 1003 00 and intended for the produc-

tion of malt used for the manufacture of certain beer aged in tanks containing beechwood.

2. The common customs tariff duty applicable shall be 50 % of the full rate of duty in force on the day of import, without the abatement applied on imports of barley for malting.

Article 2

The Commission shall adopt detailed rules for the application of this Regulation in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, and in particular:

- (a) provisions to guarantee the quality of the barley and, if necessary, provisions concerning recognition of documents enabling this guarantee to be verified;
- (b) provisions enabling it to be verified that the barley is used for the production of malt for the manufacture of beer in tanks containing beechwood.

Article 3

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

It shall apply from 1 January 2001.

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

Done at Luxembourg, 24 April 2001.

For the Council

The President

M. WINBERG

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

**COUNCIL REGULATION (EC) No 823/2001
of 24 April 2001**

amending Regulation (EEC) No 738/93 amending the transitional measures governing the common organisation of the market in cereals and rice in Portugal as provided for by Regulation (EEC) No 3653/90

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 234(3) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

- (1) Regulation (EEC) No 738/93⁽¹⁾ stipulates that the special aid to Portuguese cereal producers under Council Regulation (EEC) No 3653/90 of 11 December 1990 introducing transitional measures governing the common organisation of the market in cereals and rice in Portugal⁽²⁾, are to be granted until the end of the 2002/2003 marketing year. The Annex to the former Regulation fixes the level of the aid.
- (2) In recent years the income of Portuguese cereal producers has suffered under the overall impact of the reform of the common agricultural policy in that sector and of the successive reductions in the special aids provided for in the above arrangements. To lessen that impact, the

reduction in the special aid should be temporarily stabilised by keeping the level of aid for 2001/2002 at the 2000/2001 level,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 738/93, the amounts for the 2001/2002 marketing year shall be replaced by the following:

Common wheat:	41,13
Maize:	18,72
Barley, triticale, rye:	23,69
Sorghum:	16,25.

Article 2

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

It shall apply from 1 June 2001.

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

Done at Luxembourg, 24 April 2001.

For the Council

The President

M. WINBERG

⁽¹⁾ OJ L 77, 31.3.1993, p. 1.

⁽²⁾ OJ L 362, 27.12.1990, p. 28. Regulation as amended by Commission Regulation (EC) No 1664/95 (OJ L 158, 8.7.1995, p. 13).

COMMISSION REGULATION (EC) No 824/2001
of 27 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 ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 April 2001.

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

Done at Brussels, 27 April 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 27 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 ⁽¹⁾	Standard import value
0702 00 00	052	89,6
	204	80,0
	212	110,1
	999	93,2
0707 00 05	052	90,7
	999	90,7
0709 90 70	052	84,5
	999	84,5
0805 10 10, 0805 10 30, 0805 10 50	052	70,9
	204	51,0
	212	57,6
	220	57,6
	600	68,6
	624	57,5
	999	60,5
0808 10 20, 0808 10 50, 0808 10 90	388	91,7
	400	85,4
	404	106,6
	508	85,9
	512	85,2
	524	90,2
	528	83,9
	720	93,9
	804	102,0
	999	91,6
	0808 20 50	388
512		86,9
528		80,1
999		81,9

⁽¹⁾ 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 825/2001

of 27 April 2001

laying down special measures derogating from Regulation (EC) No 800/1999 and Regulation (EC) No 1520/2000 as regards products exported in the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Council Regulation (EC) No 2580/2000 ⁽²⁾, and in particular the first subparagraph of Article 8(3) thereof,

Whereas:

- (1) Following the confirmation of cases of foot-and-mouth disease in the United Kingdom, France, the Netherlands and Ireland on 20 February, 13 March and 21 March 2001 respectively, certain protective measures were introduced pursuant to Commission Decision 2001/145/EC ⁽³⁾, which was replaced by Decision 2001/172/EC ⁽⁴⁾, as amended in turn by Decision 2001/190/EC ⁽⁵⁾ (United Kingdom); Commission Decision 2001/208/EC ⁽⁶⁾ (France); Commission Decision 2001/223/EC ⁽⁷⁾ (the Netherlands); and Commission Decision 2001/234/EC ⁽⁸⁾ (Ireland).
- (2) Commission Regulation (EC) No 800/1999 ⁽⁹⁾, as last amended by Regulation (EC) No 90/2001 ⁽¹⁰⁾, lays down common detailed rules for the application of the system of export refunds on agricultural products.
- (3) Commission Regulation (EC) No 1520/2000 ⁽¹¹⁾, as amended by Regulation (EC) No 2390/2000 ⁽¹²⁾, lays down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds and, in particular, Articles 1, 5 to 15 and Annex F on refund certificates.
- (4) The economic interests of exporters have been prejudiced by the procedures for issuing health certificates adopted by certain Member States in implementation of the protective measures provided for by the relevant Decisions, and by certain measures taken by some third countries which have resulted in import restrictions. The

situation thus created has affected export opportunities under the conditions laid down by Regulations (EC) No 800/1999 and (EC) No 1520/2000.

- (5) It is therefore necessary to limit these harmful effects by adopting special measures and extending certain time limits laid down in Regulations (EC) No 800/1999 and (EC) No 1520/2000 in respect of export procedures which could not be completed because of the aforementioned circumstances. In particular, the time limit provided for by Regulation (EC) No 800/1999 should be extended to enable operators who have already completed the relevant customs export formalities or placed the goods in question under customs control to benefit from the extension of the validity of certificates.
- (6) The benefit of these derogations should be reserved for operators who can prove, in particular on the basis of the documents referred to in Article 1(2) of Council Regulation (EEC) No 4045/89 ⁽¹³⁾, as last amended by Regulation (EC) No 3235/94 ⁽¹⁴⁾, that they were prevented from carrying out export operations within the specified period by the aforementioned circumstances.
- (7) In view of current developments, the present Regulation should come into force immediately.
- (8) The measures provided for by this Regulation are in conformity with the opinion of the Management Committee for Horizontal Questions concerning trade in processed agricultural products not covered by Annex I to the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

1. The provisions of this Regulation shall apply to the agricultural products exported in the form of goods not covered by Annex I to the Treaty referred to in Article 1 of Regulation (EC) No 1520/2000, in so far as the exporter concerned can satisfy the competent authorities that he was unable to carry out export operations as a result of measures adopted under Community legislation or of health measures taken by the authorities of the third countries of destination following the confirmation of cases of foot-and-mouth disease in the Community.

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 298, 25.11.2000, p. 5.

⁽³⁾ OJ L 53, 23.2.2001, p. 25.

⁽⁴⁾ OJ L 62, 2.3.2001, p. 22.

⁽⁵⁾ OJ L 67, 9.3.2001, p. 88.

⁽⁶⁾ OJ L 73, 15.3.2001, p. 38.

⁽⁷⁾ OJ L 82, 22.3.2001, p. 29.

⁽⁸⁾ OJ L 84, 23.3.2001, p. 62.

⁽⁹⁾ OJ L 102, 17.4.1999, p. 11.

⁽¹⁰⁾ OJ L 14, 18.1.2001, p. 22.

⁽¹¹⁾ OJ L 177, 15.7.2000, p. 1.

⁽¹²⁾ OJ L 276, 27.10.2000, p. 3.

⁽¹³⁾ OJ L 388, 30.12.1989, p. 18.

⁽¹⁴⁾ OJ L 338, 28.12.1994, p. 16.

In making their appraisal, the competent authorities shall rely, in particular, on the commercial documents referred to in Article 1(2) of Regulation (EEC) No 4045/89.

2. On application by the holder, and by way of derogation from the first subparagraph of Article 9(2) of Regulation (EC) No 1520/2000, the validity of refund certificates, issued pursuant to that Regulation, which were applied for by 22 March 2001 at the latest and which did not expire before 30 March 2001, shall be extended until 30 September 2001 for the amount of the exports referred to in paragraph 1.

3. On application by the exporter, and by way of derogation from Articles 7(1) and 34(1) of Regulation (EC) No 800/1999, the 60-day time limit for leaving the customs territory of the Community shall be extended to 150 days in the case of products for which customs export formalities were completed by 29 March 2001 at the latest.

4. The 10 % and 15 % increases referred to in Articles 25(1) and 35(1) respectively of Regulation (EC) No 800/1999 shall not apply to exports carried out by 22 March 2001 at the

latest under the derogation provided for in Article 14 of Regulation (EC) No 1520/2000 or to those carried out under certificates applied for by 22 March 2001 at the latest.

If entitlement to refund is lost, the penalty provided for by Article 51(1)(a) of Regulation (EC) No 800/1999 shall not apply.

Article 2

The Member States shall notify the quantities covered by each of the measures provided for in this Regulation, specifying the certificate number and date of issue, the nomenclature code of the product(s) concerned and the initial and extended periods of validity.

Article 3

This Regulation shall enter into force on the 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, 27 April 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

COMMISSION REGULATION (EC) No 826/2001

of 27 April 2001

amending Regulation (EC) No 590/2001 derogating from and amending Regulation (EC) No 562/2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef

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 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 47(8) thereof,

Regulation (EC) No 590/2001 is amended as follows:

Whereas:

1. Article 1(3) is replaced by the following text:

- (1) Commission Regulation (EC) No 590/2001 ⁽²⁾, as amended by Regulation (EC) No 719/2001 ⁽³⁾, introduces a number of amendments and derogations to Commission Regulation (EC) No 562/2000 ⁽⁴⁾ in order to deal with the exceptional market situation resulting from the recent events linked to bovine spongiform encephalopathy (BSE). The subsequent epidemic of foot-and-mouth disease (FMD) has made certain further amendments necessary.
- (2) By derogating from Article 4(2) of Regulation (EC) No 562/2000, Article 1(2)(b) of Regulation (EC) No 590/2001 provides for the buying-in of five-rib forequarters. In the light of experience, certain rules on the takeover of the quarters should be established.
- (3) Article 1(3) of Regulation (EC) No 590/2001 provides, for the first two tendering procedures of the second quarter of 2001, the possibility of buying in carcasses weighing more than the maximum weight while restricting in that case the buying-in price to that of the maximum authorised weight. In order to clarify the situation with regard to the purchase of forequarters, a restriction should be applied relating to the second tendering procedure by limiting their buying-in price to 40 % of the maximum payable weight for carcasses.
- (4) Regulation (EC) No 590/2001 should therefore be amended.
- (5) In view of the development of events this Regulation must enter into force immediately.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

'3. Notwithstanding Article 4(2)(g) of Regulation (EC) No 562/2000, for the second quarter of 2001 the maximum weight of the carcasses referred to therein shall be:

- 430 kg for the first tendering procedure; however, carcasses weighing more than 430 kg may be bought into intervention but in that case the buying-in price paid shall not exceed the price for that maximum weight,
- 430 kg for the second tendering procedure; however, carcasses weighing more than 430 kg may be bought into intervention but in that case the buying-in price paid shall not exceed the price for that maximum weight or, in the case of forequarters, the buying-in price paid shall not exceed the price for 40 % of the maximum payable weight,
- 410 kg for the third and fourth tendering procedures,
- 390 kg for the last two tendering procedures.'

2. In Article 1 the following paragraph 5a is inserted after paragraph 5:

'5a. Notwithstanding Article 17 of Regulation (EC) No 562/2000, where takeover is limited to forequarters, the latter must be presented together with the corresponding hindquarters in order to be accepted by the intervention agency, so that the maximum weight, presentation and classification of the carcasses from which they originate may be verified.

However, where preliminary inspection of the forequarters and hindquarters has been conducted under the conditions referred to in paragraph 3 of that Article, the forequarters accepted during that inspection may be presented without the hindquarters for definitive takeover at the intervention centre after being transported there in a sealed means of transport.'

Article 2

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

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 86, 27.3.2001, p. 30.

⁽³⁾ OJ L 100, 11.4.2001, p. 13.

⁽⁴⁾ OJ L 68, 16.3.2000, p. 22.

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

Done at Brussels, 27 April 2001.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 827/2001
of 27 April 2001
suspending the buying-in of butter in certain Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 2 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 213/2001 ⁽⁴⁾, lays down the criteria for opening or suspending the buying-in of butter by invitation to tender in the Member States.
- (2) Commission Regulation (EC) No 638/2001 ⁽⁵⁾ suspending the buying-in of butter in certain Member States establishes the list of Member States in which intervention is suspended. As a result of the market prices communicated by Sweden, intervention must be suspended in this country and the list of Member States

established by Regulation (EC) No 638/2001 adjusted accordingly.

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

HAS ADOPTED THIS REGULATION:

Article 1

Buying-in of butter by invitation to tender as provided for in Article 6(1) of Regulation (EC) No 1255/1999 is hereby suspended in Belgium, Luxembourg, Denmark, Germany, France, Greece, the Netherlands, Austria, Finland, Sweden and the United Kingdom.

Article 2

Regulation (EC) No 638/2001 is hereby repealed.

Article 3

This Regulation shall enter into force on 28 April 2001.

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

Done at Brussels, 27 April 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 37, 7.2.2001, p. 1.

⁽⁵⁾ OJ L 91, 31.3.2001, p. 27.

COMMISSION REGULATION (EC) No 828/2001**of 27 April 2001****fixing the maximum aid for concentrated butter for the 246th special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

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

- (2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 246th special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

- | | |
|---------------------|-----------------|
| — maximum aid: | EUR 117/100 kg |
| — end-use security: | EUR 129/100 kg. |

Article 2

This Regulation shall enter into force on 28 April 2001.

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

Done at Brussels, 27 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

**COMMISSION REGULATION (EC) No 829/2001
of 27 April 2001**

fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 74th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices and the maximum aid and processing securities applying for the 74th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 April 2001.

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

Done at Brussels, 27 April 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 27 April 2001 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 74th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter \geq 82 %	Unaltered	—	—	—	—
		Concentrated	199	—	199	—
Processing security	Unaltered		—	—	—	—
	Concentrated		144	—	144	—
Maximum aid	Butter \geq 82 %		95	91	95	91
	Butter < 82 %		—	88	—	—
	Concentrated butter		117	113	117	113
	Cream		—	—	40	38
Processing security	Butter		105	—	105	—
	Concentrated butter		129	—	129	—
	Cream		—	—	44	—

**COMMISSION REGULATION (EC) No 830/2001
of 27 April 2001**

**fixing the maximum purchasing price for butter for the 27th invitation to tender carried out under
the standing invitation to tender governed by Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 13 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 213/2001 ⁽⁴⁾, provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed in relation to the interven-

tion price applicable and that it may also be decided not to proceed with the invitation to tender.

- (2) As a result of the tenders received, the maximum buying-in price should be fixed as set out below.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 27th invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 24 April 2001, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 28 April 2001.

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

Done at Brussels, 27 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 37, 7.2.2001, p. 1.

COMMISSION REGULATION (EC) No 831/2001
of 27 April 2001
amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals
products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EC) No 632/2001 ⁽⁴⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and

Madeira should be set at the amounts given in the Annex.

- (2) 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 Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

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, 27 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 185, 4.7.1992, p. 28.

⁽⁴⁾ OJ L 91, 31.3.2001, p. 15.

ANNEX

to the Commission Regulation of 27 April 2001 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

(EUR/t)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Common wheat (1001 90 99)	17,00	17,00
Barley (1003 00 90)	17,00	17,00
Maize (1005 90 00)	43,00	43,00
Durum wheat (1001 10 00)	17,00	17,00

COMMISSION REGULATION (EC) No 832/2001
of 27 April 2001
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products
from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 2(6) thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 630/2001 ⁽⁴⁾, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community

and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex.

- (2) 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 Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

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, 27 April 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 43, 19.2.1992, p. 23.

⁽⁴⁾ OJ L 91, 31.3.2001, p. 11.

ANNEX

to the Commission Regulation of 27 April 2001 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(EUR/t)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	21,00	21,00	21,00	25,00
Barley (1003 00 90)	21,00	21,00	21,00	25,00
Maize (1005 90 00)	46,00	46,00	46,00	49,00
Durum wheat (1001 10 00)	21,00	21,00	21,00	25,00
Oats (1004 00 00)	42,50	42,50	—	—

COMMISSION REGULATION (EC) No 833/2001
of 27 April 2001
amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals
products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 631/2001 ⁽⁴⁾, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the

world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex.

- (2) 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 Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

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, 27 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 185, 4.7.1992, p. 26.

⁽⁴⁾ OJ L 91, 31.3.2001, p. 13.

ANNEX

to the Commission Regulation of 27 April 2001 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

(EUR/t)

Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	17,00
Barley	(1003 00 90)	17,00
Maize	(1005 90 00)	43,00
Durum wheat	(1001 10 00)	17,00
Oats	(1004 00 00)	39,50

COMMISSION REGULATION (EC) No 834/2001**of 27 April 2001****fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Commission Regulation (EC) No 1666/2000 ⁽²⁾, and in particular the third subparagraph of Article 13(2) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1667/2000 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section.
- (2) In order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid

actions, the level of the refunds granted for these actions should be determined.

- (3) The general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.
- (4) The specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

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, 27 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 288, 25.10.1974, p. 1.

ANNEX

**to the Commission Regulation of 27 April 2001 fixing the refunds applicable to cereal and rice sector products
supplied as Community and national food aid**

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	12,00
1002 00 00 9000	34,50
1003 00 90 9000	0,00
1004 00 00 9400	36,50
1005 90 00 9000	40,00
1006 30 92 9100	249,00
1006 30 92 9900	249,00
1006 30 94 9100	249,00
1006 30 94 9900	249,00
1006 30 96 9100	249,00
1006 30 96 9900	249,00
1006 30 98 9100	249,00
1006 30 98 9900	249,00
1006 30 65 9900	249,00
1006 40 00 9000	—
1007 00 90 9000	40,00
1101 00 15 9100	9,50
1101 00 15 9130	9,00
1102 20 10 9200	54,05
1102 20 10 9400	46,33
1102 30 00 9000	—
1102 90 10 9100	0,00
1103 11 10 9200	0,00
1103 11 90 9200	0,00
1103 13 10 9100	69,50
1103 14 00 9000	—
1104 12 90 9100	64,30
1104 21 50 9100	0,00

NB: The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), amended.

**COMMISSION REGULATION (EC) No 835/2001
of 27 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 ⁽¹⁾, as last amended by Regulation (EC) No 1667/2000 ⁽²⁾, and in particular Article 13 ⁽³⁾ thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2281/2000 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2281/2000 is hereby fixed on the basis of the tenders submitted from 20 to 26 April 2001 at 227,00 EUR/t.

Article 2

This Regulation shall enter into force on 28 April 2001.

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

Done at Brussels, 27 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 260, 14.10.2000, p. 7.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 836/2001**of 27 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 ⁽¹⁾, as last amended by Regulation (EC) No 1667/2000 ⁽²⁾, and in particular Article 13 ⁽³⁾ thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2282/2000 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled 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 20 to 26 April 2001 at 229,00 EUR/t.

Article 2

This Regulation shall enter into force on 28 April 2001.

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

Done at Brussels, 27 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 260, 14.10.2000, p. 10.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 837/2001**of 27 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 ⁽¹⁾, as last amended by Regulation (EC) No 1667/2000 ⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2283/2000 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2283/2000 is hereby fixed on the basis of the tenders submitted from 20 to 26 April 2001 at 248,00 EUR/t.

Article 2

This Regulation shall enter into force on 28 April 2001.

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

Done at Brussels, 27 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 260, 14.10.2000, p. 13.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 838/2001**of 27 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 ⁽¹⁾, as last amended by Regulation (EC) No 1667/2000 ⁽²⁾, and in particular Article 13 ⁽³⁾ thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2284/2000 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund on wholly milled long grain 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 20 to 26 April 2001 at 325,00 EUR/t.

Article 2

This Regulation shall enter into force on 28 April 2001.

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

Done at Brussels, 27 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 260, 14.10.2000, p. 16.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 839/2001
of 27 April 2001
fixing the export refunds on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat⁽¹⁾, as last amended by Regulation (EC) No 1365/2000⁽²⁾, and in particular the second paragraph of Article 13(3) thereof,

Whereas:

(1) Article 13 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1(1) of that Regulation and prices for these products within the Community may be covered by an export refund.

(2) It follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below.

(3) In the case of products falling within CN code 0210 19 81, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within these codes and of the foreseeable trend of production costs on the world market. It is important that the Community should continue to take part in international trade in the case of certain typical Italian products falling within CN code 0210 19 81.

(4) Because of the conditions of competition in certain third countries, which are traditionally importers of products falling within CN codes 1601 00 and 1602, the refund for these products should be fixed so as to take this situation into account. Steps should be taken to ensure

that the refund is granted only for the net weight of the edible substances, to the exclusion of the net weight of the bones possibly contained in the said preparations.

(5) Article 13 of Regulation (EEC) No 2759/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1(1) of Regulation (EEC) No 2759/75 according to destination.

(6) The refunds should be fixed taking account of the amendments to the refund nomenclature established by Commission Regulation (EEC) No 3846/87⁽³⁾, as last amended by Regulation (EC) No 2849/2000⁽⁴⁾.

(7) Refunds should be granted only on products that are allowed to circulate freely within the Community. Therefore, to be eligible for a refund, products should be required to bear the health mark laid down in Council Directive 64/433/EEC⁽⁵⁾, as last amended by Directive 95/23/EC⁽⁶⁾, Council Directive 94/65/EC⁽⁷⁾ and Council Directive 77/99/EEC⁽⁸⁾, as last amended by Directive 97/76/EC⁽⁹⁾.

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund specified in Article 13 of Regulation (EEC) No 2759/75 is granted and the amount of the refund shall be as set out in the Annex hereto.

The products concerned must comply with the relevant provisions on health marks laid down in:

- Chapter XI of Annex I to Directive 64/433/EEC,
- Chapter VI of Annex I to Directive 94/65/EC,
- Chapter VI of Annex B to Directive 77/99/EEC.

Article 2

This Regulation shall enter into force on 30 April 2001.

⁽³⁾ OJ L 366, 24.12.1987, p. 1.

⁽⁴⁾ OJ L 335, 30.12.2000, p. 1.

⁽⁵⁾ OJ 121, 29.7.1964, p. 2012/64.

⁽⁶⁾ OJ L 243, 11.10.1995, p. 7.

⁽⁷⁾ OJ L 368, 31.12.1994, p. 10.

⁽⁸⁾ OJ L 26, 31.1.1977, p. 85.

⁽⁹⁾ OJ L 10, 16.1.1998, p. 25.

⁽¹⁾ OJ L 282, 1.11.1975, p. 1.

⁽²⁾ OJ L 156, 29.6.2000, p. 5.

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

Done at Brussels, 27 April 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 27 April 2001 fixing the export refunds on pigmeat

Product code	Destination	Unit of measurement	Amount of refund
0210 11 31 9110	P05	EUR/100 kg	65,00
0210 11 31 9910	P05	EUR/100 kg	65,00
0210 12 19 9100	P05	EUR/100 kg	14,00
0210 19 81 9100	P05	EUR/100 kg	68,00
0210 19 81 9300	P05	EUR/100 kg	55,00
1601 00 91 9120	P05	EUR/100 kg	20,00
1601 00 99 9110	P05	EUR/100 kg	15,00
1602 41 10 9210	P05	EUR/100 kg	45,00
1602 42 10 9210	P05	EUR/100 kg	24,00
1602 49 19 9120	P05	EUR/100 kg	15,00

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

The numeric destination codes are set out in Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14).

The other destinations are defined as follows:

P05 All destinations except the Czech Republic, the Slovak Republic, Hungary, Poland, Bulgaria, Latvia, Estonia, Lithuania.

COMMISSION REGULATION (EC) No 840/2001
of 27 April 2001
amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to tender

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, and in particular Article 47(8) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽²⁾, as last amended by Regulation (EC) No 710/2001 ⁽³⁾, opened buying in by invitation to tender in certain Member States or regions of a Member State for certain quality groups.
- (2) The application of Article 47(3), (4) and (5) of Regulation (EC) No 1254/1999 and the need to limit intervention to buying in the quantities necessary to ensure

reasonable support for the market result, on the basis of the prices of which the Commission is aware, in an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying in is open by invitation to tender, and the list of the quality groups which may be bought in,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 28 April 2001.

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

Done at Brussels, 27 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 159, 10.6.1989, p. 36.

⁽³⁾ OJ L 99, 10.4.2001, p. 6.

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1 del Reglamento (CEE) n° 1627/89

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1, i forordning (EØF) nr. 1627/89

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 der Verordnung (EWG) Nr. 1627/89 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 1627/89

Member States or regions of a Member State and quality groups referred to in Article 1 (1) of Regulation (EEC) No 1627/89

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er} paragraphe 1 du règlement (CEE) n° 1627/89

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1 del regolamento (CEE) n. 1627/89

In artikel 1, lid 1, van Verordening (EEG) nr. 1627/89 bedoelde lidstaten of gebieden van een lidstaat en kwaliteitsgroepen

Estados-Membros ou regiões de Estados-Membros e grupos de qualidades referidos no n.º 1 do artigo 1.º do Regulamento (CEE) n.º 1627/89

Jäsenvaltiot tai alueet ja asetuksen (ETY) N:o 1627/89 1 artiklan 1 kohdan tarkoittamat laaturyhämät

Medlemsstater eller regioner och kvalitetsgrupper som avses i artikel 1.1 i förordning (EEG) nr 1627/89

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχές κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lidstaat of gebied van een lidstaat	Categorie A			Categorie C		
Estados-Membros ou regiões de Estados-Membros	Categoria A			Categoria C		
Jäsenvaltiot tai alueet	Luokka A			Luokka C		
Medlemsstater eller regioner	Kategori A			Kategori C		
	U	R	O	U	R	O
Belgique/België	×	×	×			
Danmark		×	×			
Deutschland	×	×	×			
España	×	×	×			
France	×	×	×			×
Ireland						×
Italia	×	×	×			
Österreich	×	×	×			
Nederland		×	×			

**COMMISSION REGULATION (EC) No 841/2001
of 27 April 2001**

fixing the export refunds on rice and broken rice and suspending the issue of export licences

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1667/2000 ⁽²⁾, and in particular the second subparagraph of Article 13(3) and (15) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (3) Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.
- (4) Export possibilities exist for a quantity of 14 315 tonnes of rice to certain destinations. The procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 409/2001 ⁽⁵⁾ should be used. Account should be taken of this when the refunds are fixed.
- (5) Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated.
- (6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (7) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.
- (8) The refund must be fixed at least once a month; whereas it may be altered in the intervening period.
- (9) It follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto.
- (10) For the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted.
- (11) 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 export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 14 315 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 28 April 2001.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 60, 1.3.2001, p. 27.

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

Done at Brussels, 27 April 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 27 April 2001 fixing the export refunds on rice and broken rice and suspending the issue of export licences

Product code	Destination	Unit of measurement	Amount of refunds (°)	Product code	Destination	Unit of measurement	Amount of refunds (°)
1006 20 11 9000	R01	EUR/t	186,00	1006 30 65 9100	R01	EUR/t	233,00
1006 20 13 9000	R01	EUR/t	186,00		R02	EUR/t	238,00
1006 20 15 9000	R01	EUR/t	186,00		R03	EUR/t	243,00
1006 20 17 9000	—	EUR/t	—		064	EUR/t	202,00
1006 20 92 9000	R01	EUR/t	186,00		A97	EUR/t	238,00
1006 20 94 9000	R01	EUR/t	186,00	1006 30 65 9900	021 and 023	EUR/t	238,00
1006 20 96 9000	R01	EUR/t	186,00		R01	EUR/t	233,00
1006 20 98 9000	—	EUR/t	—		064	EUR/t	202,00
1006 30 21 9000	R01	EUR/t	186,00	1006 30 67 9100	A97	EUR/t	238,00
1006 30 23 9000	R01	EUR/t	186,00		021 and 023	EUR/t	238,00
1006 30 25 9000	R01	EUR/t	186,00		064	EUR/t	202,00
1006 30 27 9000	—	EUR/t	—	1006 30 67 9900	064	EUR/t	202,00
1006 30 42 9000	R01	EUR/t	186,00	1006 30 92 9100	R01	EUR/t	233,00
1006 30 44 9000	R01	EUR/t	186,00		R02	EUR/t	238,00
1006 30 46 9000	R01	EUR/t	186,00		R03	EUR/t	243,00
1006 30 48 9000	—	EUR/t	—		064	EUR/t	202,00
1006 30 61 9100	R01	EUR/t	233,00		A97	EUR/t	238,00
	R02	EUR/t	238,00	1006 30 92 9900	021 and 023	EUR/t	238,00
	R03	EUR/t	243,00		R01	EUR/t	233,00
	064	EUR/t	202,00	1006 30 94 9100	R02	EUR/t	238,00
	A97	EUR/t	238,00		R03	EUR/t	243,00
	021 and 023	EUR/t	238,00		064	EUR/t	202,00
1006 30 61 9900	R01	EUR/t	233,00		A97	EUR/t	238,00
	A97	EUR/t	238,00	1006 30 94 9900	021 and 023	EUR/t	238,00
	064	EUR/t	202,00		R01	EUR/t	233,00
1006 30 63 9100	R01	EUR/t	233,00	1006 30 96 9100	A97	EUR/t	238,00
	R02	EUR/t	238,00		064	EUR/t	202,00
	R03	EUR/t	243,00		R01	EUR/t	233,00
	064	EUR/t	202,00		R02	EUR/t	238,00
	A97	EUR/t	238,00		R03	EUR/t	243,00
	021 and 023	EUR/t	238,00		064	EUR/t	202,00
1006 30 63 9900	R01	EUR/t	233,00	1006 30 96 9900	A97	EUR/t	238,00
	064	EUR/t	202,00		021 and 023	EUR/t	238,00
	A97	EUR/t	238,00		R01	EUR/t	233,00
					A97	EUR/t	238,00
					064	EUR/t	202,00
				1006 30 98 9100	021 and 023	EUR/t	238,00
				1006 30 98 9900	—	EUR/t	—
				1006 40 00 9000	—	EUR/t	—

(°) The procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 applies to licences applied for under that Regulation for the following quantities, depending on destination:

Destination R01: 2 968 t
Destinations R02, R03: 2 026 t
Destinations 021 and 023: 432 t
Destination 064: 8 589 t
Destination A97: 300 t.

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

The numeric destination codes are set out in Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14).

The other destinations are defined as follows:

R01 Switzerland, Liechtenstein, communes of Livigno and Campione d'Italia.

R02 Morocco, Algeria, Tunisia, Malta, Egypt, Israel, Lebanon, Libya, Syria, Ex-Spanish Sahara, Cyprus, Jordan, Iraq, Iran, Yemen, Kuwait, United Arab Emirates, Oman, Bahrain, Qatar, Saudi Arabia, Eritrea, West Bank/Gaza Strip, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovenia, Slovakia, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Yugoslavia, Former Yugoslav Republic of Macedonia, Albania, Romania, Bulgaria, Georgia, Armenia, Azerbaijan, Moldova, Ukraine, Kazakstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan.

R03 Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Uruguay, Paraguay, Brazil, Venezuela, Canada, Mexico, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Cuba, Bermuda, South Africa, Australia, New Zealand, Hong Kong SAR, Singapore, A40, A11 except Suriname, Guyana, Madagascar.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 9 April 2001

concluding consultations with the Republic of the Fiji Islands under Article 96 of the ACP-EC Partnership Agreement

(2001/334/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the ACP-EC Partnership Agreement signed at Cotonou (Benin) on 23 June 2000 as already put into anticipated application by Decision 1/2000 of the ACP-EC Council of Ministers,

Having regard to the Internal Agreement on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement, as put into provisional application by Decision of the Representatives of the Governments of the Member States of 18 September 2000, and, in particular, Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The essential elements cited in Article 9 of the ACP-EC Partnership Agreement have been violated by the unconstitutional replacement of the democratically elected Government of Fiji and the repeal of the 1997 Constitution.
- (2) Consultations under Article 96 of the ACP-EC Partnership Agreement were held on 19 October 2000, at which the Fijian authorities explained their point of view and made specific commitments particularly as regards the timetable for constitutional revision, the holding of free and fair elections before the end of June 2002 and the bringing to justice of those responsible for the 19 May coup.
- (3) Recent positive elements of Fiji's political development towards a return to a democratic system, which complement the above commitments, have also to be taken into consideration.

- (4) Democratic government has yet to be fully restored in Fiji,

HAS DECIDED AS FOLLOWS:

Article 1

Consultations with the Republic of the Fiji Islands under Article 96(2)(c) of the ACP-EC Partnership Agreement are hereby concluded.

Article 2

The measures specified in the attached draft letter are hereby adopted as appropriate measures within the meaning of Article 96(2)(c) of the ACP-EC Partnership Agreement.

The Council shall revoke these measures once free and fair elections have taken place and a legitimate government has assumed office in Fiji, in conditions which ensure respect for human rights, democratic principles and the rule of law.

This Decision shall be reviewed within six months.

Article 3

This Decision shall take effect on the date of its publication in the *Official Journal of the European Communities*.

Done at Luxembourg, 9 April 2001.

For the Council

The President

A. LINDH

DRAFT LETTER TO THE PRESIDENT OF THE REPUBLIC OF THE FIJI ISLANDS

Brussels, ...

H.E. Mr Ratu Josefa ILOILO
President of the Republic of the Fiji Islands
Government House
SUVA/FIJI

Sir,

The European Union attaches the utmost importance to the provisions of Article 9 of the ACP-EC Partnership Agreement. As essential elements of the Partnership Agreement, respect for human rights, democratic institutions and the rule of law are the basis of our relations.

Thus, the European Union condemned the 19 May 2000 coup and has expressed its deep concern at the ensuing political events in Fiji, deploring the deposing of President Ratu Sir Kamisese Mara, the taking hostage and the unconstitutional replacement of the democratically elected government, and the repeal of the 1997 Constitution.

The Council of the European Union therefore decided, on 4 August 2000, to invite the authorities of Fiji to hold consultations, with a view to assessing the situation in detail and remedying it.

These consultations took place in Brussels on 19 October 2000. A number of key issues were addressed, and the Fijian authorities, represented by Mr. Kaliopate Tavola, Minister of Foreign Affairs, External Trade and Sugar, of the Interim Government of Fiji, presented their point of view and made a series of commitments concerning a timetable for constitutional revision, the holding of free, democratic elections within 18 months and the bringing to justice of those responsible for the coup.

Subsequently, events in Fiji have taken a generally more positive course than the scenario apparent in October 2000.

The European Union welcomes the judgment of the Court of Appeal on 1 March 2001, stating that the 1997 Constitution remains the supreme law of Fiji.

The European Union welcomes the announcement that elections, under the 1997 Constitution, will be held from 25 August to 1 September 2001. These elections, if held in a free and fair manner, should lay the foundations for a full restoration of democracy in Fiji within a specified period of time.

In the light of the above, the European Union has decided to conclude the consultations held under Article 96 of the ACP-EC Partnership Agreement. The Union has decided to take the following appropriate measures, within the meaning of Article 96(2)(c) of the Agreement:

- the notification of the 9th EDF allocation will be made once free and fair elections have taken place and a legitimate Government has assumed office,
- financing and implementation of new programmes and projects under the 6th, 7th and 8th EDF National Indicative Programmes will go ahead once free and fair elections have taken place and a legitimate Government has assumed office.

Ongoing projects will be implemented as planned, with due regard for the principle of neutrality of Community aid during the run-up to the elections.

In addition, contributions to regional projects, operations of a humanitarian nature, trade cooperation and trade related preferences will continue unaffected in order to ensure that the economic interests of the ordinary people of Fiji are not harmed.

The Union is also willing to support Fiji in its return to democracy.

Once free and fair elections have taken place and a legitimate Government has assumed office, in conditions which ensure respect for human rights, democratic principles and the rule of law, the above measures will be revoked. In any case, the Union will review this decision within six months.

The European Union will continue to monitor events in Fiji, particularly with respect to the maintenance of law and order, the election campaign, the formation of a legitimate Government, and the bringing to trial of Mr George Speight and his associates.

The European Union would once again like to emphasise its desire to pursue the political dialogue with Fiji, on the basis of the ACP-EC Partnership Agreement.

Yours faithfully,

For the Commission

For the Council

...

...

**DECISION No 2/2001 OF THE EU-LATVIA ASSOCIATION COUNCIL
of 7 March 2001**

**adopting the terms and conditions for the participation of the Republic of Latvia in the financial
instrument for the environment (LIFE)**

(2001/335/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 Latvia, of the other part ⁽¹⁾, signed in Luxembourg on 12 June 1995, and in particular Article 109 thereof,

Whereas:

- (1) According to Article 109 of the Europe Agreement and Annex XVIII thereto, Latvia may participate in Community framework programmes, specific programmes, projects or other actions notably in the field of environment.
- (2) According to the same Article, the terms and conditions for Latvia's participation in these activities shall be decided by the Association Council,

HAS DECIDED AS FOLLOWS:

Article 1

As from 1 January 2001, Latvia shall participate in the financial instrument for the environment (hereinafter called LIFE)

according to the terms and conditions set out in Annexes I and II which shall form an integral part of this Decision.

Article 2

This Decision shall apply for the duration of the LIFE third phase, starting from 1 January 2001.

Article 3

Proposals submitted to the Commission by Latvia before 31 October 2000 for LIFE Nature and before 30 November 2000 for LIFE Environment shall be eligible for evaluation.

Article 4

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 7 March 2001.

For the Association Council

The President

I. BĒRZIŅŠ

⁽¹⁾ OJ L 26, 2.2.1998, p. 3.

ANNEX I

Terms and conditions for the participation of Latvia in the financial instrument for the environment (LIFE)

1. Latvia will participate in all actions of LIFE in accordance with the objectives, criteria, procedures and deadlines laid down in Regulation (EC) No 1655/2000 of the European Parliament and of the Council of 17 July 2000 concerning the Financial Instrument for the Environment (LIFE) ⁽¹⁾.
2. To participate in the programme, Latvia will pay each year a contribution to the general budget of the European Union according to the procedures outlined in Annex II.

If necessary in order to take into account LIFE developments, or the evolution of Latvia's absorption capacity, the Association Committee is entitled to adapt this contribution, so as to avoid budgetary imbalance in the implementation of LIFE.
3. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Latvia will be the same as those applicable to eligible institutions, organisations and individuals of the Community.

The Commission may take Latvian experts into consideration when appointing independent experts according to the relevant provisions of the decision establishing the programme to assist it in the project evaluation.
4. To reflect the Community dimension of LIFE, transnational projects and activities proposed by Latvia should, whenever relevant, include at least a partner from one of the Member States of the Community.
5. The Member States of the Community and Latvia will make every effort, within the framework of existing provisions, to facilitate the free movement and residence of experts and other eligible persons moving between Latvia and the Member States of the Community for the purpose of participating in activities covered by this Decision.
6. Activities covered by this Decision shall be exempt from imposition by Latvia of indirect taxes, customs duties, prohibitions and restrictions on imports and exports in respect of goods and services intended for use under such activities.
7. Without prejudice to the responsibilities of the Commission of the European Communities and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the programme pursuant to Article 9 of Regulation (EC) No 1655/2000, the participation of Latvia in the programme will be continuously monitored on a partnership basis involving the Commission and Latvia. Latvia will take part in any other specific activities set out by the Community in that context.
8. In conformity with the Community's Financial Regulations, contractual arrangements concluded with entities of Latvia shall provide for controls and audits to be carried out by, or under the authority of, the Commission and the Court of Auditors. Financial audits may be carried out with the purpose of controlling such entities' income and expenditure, related to the contractual obligations towards the Community. In a spirit of cooperation and mutual interest, the relevant authorities of Latvia shall provide any reasonable and feasible assistance as may be necessary or helpful under the circumstances to perform such controls and audits.
9. Without prejudice to the procedures referred to in Article 3(7) and in Article 11 of Regulation (EC) No 1655/2000, representatives of Latvia will, for the points which concern them, participate as observers in the relevant committees. These committees shall meet without the presence of representatives of Latvia for the rest of the points, as well as when voting takes place.
10. The language to be used in all contacts with the Commission, as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programmes, will be one of the official languages of the Community.
11. The Community and Latvia may terminate activities under this Decision at any time upon twelve months' notice in writing. Projects and activities in progress at the time of termination shall continue until their completion under the conditions laid down in the appropriate agreements.

⁽¹⁾ OJ L 192, 28.7.2000, p. 1.

ANNEX II

Financial contribution of Latvia to LIFE

1. The financial contribution to be paid by Latvia to the general budget of the European Union to participate in LIFE will be EUR 600 000 for each of the first two budgetary years. Supplementary costs of an administrative nature are included in the abovementioned amount.

The contribution to be paid by Latvia for the following period will be decided by the Association Council in the course of the year 2002.

2. Latvia will pay the contribution mentioned in point 1, partly from the Latvian national budget and partly from Latvia's PHARE National Programme. Subject to a separate PHARE programming procedure, the requested PHARE funds will be transferred to Latvia by means of a separate Financing Memorandum. Together with the part coming from Latvia's State budget, these funds will constitute Latvia's national contribution, out of which it will make payments in response to annual calls for funds from the Commission.
3. PHARE funds will be requested according to the following schedule:
 - EUR 285 000 for the contribution to LIFE for the first year 2001;
 - EUR 285 000 for the second year.

The remaining part of the contribution of Latvia will be covered from the Latvian State budget.

4. The Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽¹⁾ will apply, notably to the management of the contribution of Latvia.

Travel costs and subsistence costs incurred by representatives and experts of Latvia for the purposes of taking part as observers in the work of the relevant committees referred to in point 9 of Annex I or other meetings related to the implementation of LIFE shall be reimbursed by the Commission on the same basis as, and in accordance with, the procedures currently in force for non-governmental experts of the Member States of the European Union.

5. After the entry into force of this Decision and at the beginning of each following year, the Commission will send to Latvia a call for funds corresponding to its contribution to LIFE under this Decision.

This contribution shall be expressed in euros and paid into a euro bank account of the Commission.

Latvia will pay its contribution according to the call for funds:

- by 1 April for the part financed from its national budget, provided that the call for funds is sent by the Commission before 1 March, or at the latest one month after the call for funds is sent if later;
- by 1 April for the part financed from PHARE, provided that the corresponding amounts have been sent to Latvia by this time, or at the latest in a period of 30 days after these funds have been sent to Latvia.

Any delay in the payment of the contribution shall give rise to the payment of interest by Latvia on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Central Bank, on the due date, for its operations in euro, increased by 1,5 percentage points.

⁽¹⁾ OJ L 356, 31.12.1977, p. 1. Regulation as last amended by Regulation (EC) No 2673/1999 (OJ L 326, 18.12.1999, p. 1).

COMMISSION

COMMISSION DECISION

of 18 April 2001

amending Decision 1999/710/EC on the drawing-up of provisional lists of third-country establishments from which the Member States authorise imports of minced meat and meat preparations

(notified under document number C(2001) 1075)

(Text with EEA relevance)

(2001/336/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third-country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs ⁽¹⁾, as last amended by Council Decision 2001/4/EC ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) A provisional list of establishments producing minced meat and meat preparations was drawn up by Commission Decision 1999/710/EC ⁽³⁾.
- (2) The Slovak Republic has sent a list of establishments producing minced meat and meat preparations for which the responsible authorities certify that the establishments are in accordance with the Community rules.
- (3) A provisional list of establishments producing minced meat and meat preparations can thus be drawn up for the Slovak Republic in accordance with the procedure

laid down in Decision 95/408/EC in respect of certain countries.

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

HAS ADOPTED THIS DECISION:

Article 1

The text of the Annex to this Decision is added to the Annex to Commission Decision 1999/710/EC.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 April 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 243, 11.10.1995, p. 17.

⁽²⁾ OJ L 2, 5.1.2001, p. 21.

⁽³⁾ OJ L 281, 4.11.1999, p. 82.

ANNEX

Country: **SLOVAK REPUBLIC**

1	2	3	4	5	6
SK 16	Lumas Nitra a.s.	Nitra	Nitra	MM, MP	7

COMMISSION RECOMMENDATION**of 18 April 2001****concerning a coordinated programme for the official control of foodstuffs for 2001***(notified under document number C(2001) 1076)***(Text with EEA relevance)**

(2001/337/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs ⁽¹⁾, and in particular Article 14(3) thereof,

After consultation of the Standing Committee for Foodstuffs,

Whereas:

- (1) It is necessary, with a view to the sound operation of the internal market, to arrange for coordinated food inspection programmes at Community level.
- (2) Such programmes place emphasis on compliance with Community legislation, the protection of public health, consumer interests and fair trade practices.
- (3) Article 3 of Council Directive 93/99/EEC of 29 October 1993 on the subject of additional measures concerning the official control of foodstuffs ⁽²⁾ requires the laboratories referred to in Article 7 of Directive 89/397/EEC to comply with the criteria in European Standard EN 45000 series. Only such laboratories may be considered as laboratories suitable to carry out analyses within the coordinated programme of official controls.
- (4) The results from simultaneous implementation of national programmes and coordinated programmes may provide information and experience on which to base future control activities,

HEREBY RECOMMENDS:

1. During 2001 Member States should carry out inspections and controls including, where indicated, taking samples and analysing such samples in laboratories, with the aim of:
 - monitoring compliance with the Community labelling rules concerning the quantitative ingredients declaration (QUID),
 - assessing the bacteriological quality of smoked fish products.
2. Although sampling and/or inspection rates have not been set in this Recommendation, Member States should ensure

that they are sufficient to provide an overview of the subject under consideration in each Member State.

3. Member States should provide information as requested following the format of the record sheets provided in the Annex to this Recommendation to help enhance the comparability of results.
4. Foodstuffs submitted for analysis under this programme should be submitted to laboratories complying with the provisions of Article 3 of Directive 93/99/EEC.
5. Quantitative ingredients declaration (QUID)
 - 5.1. Scope of the programme

A statement of the quantity of an ingredient or category of ingredients used in the manufacture or preparation of foodstuff provides the consumer with better information and helps to ensure fair trade. According to Article 7 of European Parliament and Council Directive 2000/13/EC of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs ⁽³⁾, a declaration of quantity is compulsory if:

- the ingredient or category of ingredients concerned appears in the name under which the foodstuff is sold or is usually associated with that name by the consumer, or
- the ingredient or category of ingredients concerned is emphasised on the labelling in words, picture or graphics, or
- the ingredient or category of ingredients concerned is essential to characterise a foodstuff and to distinguish it from products with which it might be confused because of its name or appearance.

Products not labelled in accordance with the requirements of the abovementioned Directive should not be traded. However, products labelled before 14 February 2000 are permitted until the stocks are depleted. The aim of this element of the programme is to check the compliance of foodstuffs with the new provisions for quantitative ingredient declaration.

⁽¹⁾ OJ L 186, 30.6.1989, p. 23.

⁽²⁾ OJ L 290, 24.11.1993, p. 14.

⁽³⁾ OJ L 109, 6.5.2000, p. 29.

5.2. Method

The examinations should concern, in particular, milk products (i.e. yoghurt, cheese, etc.), fruits juices, and dry biscuits. The competent authorities of the Member States should carry out inspections on premises of manufacturers or importers of foodstuffs in order to check compliance with the provisions for quantitative ingredients declaration. Samples could be taken in addition to the inspections in order to determine the quantity of an ingredient or category of ingredients.

The results of the control should be recorded on the record sheet in Annex I.

6. Bacteriological quality of smoked fish

6.1. Scope of the programme

There is no Community legislation fixing specific microbiological standards for smoked fish. Experience shows that a considerable percentage of these products may be contaminated by pathogenic micro-organisms, including *Listeria monocytogenes*, and that the adoption of new techniques of production and processing may increase the risk of bacteriological contamination.

Listeria monocytogenes is known to cause foodborne outbreaks of listeriosis in humans, with potentially fatal consequences for susceptible categories of the population and therefore actions shall be taken to reduce the risk of human listeriosis from food consumption, in particular ready-to-eat food, such as smoked fish.

Certain measures may be adopted relating to the management of risk at the level of food business operators. Implementation of good hygiene practices and principles used to develop the HACCP (hazard analysis and critical control points) system are important tools in ensuring food safety.

The aim of this element of the programme is to assess the level of contamination on smoked fish, specifically on smoked salmon, in particular as concerns *Listeria monocytogenes* and indicator organisms for faecal contamination. The programme should allow the

assessment of the bacteriological quality of these products and possible risks for human health.

6.2. Method

The examinations should concern refrigerated and pre-packaged salmon and other hot or cold smoked fish. The competent authorities of the Member States should take samples of products at retail level, possibly close to the date of minimum durability. In those countries with important volumes of production, the taking of samples also at the site of production (raw material and/or finished products) is recommended. These samplings should be in the form of samples, from the same lot, comprising, when possible, five units of one hundred grams minimum each and the product should be kept in its original packaging. Products should be refrigerated as soon as samples have been taken and they should be sent immediately, in this state, to the laboratory.

The level of sampling is left to the judgement of the competent authorities of the Member States. In this regard, volume and characteristics of production, trade and consumption patterns are important factors to be taken into account.

Laboratories are allowed to use methods of their choice provided their level of performance matches the aims to be achieved. However, for detection and enumeration of *Listeria monocytogenes*, the most recent version of standard EN/ISO 11290-1 and EN/ISO 11290-2 is recommended. Additional equivalent methods recognised by competent authorities may also be used.

The results of the following controls should be recorded on the record sheet in Annex II. In the case of sampling at the site of production a separate record sheet should be used.

Done at Brussels, 18 April 2001.

For the Commission

David BYRNE

Member of the Commission

QUANTITATIVE INGREDIENTS DECLARATION

Member State:

Product identification	Number of product inspections	Number of infringements	Kind of infringement		Measures taken (number)								
			Not applying QUID	Giving wrong percentage	None	Verbal warning	Written warning	Improved in-house control required	Sales prohibition	Administrative penalty	Court action	Other	

BACTERIOLOGICAL QUALITY OF SMOKED FISH
(hot or cold smoked salmon, haddock, herrings and other smoked fish)

Member State:

Site of sampling: distribution/retail production/raw material production/finished product

Microbiological criteria	Product identification	Number of samples	Analysis results (*)			Method used (ref.)	Measures taken (number)			
			S	A	U		None	Action as regards the products	Action as regards the establishment of production	Other
Aerobic micro-organisms 30 °C Smoked salmon, haddock and other smoked fish: n=5, c=2, m=10 ⁶ /g, M=10 ⁷ /g smoked herring anchovies in brine: n=5, c=2, m=10 ⁵ /g, M=10 ⁶ /g										
Coagulase positive <i>Staphylococcus</i> Smoked salmon, haddock and other smoked fish: n=5, c=2, m=1/g, M=10/g sliced vacuum-packed smoked salmon: n=5, c=2, m=10/g, M=100/g										
<i>Escherichia coli</i> n=5, c=1, m=10/g, M=100/g or faecal coliforms n=5, c=1, m=1/g, M=10/g										
			Absent in 25 g	≤m	>					
<i>Listeria monocytogenes</i> (**) n=5, c=0, m=100/g										

n: Number of sample units.

c: Number of sample units between m and M.

(*) The batch is considered: satisfactory (S) if the value in all sample units is equal to or less than m; acceptable (A) if a maximum of c sample units is between m and M and all other sample units are equal to or less than m; unsatisfactory (U) if one or more sample units have value over M or more than c sample units have value between m and M.

(**) Indicate the value obtained where enumeration was performed.

COMMISSION DECISION
of 27 April 2001
concerning certain protective measures with regard to bivalve molluscs from or originating in Peru

(notified under document number C(2001) 1180)

(Text with EEA relevance)

(2001/338/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) In accordance with Article 22 of Directive 97/78/EC, the necessary measures must be adopted as regards the import of certain products from third countries where any cause likely to constitute a serious danger for animal or human health appears or is spreading.

(2) A Community inspection to Peru has shown serious deficiencies with regard to hygiene in bivalve mollusc production areas, and has demonstrated that there are insufficient guarantees about the efficiency of the controls carried out by the competent authorities.

Nevertheless, the Community inspection team has identified that the controls on eviscerated *Pectinidae* harvested from certain aquaculture areas and on the adductor muscles of non-aquaculture *Pectinidae* completely separated from the viscera and gonads, are sufficient to assure the safety of these products. There is a risk for public health with regard to the imports of bivalve molluscs from or originating in Peru, and it is thus appropriate to suspend them with immediate effect, with the exception of the *Pectinidae* products, under certain conditions.

(3) Considering the seriousness of the shortcomings identified during the inspection, the provisions of this Decision must be also applied to the products which have been dispatched to the Community before the entry into force of this Decision and presented for importation into the Community after its entry into force.

Furthermore, *Pectinidae* harvested from certain aquaculture areas and eviscerated and, the adductor muscles of non-aquaculture *Pectinidae* completely separated from the viscera and gonads, dispatched to the Community before the entry into force of this Decision and presented for importation into the Community after its

entry into force, should be checked in order to demonstrate the absence of marine biotoxins.

(4) This Decision will be reviewed in the light of the guarantees offered by the Peruvian authorities and on the basis of the results of a further Community inspection on the spot.

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

HAS ADOPTED THIS DECISION:

Article 1

This Decision shall apply to bivalve molluscs, echinoderms, tunicates and marine gastropods coming from or originating in Peru.

Article 2

1. Member States shall prohibit the introduction on their territory of products referred to in Article 1.

2. By derogation to the above prohibition, Member States shall accept the following products:

- (a) *Pectinidae* harvested in the aquaculture areas of Pucusana (001) and Guaynuna (002), provided that they are eviscerated;
- (b) adductor muscles of *Pectinidae*, provided that the viscera and the gonads have been completely removed.

Article 3

1. The provisions of Article 2(1) shall apply to consignments dispatched to the Community prior to the entry into force of this Decision and which are presented at the Community border inspection post for importation after its entry into force.

2. Consignments of products referred to in Article 2(2), dispatched to the Community prior to the entry into force of this Decision and which are presented at the Community border inspection post for importation after its entry into force shall be checked in order to ensure that the products concerned do not present a hazard to human health. This test must be carried out, in particular, with a view to detecting the presence of ASP, DSP and PSP.

⁽¹⁾ OJ L 24, 30.1.1998, p. 9.

Article 4

All expenditures incurred by the application of this Decision shall be charged to the consignor, the consignee or their agent.

Article 5

Member States shall modify the measures they apply to trade to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 6

This Decision shall be reviewed on the basis of the guarantees provided by the Peruvian competent authorities and on the basis of the results of a Community inspection on the spot.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 27 April 2001.

For the Commission

David BYRNE

Member of the Commission
