

English edition

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 869/2001
of 3 May 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 4 May 2001.

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

Done at Brussels, 3 May 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 3 May 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	76,1
	204	77,5
	212	110,1
	999	87,9
0707 00 05	052	76,1
	628	135,4
	999	105,8
0709 90 70	052	81,7
	999	81,7
0805 10 10, 0805 10 30, 0805 10 50	052	59,1
	204	47,9
	212	61,1
	220	60,8
	600	60,1
	624	59,8
	999	58,1
0808 10 20, 0808 10 50, 0808 10 90	388	98,0
	400	93,3
	404	91,6
	508	81,6
	512	91,7
	524	90,2
	528	92,2
	720	131,5
	804	101,5
	999	96,8

⁽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 870/2001**of 3 May 2001****determining the extent to which applications lodged in April 2001 for licences for certain eggs and poultrymeat products under the regime provided for by the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Romania and Bulgaria can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1899/97, of 29 September 1997, setting rules of application in the poultrymeat and egg sectors for the arrangements covered by the Europe Agreements with central and eastern European countries provided for by Council Regulations (EC) No 1727/2000, (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000, (EC) No 2435/2000 and (EC) No 2851/2000 and repealing Regulations (EEC) No 2699/93 and (EC) No 1559/94 ⁽¹⁾, as amended by Regulation (EC) No 2865/2000 ⁽²⁾ and in particular Article 4(5) thereof,

Whereas:

The applications for import licences lodged for the second quarter of 2001 are, in the case of some products, for quantities less than or equal to the quantities available and can

therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 April to 30 June 2001 submitted under Regulation (EC) No 1899/97 shall be met as referred to in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 4 May 2001.

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

Done at Brussels, 3 May 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 267, 30.9.1997, p. 67.⁽²⁾ OJ L 333, 29.12.2000, p. 6.

ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 April to 30 June 2001
10	100,00
11	—
17	—
18	—
25	—
26	—
27	—
34	100,00
35	—
36	—
40	—

COMMISSION REGULATION (EC) No 871/2001**of 3 May 2001****determining the extent to which applications lodged in April 2001 for import licences for certain egg sector products and poultrymeat pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1474/95 ⁽¹⁾ opening and providing for the administration of the tariff quotas in the egg sector and for egg albumin, as last amended by Regulation (EC) No 1356/2000 ⁽²⁾, and in particular Article 5(5) thereof,

Having regard to Commission Regulation (EC) No 1251/96 of 28 June 1996 opening and providing for the administration of tariff quotas in the poultrymeat sector and albumin ⁽³⁾, as last amended by Regulation (EC) No 1357/2000 ⁽⁴⁾ and in particular Article 5(5) thereof,

Whereas:

The applications for import licences lodged for the second quarter of 2001 are, in the case of certain products, for quantities less than or equal to the quantities available and can

therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for the period 1 April to 30 June 2001 submitted pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 shall be met as referred to in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 4 May 2001.

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

Done at Brussels, 3 May 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 145, 29.6.1995, p. 19.

⁽²⁾ OJ L 155, 28.6.2000, p. 36.

⁽³⁾ OJ L 161, 29.6.1996, p. 136.

⁽⁴⁾ OJ L 155, 28.6.2000, p. 38.

ANNEX

Group	Percentage of acceptance of import licences submitted for the period 1 April to 30 June 2001
E1	100,00
E2	62,06
E3	100,00
P1	100,00
P2	100,00
P3	2,69
P4	3,04

COMMISSION REGULATION (EC) No 872/2001**of 3 May 2001****determining the extent to which applications lodged in April 2001 for import licences for certain poultrymeat products under the regime provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1431/94 of 22 June 1994, laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2719/1999 ⁽²⁾, and in particular Article 4(4) thereof,

Whereas:

The applications for import licences lodged for the period 1 April to 30 June 2001 are greater than the quantities available

and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 April to 30 June 2001 submitted under Regulation (EC) No 1431/94 shall be met as referred to in the Annex to this Regulation.
2. Applications for import licences for the period 1 July to 30 September 2001 may be lodged pursuant to Regulation (EC) No 1431/94 for the total quantity as referred to in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 4 May 2001.

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

Done at Brussels, 3 May 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 156, 23.6.1994, p. 9.

⁽²⁾ OJ L 327, 21.12.1999, p. 48.

ANNEX

Group No	Percentage of acceptance of import certificates submitted for the period 1 April to 30 June 2001	Total quantity available for the period 1 July to 30 September 2001 (t)
1	1,64	1 775,00
2	1,65	1 275,00
3	1,79	825,00
4	2,10	450,00
5	2,38	175,00

COMMISSION REGULATION (EC) No 873/2001**of 3 May 2001****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 1701/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 602/2001⁽⁴⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund on exportation of common wheat to all third countries with the exclusion of certain ACP States was opened pursuant to Commission Regulation (EC) No 1701/2000⁽⁵⁾, as last amended by Regulation (EC) No 293/2001⁽⁶⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal 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

For tenders notified from 27 April to 3 May 2001, pursuant to the invitation to tender issued in Regulation (EC) No 1701/2000, the maximum refund on exportation of common wheat shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 4 May 2001.

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

Done at Brussels, 3 May 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 195, 1.8.2000, p. 18.

⁽⁶⁾ OJ L 43, 14.2.2001, p. 10.

COMMISSION REGULATION (EC) No 874/2001**of 3 May 2001****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 2014/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to certain ACP States was opened pursuant to Commission Regulation (EC) No 2014/2000 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal 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

For tenders notified from 27 April to 3 May 2001, pursuant to the invitation to tender issued in Regulation (EC) No 2014/2000, the maximum refund on exportation of common wheat shall be EUR 5,00/t.

Article 2

This Regulation shall enter into force on 4 May 2001.

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

Done at Brussels, 3 May 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 241, 26.9.2000, p. 23.

COMMISSION REGULATION (EC) No 875/2001**of 3 May 2001****fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 2317/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of barley to all third countries except for the United States of America and Canada was opened pursuant to Commission Regulation (EC) No 2317/2000 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal 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

For tenders notified from 27 April to 3 May 2001, pursuant to the invitation to tender issued in Regulation (EC) No 2317/2000, the maximum refund on exportation of barley shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 4 May 2001.

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

Done at Brussels, 3 May 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 267, 20.10.2000, p. 23.

COMMISSION REGULATION (EC) No 876/2001**of 3 May 2001****fixing the maximum export refund on rye in connection with the invitation to tender issued in Regulation (EC) No 1740/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, as last amended by Regulation (EC) No 602/2001⁽⁴⁾, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1740/2000⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal 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

For tenders notified from 27 April to 3 May 2001, pursuant to the invitation to tender issued in Regulation (EC) No 1740/2000, the maximum refund on exportation of rye shall be EUR 35,48/t.

Article 2

This Regulation shall enter into force on 4 May 2001.

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

Done at Brussels, 3 May 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 199, 5.8.2000, p. 3.

COMMISSION REGULATION (EC) No 877/2001**of 3 May 2001****fixing the maximum export refund on oats in connection with the invitation to tender issued in Regulation (EC) No 2097/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾,

Having regard to Commission Regulation (EC) No 2097/2000 of 3 October 2000 on a special intervention measure for cereals in Finland and Sweden ⁽⁵⁾, as last amended by Regulation (EC) No 680/2001 ⁽⁶⁾, and in particular Article 8 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 2097/2000.
- (2) Article 8 of Regulation (EC) No 2097/2000 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal 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

For tenders notified from 27 April to 3 May 2001, pursuant to the invitation to tender issued in Regulation (EC) No 2097/2000, the maximum refund on exportation of oats shall be EUR 36,59/t.

Article 2

This Regulation shall enter into force on 4 May 2001.

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

Done at Brussels, 3 May 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁵⁾ OJ L 249, 4.10.2000, p. 15.

⁽⁶⁾ OJ L 94, 4.4.2001, p. 20.

COMMISSION REGULATION (EC) No 878/2001**of 3 May 2001****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 555/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1666/2000⁽²⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported into Portugal was opened pursuant to Commission Regulation (EC) No 555/2001⁽³⁾.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 1839/95⁽⁴⁾, as last amended by Regulation (EC) No 2235/2000⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. A contract is

awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty 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

For tenders notified from 27 April to 3 May 2001, pursuant to the invitation to tender issued in Regulation (EC) No 555/2001, the maximum reduction in the duty on maize imported shall be 44,87 EUR/t and be valid for a total maximum quantity of 116 500 t.

Article 2

This Regulation shall enter into force on 4 May 2001.

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

Done at Brussels, 3 May 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 82, 22.3.2001, p. 12.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.

COMMISSION REGULATION (EC) No 879/2001**of 3 May 2001****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 730/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1666/2000⁽²⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported into Spain was opened pursuant to Commission Regulation (EC) No 730/2001⁽³⁾.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 1839/95⁽⁴⁾, as last amended by Regulation (EC) No 2235/2000⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. A contract is

awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty 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

For tenders notified from 27 April to 3 May 2001, pursuant to the invitation to tender issued in Regulation (EC) No 730/2001, the maximum reduction in the duty on maize imported shall be 51,48 EUR/t and be valid for a total maximum quantity of 27 150 tonnes.

Article 2

This Regulation shall enter into force on 4 May 2001.

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

Done at Brussels, 3 May 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 102, 12.4.2001, p. 32.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.

COMMISSION REGULATION (EC) No 880/2001
of 3 May 2001
fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13 (8) thereof,

Whereas:

- (1) Article 13 (8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, allows for the fixing of a corrective amount for the products listed in Article 1(1) (c) of Regulation (EEC) No 1766/92; that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) The world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination.
- (4) The corrective amount must be fixed at the same time as the refund and according to the same procedure; it may be altered in the period between fixings.
- (5) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (6) 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 corrective amount referred to in Article 1(1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance except for malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 May 2001.

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

Done at Brussels, 3 May 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

ANNEX

to the Commission Regulation of 3 May 2001 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10	6th period 11
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C01	0	0,00	—	-0,93	-1,86	—	—
1002 00 00 9000	A00	0	0,00	-35,00	-35,00	-35,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	0	0,00	0,00	-0,93	-1,86	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	0,00	-35,00	-35,00	-35,00	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	-1,00	-2,00	-3,00	-3,00	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	C01	0	0,00	-10,00	-10,00	-10,00	—	—
1101 00 15 9130	C01	0	0,00	-10,00	-10,00	-10,00	—	—
1101 00 15 9150	C01	0	0,00	-10,00	-10,00	-10,00	—	—
1101 00 15 9170	C01	0	0,00	-10,00	-10,00	-10,00	—	—
1101 00 15 9180	C01	0	0,00	-10,00	-10,00	-10,00	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	C01	0	0,00	-50,00	-50,00	-50,00	—	—
1102 10 00 9700	C01	0	0,00	-40,00	-40,00	-40,00	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	0,00	0,00	-1,40	-2,80	—	—
1103 11 10 9400	A00	0	0,00	0,00	-1,25	-2,50	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	0,00	0,00	-1,27	-2,54	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

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 as follows:

C01 All destinations except for Poland.

COMMISSION REGULATION (EC) No 881/2001
of 3 May 2001
fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(8),

Whereas:

- (1) Article 13(8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, allows for the fixing of a corrective amount for the malt referred to

in Article 1(1)(c) of Regulation (EEC) No 1766/92. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (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 corrective amount referred to in Article 13(4) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 May 2001.

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

Done at Brussels, 3 May 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

ANNEX

to the Commission Regulation of 3 May 2001 fixing the corrective amount applicable to the refund on malt

(EUR/t)

Product code	Destination	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	-1,27	-2,54	-3,81	-5,08	—
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	-1,27	-2,54	-3,81	-5,08	—
1107 20 00 9000	A00	0	-1,49	-2,98	-4,47	-5,96	—

(EUR/t)

Product code	Destination	6th period 11	7th period 12	8th period 1	9th period 2	10th period 3	11th period 4
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	—	—	—	—	—	—
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	—	—	—	—	—	—
1107 20 00 9000	A00	—	—	—	—	—	—

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 2543/1999 (OJ L 307, 2.12.1999, p. 46).

COMMISSION REGULATION (EC) No 882/2001**of 3 May 2001****derogating from certain provisions of Regulation (EEC) No 3887/92 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes, as a consequence of foot-and-mouth disease and of exceptional weather conditions**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

economically viable for a large number of producers to sow seeds.

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3508/92 of 27 November 1992 establishing an integrated administration and control system for certain Community aid schemes ⁽¹⁾, as last amended by Commission Regulation (EC) No 495/2001 ⁽²⁾, and in particular Article 12 thereof,

Whereas:

- (1) Veterinary measures taken to combat and prevent the spread of foot-and-mouth disease may include regional restrictions on the movement of persons and animals. This may lead to a situation where Member States are no longer able to comply with some of their obligations under Commission Regulation (EEC) No 3887/92 of 23 December 1992 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes ⁽³⁾, as last amended by Regulation (EC) No 2721/2000 ⁽⁴⁾.
- (2) It is therefore necessary to allow Member States to deviate from the control practice to be applied under normal circumstances. Where it is not possible to comply with the normal rates of on-the-spot-checks, Member States should be allowed to reduce those rates. In that case *ex post*, on-the-spot checks should, where appropriate, be increased in the following control period. Any such deviation should be limited to that which is strictly necessary in order to preserve the effectiveness of the veterinary measures in question.
- (3) Alternative means for submission of claims and other notifications should be made possible. Provision should be made for the possibility to replace female animals after the lifting of animal movement restrictions.
- (4) The outbreak of foot-and-mouth disease may, for the regions affected, result in the prohibition to sow seeds or have the effect that areas originally foreseen as forage areas be declared as set-aside areas after the 'area' aid-application has been submitted. Moreover, due to bad weather conditions, it is in certain regions no longer

- (5) In order to relieve producers of the burdens resulting from such special agronomic and veterinary circumstances, it is appropriate, for the 2001/02 marketing year, to derogate from certain provisions of Regulation (EEC) No 3887/92 by allowing amendments to be made to area aid applications that have already been submitted or by withdrawing areas declared as being used for 'arable crops' and adding them to the set-aside areas. It should also be allowed that areas may be added to such areas that have been declared as forage, in certain cases even after the latest date for sowing. Under certain conditions, Member States should be given the possibility to derogate from the provision in Article 2(1)(c) of Regulation (EEC) No 3887/92 setting the minimum period of the availability of forage land for rearing animals.
- (6) The Commission should regularly be informed by the Member States of the situation and the measures they have taken.
- (7) In view of the situation facing the competent authorities for the integrated administration and control system for certain Community aid schemes, this Regulation should enter into force immediately. Because of the exceptional character of the measures, the application of the Regulation should be limited in time.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Agricultural Guidance and Guarantee Fund,

HAS ADOPTED THIS REGULATION:

Article 1

To the extent necessary to preserve the effectiveness of veterinary measures taken in conformity with Community legislation to combat and prevent the spread of foot-and-mouth disease, Member States shall be permitted to act in derogation from Regulation (EEC) No 3887/92 under the conditions set out in this Regulation.

⁽¹⁾ OJ L 355, 5.12.1992, p. 1.⁽²⁾ OJ L 72, 14.3.2001, p. 6.⁽³⁾ OJ L 391, 31.12.1992, p. 36.⁽⁴⁾ OJ L 314, 14.12.2000, p. 8.

Article 2

1. By way of derogation from Article 6 of Regulation (EEC) No 3887/92, Member States may modify their control programmes for on-the-spot checks. Such modifications may include, in particular:

- (a) postponing on-the-spot-checks in the regions concerned until such time that access to the holdings selected for on-the-spot checks is possible;
- (b) de-selecting holdings in the regions concerned that were initially selected for on-the-spot checks;
- (c) decreasing the number of on-the-spot checks in the regions concerned while, at the same time, increasing the number of such checks in other regions;
- (d) extending checks via means of databases and/or any other documentary means, including veterinary records and documents;
- (e) where appropriate, carrying out checks in conjunction with veterinary measures on holdings where those measures are applied;
- (f) increasing *ex post* documentary checks, which may include such checks to be conducted on the spot, in the regions concerned once the veterinary restrictions have been lifted.

2. Where, after applying the measures provided for in paragraph 1, it is still not possible to achieve the rates of on-the-spot checks required under Article 6(3), (5) and (6a) of Regulation (EEC) No 3887/92 by the end of the control period in question, Member States may reduce those rates for the regions concerned. Where appropriate, *ex post*, on-the-spot checks should be increased in the following control period.

3. The measures provided for in this Article shall be limited to those which are strictly necessary to preserve the effectiveness of the veterinary measures taken to combat and prevent the spread of foot-and-mouth disease.

Article 3

By way of derogation from Article 5a of Regulation (EEC) No 3887/92, Member States may provide that applications may also be submitted by telephone. In this case, the accompanying documents shall be transmitted to the competent authority as soon as possible. Under the same condition, Member States may allow other notifications provided for in Regulation (EEC) No 3887/92 to be transmitted by telephone or electronic means.

Article 4

By way of derogation from Article 10a(5) of Regulation (EEC) No 3887/92, a replacement as referred to in that provision may be made within 60 days of the end of animal movement restrictions applied as a result of veterinary measures in the region concerned.

Article 5

1. By way of derogation from the first subparagraph of Article 4(2)(a) of Regulation (EEC) No 3887/92:

- (a) 'area' aid applications submitted in respect of the 2001/02 marketing year in regions affected by foot-and-mouth disease or by bad weather conditions, may be amended by withdrawing areas declared as being 'arable crops' and/or forage, and adding them to the set-aside areas, provided that the conditions for the recognition of such areas as set-aside are being met.

In regions affected by foot-and-mouth disease, areas may, moreover, be added to areas declared as forage;

- (b) where the veterinary measures taken in conformity with Community legislation in respect of regions affected by foot-and-mouth disease, reduce the time period for which forage areas are available for rearing animals and delay the date at which the areas become available, Member States may, for the 2001/02 marketing year, allow areas to be added to areas declared as forage even after the latest date for sowing provided that the same area had not already been declared in any 'area' aid declaration.

2. By way of derogation from Article 2(1)(c) of Regulation (EEC) No 3887/92, Member States may, under the same conditions as set out in paragraph 1(b), determine a later starting date and a shorter period of availability.

Article 6

Member States shall regularly inform the Commission of the situation and the measures taken on the basis of this Regulation.

Article 7

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

It shall apply from 20 February to 31 December 2001.

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

Done at Brussels, 3 May 2001.

For the Commission
Franz FISCHLER
Member of the Commission

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 24 April 2001

authorising the Portuguese Republic to extend until 9 April 2002 the Agreement on mutual fishery relations with the Republic of South Africa

(2001/346/EC)

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 354(3) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Agreement on mutual fishery relations between the Government of the Portuguese Republic and the Government of the Republic of South Africa, signed on 9 April 1979, entered into force on that day for an initial period of 10 years. The Agreement remains in force for an indeterminate period if it is not denounced by the giving of 12 months' notice.
- (2) Article 354(2) of the 1985 Act of Accession lays down that the rights and obligations resulting from the fisheries agreements concluded by the Portuguese Republic with third countries shall not be affected during the period for which the provisions of such agreements are provisionally maintained.
- (3) Pursuant to Article 354(3) of the said Act, the Council is to adopt, before the expiry of the fisheries agreements concluded by the Portuguese Republic with third countries, decisions appropriate for the continuation of fishing activities resulting therefrom, including the poss-

ibility of prolonging for periods not exceeding one year. The abovementioned Agreement has been extended until 9 April 2001 ⁽¹⁾.

- (4) It appears appropriate to authorise the Portuguese Republic to renew the Agreement in question until 9 April 2002,

HAS ADOPTED THIS DECISION:

Article 1

The Portuguese Republic is hereby authorised to extend until 9 April 2002 the Agreement on mutual fishery relations with the Republic of South Africa which entered into force on 9 April 1979.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Luxembourg, 24 April 2001.

For the Council

The President

M. WINBERG

⁽¹⁾ OJ L 285, 10.11.2000, p. 19.

COUNCIL DECISION**of 24 April 2001****authorising the Kingdom of Spain to extend until 7 March 2002 the Agreement on mutual fishery relations with the Republic of South Africa**

(2001/347/EC)

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 167(3) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Agreement on mutual fishery relations between the Government of the Kingdom of Spain and the Government of the Republic of South Africa, signed on 14 August 1979, entered into force on 8 March 1982 for an initial period of 10 years. The Agreement remains in force for an indeterminate period if it is not denounced by the giving of 12 months' notice.
- (2) Article 167(2) of the 1985 Act of Accession lays down that the rights and obligations resulting from the fisheries agreements concluded by the Kingdom of Spain with third countries shall not be affected during the period for which the provisions of such agreements are provisionally maintained.
- (3) Pursuant to Article 167(3) of the said Act, the Council is to adopt, before the expiry of the fisheries agreements concluded by the Kingdom of Spain with third countries, decisions appropriate for the continuation of fishing activities resulting therefrom, including the poss-

ibility of prolonging for periods not exceeding one year. The abovementioned Agreement has been extended until 7 March 2001 ⁽¹⁾.

- (4) It appears appropriate to authorise the Kingdom of Spain to renew the Agreement in question until 7 March 2002,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Spain is hereby authorised to extend until 7 March 2002 the Agreement on mutual fishery relations with the Republic of South Africa which entered into force on 8 March 1982.

Article 2

This Decision is addressed to the Kingdom of Spain.

Done at Luxembourg, 24 April 2001.

For the Council

The President

M. WINBERG

⁽¹⁾ OJ L 285, 10.11.2000, p. 18.

COMMISSION

COMMISSION DECISION

of 23 April 2001

laying down specific measures in the beef sector for Austria under Regulation (EC) No 2777/2000

(notified under document number C(2001) 1109)

(Only the German text is authentic)

(2001/348/EC)

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 38(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2777/2000 of 18 December 2000 adopting exceptional support measures for the beef market ⁽²⁾, as amended by Regulation (EC) No 111/2001 ⁽³⁾, provides in its Article 3(4) that a Member State may be authorised to stop the application of the purchase scheme concerned if it can prove that sufficient capacity is available for BSE testing of all animals above 30 months of age constituting a normal slaughter throughput. Austria has presented to the Commission such proofs and consequently, on its request, this Member State should be authorised to stop the application of the scheme.

- (2) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS DECISION:

Article 1

Austria shall be authorised to stop the application of the purchase scheme laid down in Regulation (EC) No 2777/2000.

Article 2

This Decision is addressed to the Republic of Austria.

Done at Brussels, 23 April 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 321, 19.12.2000, p. 47.

⁽³⁾ OJ L 19, 20.1.2001, p. 11.

COMMISSION DECISION

of 3 May 2001

amending Decision 2001/327/EC concerning restrictions to the movement of animals of susceptible species with regard to foot-and-mouth disease and repealing Decision 2001/263/EC

(notified under document number C(2001) 1214)

(Text with EEA relevance)

(2001/349/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Directive 90/425/EEC ⁽⁷⁾, as last amended by Commission Decision 95/176/EC ⁽⁸⁾.

Having regard to the Treaty establishing the European Community,

(4) The welfare conditions for transport of animals within the Community are laid down in Council Directive 91/628/EEC of 19 November 1991 on the protection of animals during transport and amending Directives 90/425/EEC and 91/496/EEC ⁽⁹⁾, as last amended by Directive 95/29/EC ⁽¹⁰⁾.

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Directive 92/118/EEC ⁽²⁾, and in particular Article 10 thereof,

(5) Council Regulation (EC) No 1255/97 of 25 June 1997 ⁽¹¹⁾ concerns Community criteria for staging points and amends the route plan referred to in the Annex to Directive 91/628/EEC.

Whereas:

(6) Following the reports of outbreaks of foot-and-mouth disease in the United Kingdom, France, the Netherlands and Ireland, the Commission adopted Decisions 2001/172/EC ⁽¹²⁾, 2001/208/EC ⁽¹³⁾, 2001/223/EC ⁽¹⁴⁾ and 2001/234/EC ⁽¹⁵⁾ concerning certain protection measures with regard to foot-and-mouth disease in the respective Member State.

(1) The animal health conditions for trade in bovine animals and swine are laid down in Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽³⁾, as last amended by Directive 2000/20/EC ⁽⁴⁾.

(7) The foot-and-mouth disease situation in certain parts of the Community is liable to endanger the herds in other parts of the Community in view of the placing on the market and trade in live biungulate animals.

(2) The animal health conditions for trade in ovine and caprine animals are laid down in Council Directive 91/68/EEC of 28 January 1991 on animal health conditions governing intra-community trade in ovine and caprine animals ⁽⁵⁾, as last amended by Commission Decision 94/953/EC ⁽⁶⁾.

(8) All Member States have implemented the restrictions to the movement of animals of susceptible species laid down in Decision 2001/327/EC ⁽¹⁶⁾ concerning restrictions to the movement of animals of susceptible species with regard to foot-and-mouth disease and repealing Decision 2001/263/EC.

(3) The animal health conditions for trade in biungulates other than those referred to in Directive 64/432/EEC and 91/68/EEC are laid down in Council Directive 92/65/EEC of 13 July 1992 laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A(I) to

(9) In the light of the disease evolution and the findings of the epidemiological investigations carried out in the affected Member States in close cooperation with the other Member States, it appears appropriate to further prohibit the movement of animals through staging points and to maintain for an additional period of time the restrictions to the movement of susceptible animals within the Community.

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 121, 29.7.1964, p. 1977/64.

⁽⁴⁾ OJ L 163, 4.7.2000, p. 35.

⁽⁵⁾ OJ L 46, 19.2.1991, p. 19.

⁽⁶⁾ OJ L 371, 31.12.1994, p. 14.

⁽⁷⁾ OJ L 268, 14.9.1992, p. 54.

⁽⁸⁾ OJ L 117, 24.5.1995, p. 23.

⁽⁹⁾ OJ L 340, 11.12.1991, p. 17.

⁽¹⁰⁾ OJ L 148, 30.6.1995, p. 52.

⁽¹¹⁾ OJ L 174, 2.7.1997, p. 1.

⁽¹²⁾ OJ L 62, 2.3.2001, p. 22.

⁽¹³⁾ OJ L 73, 15.3.2001, p. 38.

⁽¹⁴⁾ OJ L 82, 22.3.2001, p. 29.

⁽¹⁵⁾ OJ L 84, 23.3.2001, p. 62.

⁽¹⁶⁾ OJ L 115, 25.4.2001, p. 12.

- (10) However it is possible to ease certain restrictions by amending Decision 2001/327/EC. In the case of intra-Community trade, the assembly centre must be approved, or
- (11) The situation shall be reviewed at the meeting of the Standing Veterinary Committee scheduled for 2 May 2001 and the measures adapted where necessary. — directly to another holding in the case of bovine and porcine animals, subject to notification to the competent authorities of the place of departure.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee, In the case of intra-Community trade the transport is subject to authorisation by the competent authorities of the place of departure and destination.

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 2001/327/EC is amended as follows:

1. Article 1 is replaced by the following:

'Article 1

For the purpose of this Decision:

1. "approved assembly centres" shall be those defined in Article 2(2)(o) of Council Directive 64/432/EEC and communicated in accordance with Article 11(3) of that Directive to the Member States and the Commission until 2 May 2001 at the latest;
2. "region of a Member State" shall mean part of the territory of the Community as defined in Article 2(2)(p) of Directive 64/432/EEC.'

2. A new Article 2 is inserted as follows:

'Article 2

Member States other than the United Kingdom shall ensure that:

1. Transport of animals of species susceptible to foot-and-mouth disease is prohibited.

Without prejudice to Council Directives 64/432/EEC, 91/68/EEC and 92/65/EEC, this prohibition shall not apply to movements of animals of species susceptible to foot-and-mouth disease from the holding of dispatch:

- directly or through one single assembly centre to a slaughterhouse for immediate slaughter,

In the case of intra-Community trade, the assembly centre must be approved and the transport is subject to authorisation by the competent authorities of the place of departure and destination, or

- directly or through one single assembly centre to one single holding of destination in the case of animals of susceptible species other than bovine and porcine animals subject to authorisation by the competent authorities of the place of departure and destination,

Derogating from the notification requirement in the first point of this indent, Member States may grant a general movement licence valid for 30 days for direct movement within the same Member State from one holding to another holding which takes place regularly in established contractual relations between the holding of departure and destination. Such license shall be immediately withdrawn in the case of a suspect case of foot-and-mouth disease within the region where the holding of dispatch is situated, or

- directly or through one single assembly centre to a maximum of 10 holdings of destination in the case of bovine and porcine animals, subject to authorisation by the competent authorities of the place of departure,

In the case of intra-Community trade, the assembly centre must be approved and the transport is subject to authorisation by the competent authorities of the place of departure and destination, or

- directly or through an assembly point to group herds or flocks for transhumance to designated pastures, subject to authorisation by the competent authorities of the place of departure and destination.

2. The movement of animals authorised in accordance with the derogations in paragraph 1 shall take place under the condition that:

- (a) in the case of animals destined for intra-Community trade, during transport such animals do not come into contact with animals not of the same holding of dispatch, unless such animals:

- either are consigned for slaughter, or

- originate in and come from holdings situated in a region of a Member State in which no restrictions in accordance with Article 9 of Directive 85/511/EEC have been in place on the date of dispatch and during at least 20 days of the residence period where required in paragraph 3;

- (b) vehicles which have been used for the transport of live animals are cleaned and disinfected after each operation, and shall furnish proof of such disinfection, and

- (c) transports to other Member States of such animals shall only be allowed following 24 hours advance notification dispatched by the local veterinary authority to the central and local veterinary authorities in the Member State of destination and to the central veterinary authorities in the Member State of transit.
3. Where required by this Decision, the competent authorities at the place of departure authorise the movement of animals of species susceptible to foot-and-mouth disease only under one of the following conditions:
- animals are destined for intra-Community trade and have remained on the holding of dispatch for at least 30 days prior to authorisation, or since birth in the holding of origin where the animals are less than 30 days old, and no animal of susceptible species was introduced into that holding during this period in the case of ovine and caprine animals, or during the past 20 days in the case of bovine animals, or during the past 10 days in the case of porcine animals,
 - animals are destined for movement within the Member State of dispatch and have remained on the holding of dispatch for at least 20 days prior to authorisation, or since birth in the holding of origin where the animals are less than 20 days old, and no animal of susceptible species was introduced into that holding during this period, or during the past 10 days in the case of pigs,
- animals are destined for movement within a region of a Member State,
- animals are transported directly and without passing through an approved assembly centre to a slaughterhouse for immediate slaughter.
4. Without prejudice to Article 3(1)(aa) second indent of Council Directive 91/628/EEC, Member States shall ensure that animals of species susceptible to foot-and-mouth disease are not moved through staging points established and approved in accordance with Council Regulation (EC) No 1255/97.'
3. Articles 2 and 3 are renumbered accordingly.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 May 2001.

For the Commission

David BYRNE

Member of the Commission

DECISION No 1/2001 OF THE ACP-EC CUSTOMS COOPERATION COMMITTEE
of 20 April 2001
derogating from the definition of 'originating products' to take account of the special situation of
Zambia regarding the production of polyester-cotton yarn (HS heading ex 5509)

(2001/350/EC)

THE ACP-EC CUSTOMS COOPERATION COMMITTEE,

HAS DECIDED AS FOLLOWS:

Having regard to the ACP-EC Partnership Agreement signed at Cotonou on 23 June 2000, and in particular Article 38 of Protocol 1 to Annex V thereto,

Article 1

Whereas:

By way of derogation from the special provisions in the list in Annex II to Protocol 1 to Annex V of the ACP-EC Partnership Agreement, polyester-cotton yarn of HS heading ex 5509 manufactured in Zambia from non-originating polyester staple fibre, supplied in accordance with the terms of the request, shall be regarded as originating in this country in accordance with the terms of this Decision.

Article 2

(1) Article 1 of Decision 1/2000 of the ACP-EC Council of Ministers of 27 July 2000 on transitional measures valid from 2 August 2000 ⁽¹⁾ provides that the trade provisions of the ACP-EC Partnership Agreement, including Protocol 1 to Annex V concerning the definition of the concept of 'originating products' and methods of administrative cooperation, apply from 2 August 2000.

The derogation provided for in Article 1 shall apply to the quantities shown in the Annex to this Decision which are exported by Zambia between 1 March 2001 and 28 February 2006.

(2) Article 38(1) of the abovementioned Protocol provides for derogations from the rules of origin to be granted whenever the development of an existing industry or the establishment of a new one warrants it.

Article 3

(3) On 26 October 2000 the African, Caribbean and Pacific States (ACP States) submitted a request, on behalf of the Government of Zambia, for a derogation from the rule of origin in the Protocol, in respect of an annual quantity of 3 500 tonnes of polyester-cotton yarn produced by this country between 1 March 2001 and 28 February 2006. The Government of Zambia requested that polyester-staple fibre from South Africa be allowed in the manufacture of the polyester-cotton yarn.

The quantities referred to in Article 2 shall be managed by the Commission, which shall take all administrative action it deems advisable for their efficient management.

(4) The requested derogation is justified under the relevant provisions of Article 38(5) and (6) especially as regards least-developed States, the added value in the manufacturing process in Zambia, the economic and social impact of granting the derogation to Zambia, and of the special relations with South Africa.

Where an importer presents in a Member State a declaration of entry for free circulation including an application for the benefit of this Decision, the Member State shall, if the declaration has been accepted by the customs authorities, notify the Commission of its wish to draw the amount corresponding to its requirements.

(5) The derogation would not cause serious injury to an established Community industry taking into account the quantities of the importations envisaged, provided that certain conditions relating to quantities, surveillance and duration are respected.

Applications to draw, showing the date of acceptance of declarations shall be transmitted to the Commission without delay.

(6) Therefore, pursuant to Article 38, a derogation can be granted to Zambia in respect of polyester-cotton yarn for the quantities requested and for a period of five years,

Withdrawals shall be granted by the Commission in order of date of acceptance of declarations of entry for free circulation by the Member States' customs authorities provided that the available balance permits.

If a Member State fails to use a withdrawal it shall return it as soon as possible to the appropriate quota.

If requests exceed the available balance of a given quota, quantities shall be allocated on a pro rate basis. The Commission shall inform the Member States of withdrawal on the quotas.

Each Member State shall ensure that importers have continuous and equal access to the amounts available as long as the balance permits.

⁽¹⁾ OJ L 195, 1.8.2000, p. 46.

Article 4

The customs authorities of Zambia shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 1. To that end, all the certificates they issue pursuant to this Decision shall bear a reference to it. The competent authorities of Zambia shall forward to the Commission every three months a statement of the quantities in respect of which EUR.1 movement certificates have been issued pursuant to this Decision and the serial numbers of those certificates.

Article 5

Box 7 of EUR.1 certificates issued under this Decision shall contain the words:

'Derogation — Decision No 1/2001.'

Article 6

The African, Caribbean and Pacific States (ACP States) and the Member States and the European Community shall take the measures necessary on their part to implement this Decision.

Article 7

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

This Decision shall apply from 1 March 2001.

Done at Brussels, 20 April 2001.

*For the ACP-EC Customs Cooperation
Committee*

The Joint Chairmen

Michel VANDEN ABEELE

Peter O. OLE NKURAIYIA

 ANNEX
Zambia

Order No	HS heading	Description of goods	Period	Quantities
09.1671	ex 5509	Polyester-cotton yarn	1.3.2001 to 28.2.2002	3 500 tonnes
			1.3.2002 to 28.2.2003	3 500 tonnes
			1.3.2003 to 29.2.2004	3 500 tonnes
			1.3.2004 to 28.2.2005	3 500 tonnes
			1.3.2005 to 28.2.2006	3 500 tonnes

DECISION No 2/2001 OF THE ACP-EC CUSTOMS COOPERATION COMMITTEE

of 20 April 2001

derogating from the definition of 'originating products' to take account of the special situation of Fiji regarding the production of certain articles of apparel and headgear

(2001/351/EC)

THE ACP-EC CUSTOMS COOPERATION COMMITTEE,

Having regard to the ACP-EC Partnership Agreement signed at Cotonou on 23 June 2000, and in particular Article 38 of Protocol 1 to Annex V thereto,

Whereas:

- (1) Article 1 of Decision 1/2000 of the ACP-EC Council of Ministers of 27 July 2000 on transitional measures valid from 2 August 2000 ⁽¹⁾ provides that the trade provisions of the ACP-EC Partnership Agreement, including Protocol 1 to Annex V concerning the definition of the concept of 'originating products' and methods of administrative cooperation, apply from 2 August 2000.
- (2) Article 38(1) of the abovementioned Protocol provides for derogations from the rules of origin to be granted whenever the development of an existing industry or the establishment of a new one warrants it.
- (3) On 31 October 2000 the African, Caribbean and Pacific States (ACP States) submitted a request, on behalf of the Government of Fiji, for a derogation from the rule of origin in the Protocol, in respect of certain articles of apparel and headgear produced by this country for a period of five years.
- (4) The derogation is requested under the relevant provisions of Protocol 1 to Annex V, particularly with regard to Article 38(5) concerning island ACP States and the economic and social impact in Fiji of granting the derogation.
- (5) There is a global overcapacity of the products concerned and the Community textiles industry is already subject to intense competitive pressure, in particular, labour costs are fundamental to the pricing.
- (6) In the framework of the Community's textile policy, most products concerned by this decision are considered to be particularly sensitive and are subject to quantitative restrictions or a double-checking system on importation into the Community.
- (7) The derogation, limited in quantities, would not cause serious injury to an established Community industry, taking into account the quantities of the imports envisaged, provided that certain conditions relating to quantities, surveillance and duration are respected.

- (8) Therefore, pursuant to Article 38(1), a derogation can be granted to Fiji in respect of certain articles of apparel and headgear for a limited quantity for the period from 1 April 2001 to 31 March 2006,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions in the list in Annex II to Protocol 1 to Annex V of the ACP-EC Partnership Agreement, certain articles of apparel and headgear listed in the Annex to this Decision, manufactured in Fiji from non-originating materials imported into Fiji, shall be regarded as originating in Fiji in accordance with the terms of this Decision.

Article 2

The derogation provided for in Article 1 shall apply to the products and the quantities shown in the Annex to this Decision which are imported into the Community from Fiji during the period 1 April 2001 to 31 March 2006.

Article 3

The quantities referred to in the Annex shall be managed by the Commission, which shall take all administrative action it deems advisable for their efficient management.

Where an importer presents, in a Member State, a declaration of entry for free circulation, including an application for the benefit of this Decision, the Member State shall, if the declaration has been accepted by the customs authorities, notify the Commission of its wish to draw the amount corresponding to its requirements.

Applications to draw, showing the date of acceptance of declarations, shall be transmitted to the Commission without delay.

Withdrawals shall be granted by the Commission in order of date of acceptance of declarations of entry for free circulation by the Member States' customs authorities, provided that the available balance permits.

If a Member State fails to use a withdrawal it shall return it, as soon as possible, to the appropriate quota.

If requests exceed the available balance of a given quota, quantities shall be allocated on a pro rata basis. The Commission shall inform the Member States of withdrawal on the quotas.

⁽¹⁾ OJ L 195, 1.8.2000, p. 46.

Each Member State shall ensure that importers have continuous and equal access to the amounts available as long as the balance permits.

Article 4

The customs authorities of Fiji shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 1. To that end, all the certificates they issue pursuant to this Decision shall bear a reference to it. The competent authorities of Fiji shall forward to the Commission every three months a statement of the quantities in respect of which EUR.1 movement certificates have been issued pursuant to this Decision and the serial numbers of those certificates.

Article 5

Box 7 of EUR.1 certificates issued under this Decision shall contain the words:

'Derogation — Decision No 2/2001'.

Article 6

The African, Caribbean and Pacific States (ACP States) and the European Community shall take the measures necessary on their part to implement this Decision.

Article 7

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

This Decision shall apply from 1 April 2001.

Done at Brussels, 20 April 2001.

*For the ACP-EC Customs Cooperation
Committee*

The Joint Chairmen

Michel VANDEN ABEELE

Peter O. OLE NKURAIYIA

ANNEX

Fiji

Order No	Item	Description of goods	HS heading	Annual quantities
09.1681	(a)	Men's or boy's overcoats	6201.11 6201.12 6201.13 6201.19 6201.91 6201.93 6201.99	9 065 pieces
09.1682	(b)	Men's or boys' suits	6203.11 6203.12 6203.19	6 000 pieces
09.1683	(c)	Men's or boys' and women's or girls' jackets	6203.31 6203.32 6203.33 6203.39 6204.31 6204.32 6204.33 6204.39	13 325 pieces
09.1684	(d)	Men's or boy's and women's or girls' woven trousers and shorts	6203.41 6203.42 6203.43 6203.49 6204.61 6204.62 6204.63 6204.69	207 600 pieces
09.1685	(e)	Waterproof baby pants	6209.20 6209.30 6209.90	1 600 kilos
09.1686	(f)	Men's or boys' and women's or girls' suits, shorts and stockings of synthetic fibres	6103.12 6103.43 6104.13 6104.63	8 465 pieces
09.1687	(g)	Men's or boys' shirts, knitted or crocheted	6105.10 6105.90	13 675 pieces
09.1688	(h)	T-shirts of textile materials other than cotton	6109.90	7 010 pieces
09.1689	(i)	Men's or boys' and women's or girls' swimwear	6112.31 6112.39 6112.41 6112.49 6211.11 6211.12	10 000 pieces

Order No	Item	Description of goods	HS heading	Annual quantities
09.1690	(j)	Other garments, men's or boys' and women's or girls'	6211.31 6211.32 6211.33 6211.39 6211.41 6211.42 6211.43 6211.49	1 100 kg
09.1691	(k)	Hats, knitted or crocheted, (sun protective)	6505.90	1 700 kg
09.1692	(l)	Other made-up clothing accessories; Parts of garments or of clothing accessories (other than those of heading No 6212	6217	1 100 kg
09.1693	(m.1)	Other garments of the type described in subheadings 6201.11 to 6201.19 and 6202.11 to 6202.19	6210.20 6210.30	10 000 pieces
09.1699	(m.2)	Other men's or boys' garments	6210.40	5 000 kg
09.1694	(n)	Women's or girl's dresses, of cotton or of other textile materials	6104.42 6104.49	1 100 pieces
09.1695	(o)	Tracksuits, knitted or crocheted, of cotton or of other textile materials	6112.11 6112.19	1 100 pieces
09.1696	(p)	Men's or boys' and women's or girls' blouses, shirts and shirt-blouses	6205 6206	6 000 pieces
09.1697	(q)	Men's or boys' and women's or girls' knitted jodphurs and trousers	6103.41 6103.42 6103.43 6103.49 6104.61 6104.62 6104.63 6104.69	5 850 pieces

CORRIGENDA**Corrigendum to Guideline ECB/2000/7 of the European Central Bank of 31 August 2000 on monetary policy instruments and procedures of the Eurosystem**

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