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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1276/2001
of 28 June 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 29 June 2001.

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

Done at Brussels, 28 June 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 28 June 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	73,7
	999	73,7
0707 00 05	052	71,6
	999	71,6
0709 90 70	052	81,8
	999	81,8
0805 30 10	388	62,2
	528	76,0
	999	69,1
0808 10 20, 0808 10 50, 0808 10 90	388	92,2
	400	102,0
	404	115,4
	508	96,1
	512	80,6
	524	69,8
	528	78,4
	720	111,6
	804	101,2
	999	94,1
0809 10 00	052	209,9
	999	209,9
0809 20 95	052	330,7
	064	198,3
	066	151,9
	068	143,5
	400	288,7
	616	289,0
	999	233,7
	999	238,5
0809 40 05	624	238,5
	999	238,5

⁽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 1277/2001**of 28 June 2001****amending Regulation (EEC) No 1725/92 laying down detailed implementing rules for the specific measures for supplying the Azores and Madeira with products from the pigmeat sector**

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 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1725/92 ⁽³⁾, as last amended by Regulation (EC) No 987/2001 ⁽⁴⁾, on the one hand, fixes a forecast supply balance for Madeira for the products of pigmeat which benefit from an exemption from the duty on direct imports on products from third countries or from an aid for deliveries originating in the rest of the Community, and on the other hand, the quantities of pure-bred breeding animals originating in the Community which qualify for aid for the development of the production potential of the Azores and Madeira.
- (2) In order to determine the forecast supply balance for Madeira and the aids for the products coming from the Community for the 2001/02 marketing year, and in

order to continue satisfying demand for pigmeat requirements, it is necessary to amend Regulation (EEC) No 1725/92.

- (3) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements in force, the supply balance should be established for the period 1 July to 31 December 2001.
- (4) 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

Annexes I, II and III to Regulation (EEC) No 1725/92 are replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 28 June 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 179, 1.7.1992, p. 95.

⁽⁴⁾ OJ L 138, 22.5.2001, p. 3.

ANNEX

ANNEX I

Forecast supply balance for Madeira regarding products from the pigmeat sector for the period 1 July to 31 December 2001

CN code	Description of goods	Quantity (tonnes)
ex 0203	Meat of domestic swine, fresh, chilled, or frozen	1 400

ANNEX II

Amounts of aid granted for products referred to in Annex I and coming from the Community market

Product code	(EUR/100 kg net)	
	Amount of aid	
0203 11 10 9000	6,6	
0203 12 11 9100	9,9	
0203 12 19 9100	6,6	
0203 19 11 9100	6,6	
0203 19 13 9100	9,9	
0203 19 15 9100	6,6	
0203 19 55 9110	11,2	
0203 19 55 9310	11,2	
0203 21 10 9000	6,6	
0203 22 11 9100	9,9	
0203 22 19 9100	6,6	
0203 29 11 9100	6,6	
0203 29 13 9100	9,9	
0203 29 15 9100	6,6	
0203 29 55 9110	11,2	

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

ANNEX III

PART 1

Supply in the Azores of pure-bred breeding pigs originating in the Community for the period 1 July to 31 December 2001

CN code	Description of the goods	Number of animals to supply	EUR Aid (head)
0103 10 00	Pure-bred breeding pigs ⁽¹⁾ :		
	— male animals	50	483
	— female animals	200	423

⁽¹⁾ Inclusion in this sub-position is subject to conditions provided for by the Community provisions which regulate the matter.

PART 2

Supply in Madeira of pure-bred breeding pigs originating in the Community for the period 1 July to 31 December 2001

CN code	Description of the goods	Number of animals to supply	EUR Aid (head)
0103 10 00	Pure-bred breeding pigs ⁽¹⁾ :		
	— male animals	50	483
	— female animals	400	423

⁽¹⁾ Inclusion in this sub-position is subject to the conditions provided for by the Community provisions which regulate the matter.

**COMMISSION REGULATION (EC) No 1278/2001
of 28 June 2001**

amending Regulation (EEC) No 2219/92 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance

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 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, in particular lays down detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira.
- (2) Commission Regulation (EEC) No 2219/92 ⁽⁵⁾, as last amended by Regulation (EC) No 1192/2001 ⁽⁶⁾, in particular lays down detailed rules for the application of the specific arrangements for the supply of milk products to Madeira and establishes the forecast supply balance for Madeira for the period 1 July 2000 to 30 June 2001.

(3) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements in force, the supply balance should be established for the period 1 July to 31 December 2001.

(4) 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

Annex I to Regulation (EEC) No 2219/92 is hereby replaced by the Annex hereto.

Article 2

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

It shall apply from 1 July 2001.

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

Done at Brussels, 28 June 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 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 218, 1.8.1992, p. 75.

⁽⁶⁾ OJ L 162, 19.6.2001, p. 5.

ANNEX

ANNEX I

Supply balance for milk products for Madeira for the period 1 July to 31 December 2001

(tonnes)

CN code	Description	Quantity
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	6 000
ex 0402	Skimmed-milk powder	400
ex 0402	Whole-milk powder	350
0405	Butter and other fats and oils derived from milk; dairy spreads	600
0406	Cheese	825'

**COMMISSION REGULATION (EC) No 1279/2001
of 28 June 2001**

amending Regulation (EC) No 1487/95 establishing the supply balance for the Canary Islands for products from the pigmeat sector and fixing the aid for products coming from the Community

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 for the Canary Islands concerning certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 3(4) and Article 4(4) thereof,

Whereas:

- (1) In application of Articles 2, 3 and 4 of Regulation (EEC) No 1601/92, it is necessary to amend Commission Regulation (EC) No 1487/95 ⁽³⁾, as last amended by Regulation (EC) No 2756/2000 ⁽⁴⁾, in order to determine for the pigmeat sector and for the 2001/02 marketing year, on the one hand, the quantities of meat of the forecast supply balance with benefit from an exemption from the duty on imports from third countries or from an aid for deliveries proceeding from the rest of the Community, and on the other hand, the quantities of pure-bred breeding animals originating in the Community which benefit from an aid with a view to developing the potential for production in the archipelago of the Canaries.

- (2) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements in force, the supply balance should be established for the period 1 July to 31 December 2001.

- (3) 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

Annexes I, II and III to Regulation (EC) No 1487/95 are hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 2001.

Done at Brussels, 28 June 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 145, 29.6.1995, p. 63.

⁽⁴⁾ OJ L 318, 16.12.2000, p. 21.

ANNEX

ANNEX I

**Forecast supply balance for the Canary Islands regarding products from the pigmeat sector for the period
1 July to 31 December 2001**

CN code	Description of goods	Number or quantity (tonnes)
ex 0203	Meat of domestic swine, fresh or chilled	—
ex 0203	Meat of domestic, swine, frozen	10 250 ⁽¹⁾

⁽¹⁾ Of which 2 400 tonnes for processing and/or packaging.

ANNEX II

Amounts of aid granted for products coming from the Community market

<i>(EUR/100 kg net weight)</i>	
Product code	Amount of aid
0203 21 10 9000	6,6
0203 22 11 9100	9,9
0203 22 19 9100	6,6
0203 29 11 9100	6,6
0203 29 13 9100	9,9
0203 29 15 9100	6,6
0203 29 55 9110	11,2

NB: The product codes as well as the footnotes are defined in Commission Regulation (EEC) No 3846/87.

ANNEX III

**Supply in the Canary Islands of pure-bred breeding pigs originating in the Community for the period
1 July to 31 December 2001**

CN code	Description of goods	Number of animals to supply	Aid (EUR/head)
0103 10 00	Pure-bred breeding pigs ⁽¹⁾ :		
	— male animals	138	483
	— female animals	2 750	423

⁽¹⁾ Inclusion in this sub-position is subject to the conditions provided for by the Community provisions which regulate the matter.

COMMISSION REGULATION (EC) No 1280/2001**of 28 June 2001****establishing a forecast balance for the supply to the Canary Islands of milk and milk products**

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 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾, in particular lays down detailed rules for the application of the specific arrangements for the supply of certain agricultural products to the Canary Islands.
- (2) The quantities of the forecast supply balance for those products is fixed in Commission Regulation (EC) No 1372/2000 ⁽⁵⁾, as amended by Regulation (EC) No 1191/2001 ⁽⁶⁾, for the period 1 July 2000 to 30 June 2001.
- (3) Pending the entry into force of the reform of the specific supply arrangements and in order to avoid any break in the application of the specific supply arrangements in force, the supply balance should be established for the period 1 July to 31 December 2001.

- (4) 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 purposes of Articles 2 and 3 of Regulation (EEC) No 1601/92, the quantities of the forecast supply balance for the Canary Islands in the milk sector benefiting, as appropriate from exemption from import duties for products from third countries or for Community aid for products from the Community market shall be as set out in the Annex hereto.

Where, as regards a particular product separate amounts are fixed in the forecast supply balance for direct consumption, and for processing and/or packaging respectively, an adjustment in the breakdown as between the prescribed uses is permitted, within a limit of 20 % of the total quantity fixed for that product.

Article 2

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

It shall apply from 1 July 2001.

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

Done at Brussels, 28 June 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 296, 17.11.1994, p. 23.

⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.

⁽⁵⁾ OJ L 156, 29.6.2000, p. 21.

⁽⁶⁾ OJ L 162, 19.6.2001, p. 3.

ANNEX

**Forecast supply balance for milk and milk products for the Canary Islands for the period 1 July 2001
to 31 December 2001**

(in tonnes)

CN code	Designation of goods	Quantity
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	53 125 ⁽¹⁾
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	13 200 ⁽²⁾
0405	Butter and other fats and oils derived from milk: dairy spreads	2 000
0406	Cheeses	} 8 000
0406 30		
0406 90 23		
0406 90 25		
0406 90 27		
0406 90 76		
0406 90 78		
0406 90 79		
0406 90 81		
0406 90 86		
0406 90 87		} 900
0406 90 88		
1901 90 99	Milk-based preparations without fat	2 500 ⁽³⁾
2106 90 92	Milk-based preparations for children not containing milk fat	100

⁽¹⁾ Of which 625 tonnes are for the processing and/or packaging sector.

⁽²⁾ To be allocated as follows:

- 3 000 tonnes falling within CN Codes 0402 91 and/or 0402 99 for direct consumption,
- 3 200 tonnes falling within CN Codes 0402 91 and/or 0402 99 for the processing and/or packaging sector,
- 7 000 tonnes falling within CN Codes 0402 10 and/or 0402 21 for the processing and/or packaging sector.

⁽³⁾ The entire amount is for the processing and/or packaging sector.

COMMISSION REGULATION (EC) No 1281/2001**of 28 June 2001****establishing the forecast supply balance for sugar for the Azores, Madeira and the Canary Islands provided for in Council Regulations (EEC) No 1600/92 and (EEC) No 1601/92 for the period 1 July 2001 to 31 December 2001**

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 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽³⁾, as last amended by Regulation (EC) No 2826/2000, and in particular Articles 3(4) and 7(2) thereof,

Whereas:

- (1) Pursuant to Articles 2 of Regulations (EEC) No 1600/92 and (EEC) No 1601/92, Commission Regulation (EEC) No 2177/92 ⁽⁴⁾, as last amended by Regulation (EC) No 1481/2000 ⁽⁵⁾, sets the forecast supply balance for sugar for the Azores, Madeira and the Canary Islands for the 2000/01 marketing year. Pursuant to those Articles 2, pending the entry into force of the reform of the specific

supply arrangements and in order to avoid a break in the application of the specific supply arrangements in force, the supply balance for the period 1 July to 31 December 2001 should be established.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2177/92 is hereby replaced by the Annex hereto as regards the period 1 July to 31 December 2001 of the 2001/02 marketing year.

Article 2

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 July 2001.

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

Done at Brussels, 28 June 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 173, 27.6.1992, p. 13.

⁽⁴⁾ OJ L 217, 31.7.1992, p. 71.

⁽⁵⁾ OJ L 167, 7.7.2000, p. 6.

ANNEX

**Quantities of sugar expressed in terms of tonnes of white sugar as referred to in Article 1 of Regulation (EEC)
No 2177/92 for the period 1 July to 31 December 2001**

Region	Quantity (tonnes)
Azores	3 250
Madeira	4 000
Canary Islands	31 500

COMMISSION REGULATION (EC) No 1282/2001**of 28 June 2001****laying down detailed rules for the application of Council Regulation (EC) No 1493/1999 as regards the gathering of information to identify wine products and to monitor the wine market and amending Regulation (EC) No 1623/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 2826/2000 ⁽²⁾, and in particular Articles 23, 33 and 73 thereof,

Whereas:

(1) Article 18 of Regulation (EC) No 1493/1999 states that producers of grapes intended for winemaking and producers of must and wine are required to make harvest declarations in respect of the most recent harvest and that producers of wine and must and commercial operators other than retailers must declare their stocks each year.

(2) That Article also stipulates that the Member States can also require grape merchants to declare the quantities of grapes marketed.

(3) In order to facilitate market management operations, a time limit should be laid down for making declarations. Since harvesting takes place at different times in different Member States, the deadlines for declarations by producers should be staggered. Provision should also be made to require operators selling wine products before the dates specified for declarations to make declarations.

(4) However, producers who can provide all the necessary information required in a single declaration of wine production need not make two declarations. Very small producers can be exempted from making declarations as their total production accounts for a very small percentage of Community production.

(5) In order to facilitate the application of this Regulation, the particulars which must be given in the declarations should be laid down here in tabular form while the Member States should be allowed to decide on the form in which operators are to provide them. The time limits by which the Member States are to centralise and forward the data they have collected to the Commission and the manner in which the data are to be forwarded should also be specified.

(6) The category of 'other wines' should be defined in keeping with the classification of vine varieties that may be cultivated in the Community, as established by the Member States in accordance with Article 19 of Regulation (EC) No 1493/1999.

(7) Information relating to areas could be inaccurate where the declarants have not had suitable means of verification at their disposal. Provision should therefore be made in such cases for penalties varying according to the seriousness of the inaccuracies in declarations presented.

(8) The penalty arrangements must provide for a sufficient degree of proportionality with regard to declarations submitted by wine-growers that are found to contain omissions or errors. The penalties should therefore vary with the correction made to the declarations.

(9) Harvest and stock declarations submitted by the various parties concerned are currently the only means of properly knowing the quantities of wine produced and wine stocks. Appropriate steps therefore need to be taken to ensure that declarations are presented by the parties concerned and are complete and accurate by providing for penalties where declarations are not forthcoming or are false or incomplete when presented. To facilitate the processing of data relating to declarations, each declaration presented in a competent administrative unit should be considered separately from any others that the same producer may have presented in other administrative units in the Member State.

(10) Council Regulation (EEC) No 2392/86 ⁽³⁾, as last amended by Regulation (EC) No 1631/98 ⁽⁴⁾, provides for the establishment of a Community vineyard register. The Member States with a complete register should be allowed to use certain data from that register if declarations do not provide them.

(11) Certain information must be available on the wine market to ensure that it can be monitored. In addition to the data provided in the summaries of the various declarations, information on wine supplies, utilisation and prices is essential. The Member States should therefore be required to gather this information and send it to the Commission on certain fixed dates.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 4.

⁽³⁾ OJ L 208, 31.7.1986, p. 1.

⁽⁴⁾ OJ L 210, 28.7.1998, p. 14.

- (12) In this connection it should be recalled that, to ensure effective monitoring of the market and to allow reliable budget forecasts to be made in good time, the dates laid down for sending information must be complied with.
- (13) With a view to ensuring the necessary consistency between the penalties provided for in this Regulation and those laid down to the same effect in Commission Regulation (EC) No 1623/2000 ⁽¹⁾, as last amended by Regulation (EC) No 545/2001 ⁽²⁾, that Regulation should be amended and the penalties adapted accordingly.
- (14) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS REGULATION:

Article 1

The detailed rules for the application of Regulation (EC) No 1493/1999 as regards the gathering of information to identify wine products and to monitor the wine market shall be as laid down in this Regulation.

CHAPTER I

Harvest declarations

Article 2

1. Natural or legal persons or groups of such persons who harvest grapes, hereinafter referred to as 'harvesters', shall submit each year to the competent authorities in the Member States a harvest declaration for the administrative unit specified, containing at least the information specified in Table A and, where appropriate, Table B of the Annex hereto.

Member States may authorise the presentation of one declaration per holding.

2. The following shall not be required to submit a harvest declaration:
- (a) harvesters whose entire grape production is intended for consumption unprocessed or for drying or for processing directly into grape juice;
 - (b) harvesters whose holdings comprise less than 10 ares of area under vines, no part of whose harvest has been or will be marketed in any form whatsoever;
 - (c) harvesters whose holdings comprise less than 10 ares of area under vines and who deliver their entire harvested production to the cooperative winery or group to which they belong or with which they are associated. In such case

harvesters must provide the cooperative winery or group with a declaration specifying:

- (i) the name, first name and address of the wine-grower;
- (ii) the quantity of grapes delivered;
- (iii) the size and location of the areas under vines concerned.

The cooperative winery or group shall check the accuracy of the data contained in this declaration against the information at its disposal.

3. Notwithstanding the first subparagraph of paragraph 1 and without prejudice to the obligations arising from Article 4, Member States may exempt from the obligation to submit harvest declarations:

- (a) harvesters who themselves process the whole of their harvest of grapes into wine or cause it to be processed on their behalf;
- (b) harvesters associated with or belonging to a wine cooperative or group who deliver the whole of their harvest to that wine cooperative or group as grapes and/or must, including the harvesters referred to in Article 4(4).

Article 3

The area to be entered in the declaration referred to in Article 2 shall be the area under vines in production in the administrative unit specified by the Member State.

CHAPTER II

Production, treatment and/or marketing declarations

Article 4

1. Natural or legal persons or groups of such persons, including winemaking cooperatives, who from the current year's harvest have produced wine and/or hold, at the dates specified in Article 11(1), products other than wine shall submit a production declaration each year containing at least the information specified in Table C of the Annex hereto to the competent authorities designated by the Member States.

2. Member States may lay down that natural or legal persons or groups of such persons, including winemaking cooperatives who, before the dates specified in Article 11(1), have treated and/or marketed products upstream of wine for the current marketing year shall submit a treatment and/or marketing declaration containing at least the information specified in Table C to the competent authorities.

3. The harvesters referred to in Article 2(2) and producers who obtain, by vinification on their premises of products bought in, less than 10 hectolitres of wine which has not been or will not be marketed in any form whatsoever shall not be required to submit a production declaration or, where applicable, a treatment or marketing declaration.

⁽¹⁾ OJ L 194, 31.7.2000, p. 45.

⁽²⁾ OJ L 81, 21.3.2001, p. 21.

4. Exemption from the obligation to submit a production declaration shall also be granted to harvesters belonging to or associated with a cooperative winery that is required to submit a declaration, who deliver their production of grapes to that winery but reserve the right to obtain by vinification a quantity of wine of less than 10 hectolitres for their family consumption.

5. In the case of natural or legal persons or groups of such persons who market products upstream of wine, the Member States shall take the necessary measures to ensure that producers required to submit declarations are able to obtain the various data that they must give in the declarations.

Article 5

Notwithstanding Article 4, Member States which have, in accordance with Regulation (EEC) No 2392/86, established an annually updated vineyard register or similar administrative control instrument may release the natural or legal persons, groups of such persons or harvesters referred to in that Article from the obligation to declare the area.

In such cases the competent authorities of the Member States shall themselves complete the declarations referred to in that Article by indicating the area on the basis of the data in the register.

CHAPTER III

Stock declarations

Article 6

1. Each year natural or legal persons or groups of such persons other than private consumers and retailers shall declare the stocks of grape must, concentrated grape must, rectified concentrated grape must and wine held by them at 31 July to the competent authorities of the Member States. As regards Community wine products, such declarations shall not include those obtained from grapes harvested in the same calendar year.

However, Member States where the annual wine production does not exceed 25 000 hectolitres may exempt traders other than retailers who hold small stocks from the obligation to make the declarations provided for in the first subparagraph if the competent authorities are in a position to give the Commission a statistical assessment of those stocks held in the Member State.

2. 'Retailer' within the meaning of paragraph 1 means any natural or legal person or group of such persons whose business activity includes the sale of wine in small quantities directly to the consumer, with the exception of those who use cellars equipped for storing and handling wine in large quantities.

The quantities referred to in the first subparagraph shall be determined by each Member State having regard in particular to the special features of trade and distribution.

3. The declaration provided for in paragraph 1 shall contain at least the information specified in Table D in the Annex hereto.

CHAPTER IV

Common provisions

Article 7

1. The Member States shall draw up the model forms for the various declarations and shall ensure that these forms contain at least the items specified in Tables A, B, C and D of the Annex.

The forms referred to above need not include an explicit reference to the area if the Member State is able to determine this with certainty from the other information contained in the declaration, such as the area in production and the total harvest of the holding, or in the vineyard register.

The information contained in the declarations referred to in the first subparagraph shall be centralised at national level.

Member States shall adopt any control measures necessary to ensure the accuracy of the declarations.

They shall notify the Commission of these measures and shall send in the model forms drawn up pursuant to the first subparagraph.

2. Member States whose areas under vines do not exceed 100 ha and which have at their disposal:

- some of the information that must appear on the declarations referred to in Chapters I and II from other administrative acts may leave the declarations blank in this regard;
- all of the information that must appear on the declarations referred to in Chapters I and II from other administrative acts may release operators from the obligation to submit these declarations.

The Member States in which Chapters I and II of Title II of Regulation (EC) No 1493/1999 do not apply pursuant to Article 21 of that Regulation and which have at their disposal:

- some of the information that must appear on the declarations referred to in Chapter III from other administrative acts may leave the declarations blank in this regard,
- all of the information that must appear on the declarations referred to in Chapter III from other administrative acts may release the operators from the requirement to submit these declarations.

Article 8

For the purposes of making out the declarations referred to in Articles 2 and 4, 'other wines' means wines obtained from grapes of varieties listed in the classification of vine varieties drawn up by the Member States in accordance with Article 19 of Regulation (EC) No 1493/1999 for the same administrative unit as both wine-grape varieties and, as the case may be, table-grape varieties, varieties for the production of dried grapes or varieties for the production of wine spirits.

However, for the purposes of the declaration referred to in Article 4, 'other wines' within the meaning of the first paragraph only means wines intended for the production of wine spirits with a registered designation of origin or wine for compulsory distillation as referred to in Article 28 of Regulation (EC) No 1493/1999.

Article 9

The quantities of products to be entered in the declarations provided for in Articles 2, 4 and 6 shall be expressed in hectolitres of wine. The quantities of concentrated grape must and rectified concentrated grape must entered in the declarations referred to in Article 4 shall be expressed in hectolitres of those products.

However, Member States may lay down that the quantities in the declarations provided for in Article 2 are to be expressed in quintals rather than hectolitres.

To convert quantities of products other than wine into hectolitres of wine, the Member States may fix coefficients that may vary with different objective criteria having a bearing on the conversion. Member States shall communicate the coefficients to the Commission along with the summary provided for in Article 14.

The quantity of wine to be entered in the production declarations provided for in Article 4 shall be the total quantity obtained on completion of the principal alcoholic fermentation, including the wine lees.

Article 10

This Regulation shall not affect any provisions of Member States on harvest, production, treatment and/or marketing or stock declarations which provide for the supply of fuller information, in particular by covering a wider range of persons than those provided for in Articles 2, 4 and 6.

Article 11

1. The declarations referred to in Articles 2 and 4 shall be submitted not later than 10 December. However, Member States may set an earlier date or dates. They may also set a date at which the quantities held are taken into account in making declarations.

2. The declarations referred to in Article 6 shall be made not later than 10 September in respect of quantities held at 31 July. However, Member States may set an earlier date or dates.

CHAPTER V

Penalties

Article 12

Persons required to submit harvest, production, marketing and/or treatment or stock declarations who do not submit such declarations by the dates specified in Article 11 shall not, except in cases of *force majeure*, qualify for the measures

provided for in Articles 24, 29, 30, 34 and 35 of Regulation (EC) No 1493/1999 for the wine year in question or the following wine year.

However, exceeding the time limits specified in the first paragraph by not more than five working days shall entail a 15 % reduction only in the amounts payable for the wine year in question and a 30 % reduction if those time limits are exceeded by not more than 10 working days.

Article 13

1. Persons required to submit harvest, production, marketing and/or treatment or stock declarations who submit declarations found to be incomplete or inaccurate by the competent authorities of the Member States may qualify for the measures referred to in Articles 24, 29, 30, 34 and 35 of Regulation (EC) No 1493/1999 only if the missing or inaccurate details are not essential to the proper application of those measures.

2. Except in cases of *force majeure*, where the declarations referred to in this Regulation are found to be incomplete or inaccurate by the competent authorities of the Member States and where the missing or inaccurate information is essential to the proper application of the measures in question, the Member State shall apply the following penalties, irrespective of any national penalties applied:

- (a) in the case of the measures referred to in Articles 24, 34 and 35 of Regulation (EC) No 1493/1999, the aid shall be reduced:
 - by the same percentage as the percentage adjustment made to the quantity declared, where that adjustment is 5 % or less,
 - by twice the percentage of the adjustment made to the quantity declared, where that adjustment is more than 5 % but not more than 20 %.

Neither this aid nor that for the following wine year shall be granted where the adjustment made to the quantity declared is more than 20 %.

Where the error detected in the declaration arises from information supplied by other operators and/or associates whose names are entered in the required documents and that information cannot be checked a priori by the declarant, the aid shall be reduced only by the percentage of the adjustment made;

- (b) in the case of the measures referred to in Articles 29 and 30 of Regulation (EC) No 1493/1999, where the wine delivered for distillation has not yet been paid for, the price payable by the distiller to the declaring producer shall be reduced as follows:

- by the same percentage as the adjustment made to the declared volume, in percentage terms, where that adjustment is 5 % or less,
- by twice the percentage of the adjustment made to the declared volume where that adjustment is more than 5 % and not more than 20 %.

Neither these prices nor those for the following wine year shall be paid where the adjustment made to the quantity is more than 20 %.

Where the error detected in the declaration arises from information supplied by other operators and/or associates whose names are entered in the required documents and that information cannot be checked a priori by the declarant, the aid shall be reduced by only the percentage of the adjustment made.

The competent authorities shall adjust the aid to be paid to the distiller in proportion to the price paid to the producer.

3. Where the aid referred to under paragraph 2(a) has already been paid, the competent authorities shall recover the aid paid in excess, plus interest at the current rate in the Member State from the date of payment of the aid until its recovery. Any amount paid in excess by way of an advance on the aid obtained under the rules applying must be refunded to the competent agency, plus interest at the current rate in the Member State from the date of payment of the advance until its recovery.

CHAPTER VI

Communications to be made by the Member States

Article 14

Member States shall establish by dates that allow for the communications referred to in Article 16:

- (a) a national summary of the production declarations provided for in Article 4 and, where appropriate, the coefficients used to convert the quantities of products other than wine from quintals into hectolitres of wine in the various production regions;
- (b) a national summary of the stock declarations provided for in Article 6;
- (c) an estimate for the current marketing year of the likely volume of wine products obtained on their territory;
- (d) an appraisal for the current marketing year of those particulars allowing supplies of wine products and quantities used on their territory to be estimated;
- (e) a provisional report on the preceding marketing year and a final report on the marketing year before that.

Article 15

1. With a view to recording prices, the Member States, with the exception of those in which Chapters I and II of Title II of Regulation (EC) No 1493/1999 do not apply pursuant to Article 21 of that Regulation, shall identify production areas made up of wine-growing regions where production is of a sufficiently uniform nature.

2. The Member States shall identify the markets in each area where the prices are to be recorded.

3. Every 14 days, the prices of red and white table wines without a geographical indication and the quantity marketed shall be recorded at those markets by any appropriate means.

4. The above prices shall be those for unpacked goods ex-producer's premises.

Article 16

1. The Member States shall send the Commission:

- (a) by 15 September and 30 November of the current wine year at the latest, the estimates referred to in Article 14(c) of the likely quantity of wine products obtained on their territory;
- (b) by 30 November at the latest, the summary of the stock declarations referred to in Article 14(b);
- (c) by 30 November at the latest, the appraisals referred to in Article 14(d) of those particulars allowing supplies of wine products and quantities used on their territory to be estimated;
- (d) by 15 November at the latest, the provisional report on the preceding wine year and by 15 March at the latest, the final report for the wine year before that as referred to in Article 14(e). Those reports shall be sent to Eurostat, the Statistical Office of the European Communities;
- (e) by 15 February at the latest, the summary of the production declarations referred to in Article 14(a) or an estimate of that summary. Where an estimate is sent, the definitive result must be sent by 15 April at the latest.

Notifications by e-mail shall be confirmed by a postal delivery by the above deadlines, as evidenced by the postmark.

2. The Member States shall send the Commission:

- (a) before 1 August 2001:
 - the demarcation of the production areas established,
 - the estimated production of the regions making up these production areas for the preceding five wine years,
 - the names of the markets selected in each area where prices are to be recorded,
 - the arrangements adopted for the recording of prices;
- (b) every second Tuesday from 1 August 2001, the prices and the quantities marketed, together with any other information deemed useful for assessing market developments in the production areas;
- (c) any changes in the particulars referred to in the first and third indents of point (a).

CHAPTER VII

General and final provisions*Article 17*

Member States shall notify the Commission of any important new facts likely to alter substantially the assessment of available quantities and quantities used based on definitive information for past years.

Article 18

In addition to their use for statistical purposes, the data in the declarations shall be used for the application of Regulation (EC) No 1493/1999. In particular, the data on the breakdown of production into table wines, quality wines psr and other wines shall determine the producers' rights and obligations pursuant to that Regulation.

Article 19

The Commission shall ensure that the information it receives under this Regulation is properly distributed.

Article 20

Article 74(4) of Regulation (EC) No 1623/2000 is hereby replaced by the following:

'4. The intervention agency shall recover from the producer an amount equal to some or all of the aid paid to the distiller in cases where a producer does not meet the requirements laid down in the Community rules on the distillation operation in question, for one of the following reasons:

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

Done at Brussels, 28 June 2001.

(a) failure by the producer to present the harvest, production or stock declaration within the time allowed.

The amount to be recovered shall be determined in accordance with the rules laid down in Article 12 of Commission Regulation (EC) No 1282/2001 (*);

(b) presentation of one of the declarations referred to in point (a) found by the competent authority of the Member State to be incomplete or inaccurate, where the missing or inaccurate data are essential to the application of the measure concerned.

The amount to be recovered shall be determined in accordance with the rules laid down in Article 13 of Regulation (EC) No 1282/2001;

(c) failure to meet the obligations laid down in Article 37 of Regulation (EC) No 1493/1999 where the infringement is detected or notified to the distiller after payment of the minimum price on the basis of previous declarations.

All the aid paid to the distiller shall be recovered.

(*) OJ L 176, 29.6.2001, p. 14.'

*Article 21***Repeals**

Commission Regulations (EEC) No 2396/84 ⁽¹⁾ and (EC) No 1294/96 ⁽²⁾ are hereby repealed.

Article 22

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 224, 21.8.1984, p. 14.

⁽²⁾ OJ L 166, 5.7.1996, p. 14.

ANNEX
TABLE A

GRAPE HARVEST DECLARATION

Declarant Utilised area under vines (ha):	Area in production (ha)	Quantity of grapes harvested (hl/quintals)		Made into wine by the declarant		Use to which grapes were put (hl)						Other uses (1)		
		Red/rosé	White	Red/rosé	White	Delivered to a wine cooperative (1)		Sold to a wine producer (1)		Must	White			
						Grapes	Must	Grapes	Must					
						Red/rosé	White	Red/rosé	White	Red/rosé	White	Red/rosé	White	
1. Vineyards for table wines without a geographical indica- tion														
2. Vineyards for table wines with a geographical indication														
3. Vineyards for quality wines psr														
4. Vineyards for other wines														

(1) The quantities of grapes delivered to a wine cooperative or sold to a wine producer are the overall quantities. The breakdown of such deliveries or sales are given in Table B.

TABLE B (1)

HARVEST DECLARATION

Consignees	Type of products sold to a wine producer or delivered to a wine cooperative (hl/quintals)							
	Grapes and/or must for table wine				Grapes and/or must for quality wines psr		Grapes and/or must of multi-purpose varieties	
	Without a geographical indication		With a geographical indication					
	Red	White	Red	White	Red	White	Red	White
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(1) This table is for products sold or delivered before the production declaration is made.

TABLE C
PRODUCTION DECLARATION

A. Information concerning the declarant ⁽¹⁾

 B. Place where the products are held:

Category of products used ⁽²⁾	Name and address of the suppliers and reference of delivery document (accompanying or other document)	Area of vineyards in production in which the products used originate	Grapes (quintals)	Wines obtained since the beginning of the wine year and products other than wine held at the date of the declaration (hl)													
				Table wines				Quality wines psr				Other wines and products					
				Must ⁽³⁾		Wines ⁽⁴⁾		Must ⁽³⁾		Wines ⁽⁴⁾		Must ⁽³⁾		Wines ⁽⁴⁾		Other products ⁽⁵⁾	
				r	w	r	w	r	w	r	w	r	w	r	w	r	w

⁽¹⁾ For cooperatives, the list of members who deliver their entire harvest should be separate from that of the other members.
⁽²⁾ Grapes, grape must (concentrated must, rectified concentrated must, partially fermented must), new wines still in fermentation.
⁽³⁾ Including partially fermented must but excluding concentrated must and rectified concentrated must.
⁽⁴⁾ Including new wines still in fermentation.
⁽⁵⁾ All products of the wine year other than those declared in other columns and concentrated must and rectified concentrated must should be entered by product category.

TABLE D
DECLARATION OF WINE AND MUST STOCKS
 held at 31 July (hl)

Declarant:		Category of products	Total stocks	of which red and rosé wine	of which white wine	Comments
Place where the products are held:						
Wines	1. Stocks with producers: (a) table wines without a geographical indication (b) table wines with a geographical indication (c) quality wines psr	Total				
	2. Stocks with traders: (a) wines of Community origin: — table wines without a geographical indication — table wines with a geographical indication — quality wines psr (b) wines originating in third countries	Total				
	3. Summary (1 + 2)					
Must	1. Stocks with producers: (a) concentrated grape must (b) rectified concentrated grape must	Total				
	2. Stocks with traders: (a) concentrated grape must (b) rectified concentrated grape must	Total				
	3. Summary (1 + 2)					

**COMMISSION REGULATION (EC) No 1283/2001
of 28 June 2001**

amending Regulation (EC) No 2705/2000 derogating from Regulation (EC) No 2799/1999 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder and repealing Regulation (EC) No 1492/2000

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 Articles 10 and 15 thereof,

Whereas:

- (1) Pursuant to Article 5(1) of Commission Regulation (EC) No 2799/1999 of 17 December 1999 laying down detailed rules for applying Regulation (EC) No 1255/1999 as regards the grant of aid for skimmed milk and skimmed-milk powder intended for animal feed and the sale of such skimmed-milk powder ⁽³⁾, as last amended by Regulation (EC) No 213/2001 ⁽⁴⁾, aid is granted for skimmed milk and skimmed-milk powder processed into compound feedingstuffs provided that at least 50 kg of powder is incorporated into every 100 kg of finished product. In the light of the development of the situation on the market for skimmed-milk powder, Commission

Regulation (EC) No 2705/2000 ⁽⁵⁾, as last amended by Regulation (EC) No 783/2001 ⁽⁶⁾, reduces the above-mentioned rate of incorporation temporarily for the period 17 December 2000 to 30 June 2001. For the same reason, that derogation should be extended by six months.

- (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

In Article 1 of Regulation (EC) No 2705/2000 the date '30 June 2001' is replaced by '31 December 2001'.

Article 2

This Regulation shall enter into force on the fifth 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, 28 June 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 340, 31.12.1999, p. 3.

⁽⁴⁾ OJ L 37, 7.2.2001, p. 1.

⁽⁵⁾ OJ L 311, 12.12.2000, p. 34.

⁽⁶⁾ OJ L 113, 24.4.2001, p. 3.

COMMISSION REGULATION (EC) No 1284/2001**of 28 June 2001****fixing the weighting coefficients to be used in calculating the Community market price for pig carcasses and repealing Regulation (EC) No 1354/2000**

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 Article 4(6) thereof,

Whereas:

- (1) The Community market price for pig carcasses, as referred to in Article 4(2) of Regulation (EEC) No 2759/75, must be established by weighting the prices recorded in each Member State by coefficients expressing the relative size of the pig population of each Member State. These coefficients should be determined on the basis of the number of pigs counted at the beginning of December each year in accordance with Council Directive 93/23/EEC of 1 June 1993 concerning surveys of pig production to be made by the Member States ⁽³⁾, as amended by Directive 97/77/EC ⁽⁴⁾.
- (2) In view of the results of the census of December 2000 the weighting coefficients fixed by Commission Regulation (EC) No 1354/2000 ⁽⁵⁾ should be adjusted.

- (3) 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 weighting coefficients referred to in Article 4(2) of Regulation (EEC) No 2759/75 shall be as specified in the Annex hereto.

Article 2

Regulation (EC) No 1354/2000 is hereby repealed.

Article 3

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

It shall apply from 1 July 2001.

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

Done at Brussels, 28 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 1.

⁽²⁾ OJ L 156, 29.6.2000, p. 5.

⁽³⁾ OJ L 149, 21.6.1993, p. 1.

⁽⁴⁾ OJ L 10, 16.1.1998, p. 28.

⁽⁵⁾ OJ L 155, 28.6.2000, p. 29.

ANNEX

Weighting coefficients to be used in calculating the Community market price for pig carcasses

Belgium	5,9
Denmark	10,3
Germany	21,0
Greece	0,7
Spain	18,3
France	13,0
Ireland	1,4
Italy	6,8
Luxembourg	0,1
Netherlands	10,4
Austria	2,7
Portugal	1,9
Finland	1,2
Sweden	1,5
United Kingdom	4,8

COMMISSION REGULATION (EC) No 1285/2001**of 28 June 2001****rejecting a list of applications for the registration of designations communicated under Article 17 of Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, as last amended by Commission Regulation (EC) No 2796/2000 ⁽²⁾, and in particular Article 17 thereof,

Whereas:

- (1) A decision on 314 German applications, communicated under Article 17(2) of Regulation (EEC) No 2081/92 for the registration of 'mineral waters' as protected designations of origin, is pending.
- (2) In the case of at least 125 of these 314 applications, the proposed names are not geographical and they are consequently not 'designations of origin', as specified in Article 2(a) of that Regulation.
- (3) Article 2(3) of Regulation (EEC) No 2081/92 allows under certain circumstances to consider traditional geographical or non-geographical names as designations of origin. This Article, which is an exception to the general rule, may not be applied to any of these 125 applications, as they do not clearly justify that the proposed designations have been traditionally attributed to a particular geographical area. Accordingly these 125 applications may not be registered.

- (4) In the case of 15 of the 314 German applications communicated under Article 17(2) of Regulation (EEC) No 2081/92 for registrations of 'mineral waters', the proposed names are geographical but include 'numbers', the latter helping to distinguish between 'mineral waters' having the same designations. Designations of origin including 'numbers' shall not be accepted, being the objective of the Regulation the protection of only geographical names. Accordingly these 15 applications may not be registered.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Regulatory Committee on Geographical Indications and Designations of Origin,

HAS ADOPTED THIS REGULATION:

Article 1

The applications for registrations under Article 17 of Regulation (EEC) No 2081/92 of the designations listed in the Annex to this Regulation are rejected.

Article 2

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, 28 June 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 208, 24.7.1992, p. 1.

⁽²⁾ OJ L 324, 21.12.2000, p. 25.

ANNEX

Natural mineral waters and spring waters

GERMANY

Addorfer Dreibogen-Quelle (M2)	Fürstenquelle
Adelheidquelle	Goldrausch-Brunnen
Aegidiusbrunnen	Graf Metternich Quelle
Albertusquelle	Graf Metternich Varus-Quelle
Alosa	Graf Simeon Quelle
Alstertaler Mineralbrunnen	Granus-Quelle
Alt-Bürger-Brunn	Haranni Stille
Andreas Quelle	Haranni-Quelle
Antonius-Quelle	Hassia Leicht
Apollinaris	Hassia-Sprudel
Apollo-Quelle	Heerbach-Mineralbrunnen
Aquilla	Helenen-Quelle
Ariston Mineralwasser	Hella
Assindia-Quelle	Hellweg Quelle Mineralbrunnen
Astra-Quelle	Henri-Klinkert-Brunnen
Augusta Victoria Quelle	Herminenquelle
Augustinus-Quelle	Herzog-Wigbert-Quelle
Bad Driburger Mineralquelle I	Hetalli Quelle
Badestädter Mineralquelle	Hubertussprudel
Basinus Quelle	Irisquelle
Brunnen III (Hunsrück-Quelle)	Jakobbrunnen
Burg-Quelle	Jakobus
Centgraf Stilles Mineralwasser	Johannis Quell
Centgraf-Brunnen	Johannisquelle
Dauner Heilquelle, Heilwasser aus der Dauner Quelle IV	Johanniter Quelle
Dauner Quelle I	Josefsquelle
Dauner Quelle II	Kaiser-Quelle
Dauner Quelle III	Kastell-Mineralwasser
Dillenius-Quelle	Kellerwald-Quelle 1
Drachenquelle	Kimi Quelle
Dreikönigsquelle	Klosterquelle
Elisabethenquelle	König Otto-Sprudel
Elisabethen-Quelle	König-Ludwig-I-Quelle
Eltina-Quelle	Königsquell
Erwinaris Mineralbrunnen	Kronen Quelle (Moers)
Filippo Mineralsprudel	Kronen-Quelle (Heilbronn)
Florian-Quelle	Kronia-Quelle
Förstina Sprudel Urquelle	Kronsteiner Felsenquelle
Fortis	Krönungs-Quelle
Fortuna-Quelle	Lahnsteiner I
Fürstenbrunn	Lahnsteiner II

Leopoldsquelle	Selters Mineralquelle I-VII Selters a. d. Lahn
Linden-Brunnen	Seltina-Mineralbrunnen
Löwensprudel	Selzerbrunnen
Luisen-Brunnen	Shop
Magnus-Quelle	Silvana Quelle
Marienquelle	Sinnberger Quelle
Markusbrunnen	St. Angari
Martinybrunnen 3	St. Burghard
Mephisto-Quelle	St. Conrad-Brunnen
Mönchsbrunnen	St. Eligius-Quelle
Mühringer Schlossquelle III	St. Libori
Neue Otto-Quelle	Stadion
Nordquell	Stauferquelle
Original Schloss-Quelle	Steinbergquelle
Park-Brunnen	Urbanus Mineralwasser
Prinzenquelle	Victoria I
Private Quelle Grüneberg I	Victoria II
PurBorn	Vitrex-Mineralwasser
Raffelberger Mineralbrunnen	Vulkan-Quelle
Reginaris-Mineralwasser	Walita
Reinoldus-Brunnen	Weisenbergerquelle
Reinsteiner Quelle	Wenden Quelle
Residenz-Quelle	Wernarzer Heilquelle
Retzmannbrunnen	Werretaler
Romanis-Quelle	Wildsberg-Quelle
Romina-Quelle	Wilhelmsthaler Mineralbrunnen
Sankt Martin	Wüteria Heiligenquelle Gemmingen (Brunnen 3)
Saturn-Quelle	Wüteria Schlossbrunnen Gemmingen (Brunnen 1)
Schloss-Quelle I	Xaveri-Brunnen Adldorf (M1)

COMMISSION REGULATION (EC) No 1286/2001
of 28 June 2001
amending the export refunds on poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organisation of the market in poultrymeat ⁽¹⁾, as last amended by Commission Regulation (EC) No 2916/95 ⁽²⁾, and in particular Article 8(3) thereof,

Whereas:

- (1) The export refunds on poultrymeat were fixed by Commission Regulation (EC) No 1152/2001 ⁽³⁾.
- (2) It follows from applying the criteria referred to in Article 8 of Regulation (EEC) No 2777/75 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1) of Regulation (EEC) No 2777/75, exported in the natural state, as fixed in the Annex to Regulation (EC) No 1152/2001 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 28 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 282, 1.11.1975, p. 77.
⁽²⁾ OJ L 305, 19.12.1995, p. 49.
⁽³⁾ OJ L 156, 13.6.2001, p. 29.

ANNEX

to the Commission Regulation of 28 June 2001 altering the export refunds on poultrymeat

Product code	Destination	Unit of measurement	Amount of refund
0105 11 11 9000	A02	EUR/100 pcs	1,00
0105 11 19 9000	A02	EUR/100 pcs	1,00
0105 11 91 9000	A02	EUR/100 pcs	1,00
0105 11 99 9000	A02	EUR/100 pcs	1,00
0105 12 00 9000	A02	EUR/100 pcs	2,15
0105 19 20 9000	A02	EUR/100 pcs	2,15
0207 12 10 9900	V01	EUR/100 kg	20,00
0207 12 10 9900	V02	EUR/100 kg	20,00
0207 12 90 9190	V01	EUR/100 kg	20,00
0207 12 90 9190	V02	EUR/100 kg	20,00
0207 12 90 9990	V01	EUR/100 kg	20,00
0207 12 90 9990	V02	EUR/100 kg	20,00

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:

V01 Angola, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, Jordan, Yemen, Lebanon, Iraq, Iran

V02 Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine.

COMMISSION REGULATION (EC) No 1287/2001
of 28 June 2001
on the issuing of system B export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 298/2000 ⁽²⁾, and in particular Article 5(6) thereof,

Whereas:

- (1) Commission Regulation (EC) No 862/2001 ⁽³⁾ fixed the indicative quantities laid down for the issue of export licences other than those requested in the context of food aid.
- (2) In the light of information now available to the Commission, the indicative quantities have been exceeded in the case of lemons and apples.
- (3) Those overruns are without prejudice to compliance with the limits resulting from the agreements concluded in accordance with Article 300 of the Treaty. The rate of

refund for all products covered by licences applied for under system B from 14 May to 13 June 2001 should be the indicative rate,

HAS ADOPTED THIS REGULATION:

Article 1

The percentages for the issuing of system B export licences, as referred to in Article 5 of Regulation (EC) No 2190/96, and applied for between 14 May and 13 June 2001, by which the quantities applied for and the rates of refund applicable must be multiplied, are as fixed in the Annex hereto.

The above subparagraph does not apply to licences applied for in connection with food-aid operations as provided for in Article 10(4) of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations.

Article 2

This Regulation shall enter into force on 29 June 2001.

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

Done at Brussels, 28 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 34, 9.2.2000, p. 16.

⁽³⁾ OJ L 122, 3.5.2001, p. 8.

ANNEX

to the Commission Regulation of 28 June 2001 on the issuing of system B export licences for fruit and vegetables

Percentages for the issuing of licences and rates of refund applicable to system B licences applied for between 14 May and 13 June 2001

Product	Percentage for the issuing of licences	Rate of refund (EUR/t net)
Tomatoes	100 %	18,0
Shelled almonds	100 %	45,0
Shelled hazelnuts	100 %	103,0
Lemons	100 %	35,0
Apples	100 %	25,0

COMMISSION REGULATION (EC) No 1288/2001
of 28 June 2001
on the issuing of A1 export licences for 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 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 298/2000 ⁽²⁾, and in particular Article 2(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 862/2001 ⁽³⁾ sets the quantities for which A1 export licences, other than those requested in the context of food aid, may be issued.
- (2) Article 2 of Regulation (EC) No 2190/96 sets the conditions under which special measures may be taken by the Commission with a view to avoiding an overrun of the quantities for which A1 licences may be issued.
- (3) The Commission has received information which indicates that those quantities, reduced or increased by the quantities referred to in Article 2(3) of Regulation (EC) No 2190/96, would be exceeded if A1 licences were

issued without restriction for shelled almonds in response to applications submitted since 22 June 2001; therefore, one percentage should be fixed for the issuing of licences for quantities applied for on 22 June 2001 and applications for A1 licences submitted later in that application period should be rejected,

HAS ADOPTED THIS REGULATION:

Article 1

A1 export licences for shelled almonds for which applications were submitted on 22 June 2001 pursuant to Article 1 of Regulation (EC) No 862/2001 shall be issued for 79,7 % of the quantities applied for.

Applications for A1 export licences submitted after 22 June 2001 and before 24 June 2001 for this product shall be rejected.

Article 2

This Regulation shall enter into force on 29 June 2001.

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

Done at Brussels, 28 June 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 34, 9.2.2000, p. 16.

⁽³⁾ OJ L 122, 3.5.2001, p. 8.

COMMISSION REGULATION (EC) No 1289/2001

of 28 June 2001

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 1527/2000 ⁽²⁾, and in particular point (a) of the second subparagraph of Article 18(5) thereof,

Whereas:

(1) Article 18 of Regulation (EC) No 2038/1999 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Regulation (EC) No 2038/1999 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 19 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account.

(3) The refund on raw sugar must be fixed in respect of the standard quality; the latter is defined in Article 1 of Council Regulation (EC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽³⁾, as amended by Regulation (EC) No 3290/94 ⁽⁴⁾; furthermore, this refund should be fixed in accordance with Article 19(4) of Regulation (EC) No 2038/1999; candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽⁵⁾; the refund thus calculated for sugar containing added flavouring or

colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

(4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination.

(5) In special cases, the amount of the refund may be fixed by other legal instruments.

(6) The refund must be fixed every two weeks; whereas it may be altered in the intervening period.

(7) It follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto.

(8) The period of validity of export licences issued in July 2001 should be limited so that there is no difference in treatment between operators using the licences by 30 September 2001 and those using them after that date.

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 2038/1999, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Notwithstanding Article 6(3) of Commission Regulation (EC) No 1464/95 ⁽⁶⁾, export licences issued in July 2001 shall expire on 30 September 2001.

Article 2

This Regulation shall enter into force on 29 June 2001.

⁽¹⁾ OJ L 252, 25.9.1999, p. 1.

⁽²⁾ OJ L 175, 14.7.2000, p. 59.

⁽³⁾ OJ L 89, 10.4.1968, p. 3.

⁽⁴⁾ OJ L 349, 31.12.1994, p. 105.

⁽⁵⁾ OJ L 214, 8.9.1995, p. 16.

⁽⁶⁾ OJ L 144, 28.6.1995, p. 14.

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

Done at Brussels, 28 June 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 28 June 2001 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	32,42 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	32,80 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	32,42 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	32,80 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,3524
1701 99 10 9100	A00	EUR/100 kg	35,24
1701 99 10 9910	A00	EUR/100 kg	35,66
1701 99 10 9950	A00	EUR/100 kg	35,66
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,3524

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 19 (4) of Council Regulation (EC) No 2038/1999.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ L 255, 26.9.1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ L 309, 21.11.1985, p. 14).

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).

COMMISSION REGULATION (EC) No 1290/2001

of 28 June 2001

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

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

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, as amended by Regulation (EC) No 2390/2000 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. Whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. Whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

(5) Now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.

(6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000 provides that a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1722/93 ⁽⁸⁾, as last amended by Commission Regulation (EC) No 87/1999 ⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods.

(7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark stipulates that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.

(8) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

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

Article 2

This Regulation shall enter into force on 29 June 2001.

⁽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 177, 15.7.2000, p. 1.

⁽⁶⁾ OJ L 276, 28.10.2000, p. 3.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 9, 15.1.1999, p. 8.

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

Done at Brussels, 28 June 2001.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 28 June 2001 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

		(EUR/100 kg)	
CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases	— — — —	— — — —
1002 00 00	Rye	2,079	2,079
1003 00 90	Barley – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	— —	— —
1004 00 00	Oats	0,677	0,677
1005 90 00	Maize (corn) used in the form of: – starch: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁴⁾ : – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – where goods falling within subheading 2208 ⁽³⁾ are exported – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	3,019 2,130 4,227 1,962 1,598 3,170 2,130 4,227 3,019 2,130 4,227	3,019 2,130 4,227 1,962 1,598 3,170 2,130 4,227 3,019 2,130 4,227

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly-milled rice:		
	– round grain	19,400	19,400
	– medium grain	19,400	19,400
	– long grain	19,400	19,400
1006 40 00	Broken rice	4,900	4,900
1007 00 90	Sorghum	—	—

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

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

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

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

COMMISSION REGULATION (EC) No 1291/2001
of 28 June 2001
amending the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector⁽³⁾, as last amended by Regulation (EC) No 2235/2000⁽⁴⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 1189/2001⁽⁵⁾, as last amended by Regulation (EC) No 1226/2001⁽⁶⁾.

- (2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1189/2001,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II to Regulation (EC) No 1189/2001 are hereby replaced by Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on 29 June 2001.

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

Done at Brussels, 28 June 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 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 256, 10.10.2000, p. 13.

⁽⁵⁾ OJ L 161, 16.6.2001, p. 35.

⁽⁶⁾ OJ L 167, 22.6.2001, p. 7.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00	0,00
	medium quality ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	0,00	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	0,00	0,00
	medium quality	23,20	13,20
	low quality	59,03	49,03
1002 00 00	Rye	46,60	36,60
1003 00 10	Barley, seed	46,60	36,60
1003 00 90	Barley, other ⁽³⁾	46,60	36,60
1005 10 90	Maize seed other than hybrid	75,36	65,36
1005 90 00	Maize other than seed ⁽³⁾	75,36	65,36
1007 00 90	Grain sorghum other than hybrids for sowing	46,60	36,60

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements for durum wheat of medium quality, referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

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

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

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

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 24 or 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 15 June to 27 June 2001)

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	136,20	130,76	108,49	86,59	201,95 (**)	191,95 (**)	114,42 (**)
Gulf premium (EUR/t)	—	18,45	4,88	10,46	—	—	—
Great Lakes premium (EUR/t)	28,17	—	—	—	—	—	—

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

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: 19,34 EUR/t; Great Lakes — Rotterdam: 30,72 EUR/t.

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

COMMISSION REGULATION (EC) No 1292/2001**of 28 June 2001****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 943/2001**

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⁾,

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 common wheat to all third countries, with the exclusion of Poland, was opened pursuant to Commission Regulation (EC) No 943/2001 ⁽⁵⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92

and on the basis of the tenders notified, to make no award.

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 22 to 28 June 2001 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 943/2001.

Article 2

This Regulation shall enter into force on 29 June 2001.

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

Done at Brussels, 28 June 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 133, 16.5.2001, p. 3.

COMMISSION REGULATION (EC) No 1293/2001**of 28 June 2001****fixing the export refunds on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(3) thereof,

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

Whereas:

(1) Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.

(2) Article 13 of Regulation (EC) No 3072/95 provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.

(3) Article 4 of Commission Regulation (EC) No 1518/95 ⁽⁵⁾, as amended by Regulation (EC) No 2993/95 ⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.

(4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

(5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(7) The refund must be fixed once a month; whereas it may be altered in the intervening period.

(8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted.

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

⁽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 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

Article 2

This Regulation shall enter into force on 29 June 2001.

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

Done at Brussels, 28 June 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 28 June 2001 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C01	EUR/t	59,18	1104 23 10 9100	A00	EUR/t	63,41
1102 20 10 9400 ⁽¹⁾	C01	EUR/t	50,72	1104 23 10 9300	A00	EUR/t	48,61
1102 20 90 9200 ⁽¹⁾	C01	EUR/t	50,72	1104 29 11 9000	A00	EUR/t	0,00
1102 90 10 9100	C01	EUR/t	0,00	1104 29 51 9000	A00	EUR/t	0,00
1102 90 10 9900	C01	EUR/t	0,00	1104 29 55 9000	A00	EUR/t	0,00
1102 90 30 9100	C01	EUR/t	12,19	1104 30 10 9000	A00	EUR/t	0,00
1103 12 00 9100	A00	EUR/t	12,19	1104 30 90 9000	A00	EUR/t	10,57
1103 13 10 9100 ⁽¹⁾	A00	EUR/t	76,09	1107 10 11 9000	A00	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	A00	EUR/t	59,18	1107 10 91 9000	A00	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	A00	EUR/t	50,72	1108 11 00 9200	A00	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	A00	EUR/t	50,72	1108 11 00 9300	A00	EUR/t	0,00
1103 19 10 9000	A00	EUR/t	20,79	1108 12 00 9200	A00	EUR/t	67,63
1103 19 30 9100	A00	EUR/t	0,00	1108 12 00 9300	A00	EUR/t	67,63
1103 21 00 9000	A00	EUR/t	0,00	1108 13 00 9200	A00	EUR/t	67,63
1103 29 20 9000	A00	EUR/t	0,00	1108 13 00 9300	A00	EUR/t	67,63
1104 11 90 9100	A00	EUR/t	0,00	1108 19 10 9200	A00	EUR/t	74,48
1104 12 90 9100	A00	EUR/t	13,54	1108 19 10 9300	A00	EUR/t	74,48
1104 12 90 9300	A00	EUR/t	10,83	1109 00 00 9100	A00	EUR/t	0,00
1104 19 10 9000	A00	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	A00	EUR/t	66,26
1104 19 50 9110	A00	EUR/t	67,63	1702 30 59 9000 ⁽²⁾	A00	EUR/t	50,72
1104 19 50 9130	A00	EUR/t	54,95	1702 30 91 9000	A00	EUR/t	66,26
1104 21 10 9100	A00	EUR/t	0,00	1702 30 99 9000	A00	EUR/t	50,72
1104 21 30 9100	A00	EUR/t	0,00	1702 40 90 9000	A00	EUR/t	50,72
1104 21 50 9100	A00	EUR/t	0,00	1702 90 50 9100	A00	EUR/t	66,26
1104 21 50 9300	A00	EUR/t	0,00	1702 90 50 9900	A00	EUR/t	50,72
1104 22 20 9100	A00	EUR/t	10,83	1702 90 75 9000	A00	EUR/t	69,43
1104 22 30 9100	A00	EUR/t	11,51	1702 90 79 9000	A00	EUR/t	48,19
				2106 90 55 9000	A00	EUR/t	50,72

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

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

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

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

C01: All destinations except Poland.

COMMISSION REGULATION (EC) No 1294/2001
of 28 June 2001
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1666/2000⁽²⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A

refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) However, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported.
- (6) The refund must be fixed once a month; whereas it may be altered in the intervening period.
- (7) The 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 compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 29 June 2001.

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

Done at Brussels, 28 June 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. 51.

ANNEX

to the Commission Regulation of 28 June 2001 fixing the export refunds on cereal-based compound feeding-stuffs

Product codes benefiting from export refund:

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

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	A00	EUR/t	42,27
Cereal products excluding maize and maize products	A00	EUR/t	0,00

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

COMMISSION REGULATION (EC) No 1295/2001
of 28 June 2001
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 7 ⁽³⁾ thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1667/2000 ⁽⁴⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EC) No 87/1999 ⁽⁶⁾, and in particular Article 3 thereof,

Whereas:

- (1) Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be

fixed once a month and may be altered if the price of maize and/or wheat changes significantly.

- (2) The production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable.
- (3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 0,00/t.

Article 2

This Regulation shall enter into force on 29 June 2001.

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

Done at Brussels, 28 June 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 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 9, 15.1.1999, p. 8.

COMMISSION REGULATION (EC) No 1296/2001**of 28 June 2001****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of 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⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.

- (4) 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.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) 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(a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2001.

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

Done at Brussels, 28 June 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 28 June 2001 fixing the export refunds on cereals and on wheat or rye flour,
groats and meal**

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 11 9000	—	EUR/t	—
1001 10 00 9400	—	EUR/t	—	1101 00 15 9100	C01	EUR/t	0
1001 90 91 9000	—	EUR/t	—	1101 00 15 9130	C01	EUR/t	0
1001 90 99 9000	C01	EUR/t	0	1101 00 15 9150	C01	EUR/t	0
1002 00 00 9000	A00	EUR/t	0	1101 00 15 9170	C01	EUR/t	0
1003 00 10 9000	—	EUR/t	—	1101 00 15 9180	C01	EUR/t	0
1003 00 90 9000	A00	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1004 00 00 9200	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1004 00 00 9400	—	EUR/t	0	1102 10 00 9500	C01	EUR/t	0
1005 10 90 9000	—	EUR/t	—	1102 10 00 9700	C01	EUR/t	0
1005 90 00 9000	A00	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1007 00 90 9000	—	EUR/t	—	1103 11 10 9200	A00	EUR/t	0 ⁽¹⁾
1008 20 00 9000	—	EUR/t	—	1103 11 10 9400	A00	EUR/t	0 ⁽¹⁾
				1103 11 10 9900	—	EUR/t	—
				1103 11 90 9200	A00	EUR/t	0 ⁽¹⁾
				1103 11 90 9800	—	EUR/t	—

⁽¹⁾ No refund is granted when this product contains compressed meal.

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

The other destinations are as follows:

C01 All destinations except for Poland.

COMMISSION REGULATION (EC) No 1297/2001
of 28 June 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 1 July 2001.

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

Done at Brussels, 28 June 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 28 June 2001 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12	6th period 1
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C01	0	-0,93	-1,86	-2,79	-3,72	—	—
1002 00 00 9000	A00	0	0,00	0,00	0,00	0,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	0	-0,93	-1,86	-2,79	-3,72	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	-0,93	-1,86	-2,79	-3,72	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	-1,00	-2,00	0,00	-0,93	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	C01	0	-1,27	-2,55	-3,82	-5,10	—	—
1101 00 15 9130	C01	0	-1,19	-2,38	-3,57	-4,76	—	—
1101 00 15 9150	C01	0	-1,10	-2,19	-3,29	-4,39	—	—
1101 00 15 9170	C01	0	-1,01	-2,03	-3,04	-4,05	—	—
1101 00 15 9180	C01	0	-0,95	-1,90	-2,85	-3,79	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	C01	0	-1,27	-2,55	-3,82	-5,10	—	—
1102 10 00 9700	C01	0	-1,00	-2,00	-3,00	-4,02	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	-1,40	-2,79	-4,18	-5,58	—	—
1103 11 10 9400	A00	0	-1,25	-2,49	-3,74	-4,98	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	-1,27	-2,55	-3,82	-5,10	—	—
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 1298/2001
of 28 June 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 1 July 2001.

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

Done at Brussels, 28 June 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 28 June 2001 fixing the corrective amount applicable to the refund on malt

(EUR/t)

Product code	Destination	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	-1,27	-2,54	—	—	—
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	-1,27	-2,54	—	—	—
1107 20 00 9000	A00	0	-1,49	-2,98	—	—	—

(EUR/t)

Product code	Destination	6th period 1	7th period 2	8th period 3	9th period 4	10th period 5	11th period 6
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 1299/2001

of 28 June 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) 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.

- (5) 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.
- (6) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.
- (7) The refund must be fixed at least once a month; whereas it may be altered in the intervening period.
- (8) 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.
- (9) 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.
- (10) 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

The issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 29 June 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.

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

Done at Brussels, 28 June 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 28 June 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	171,00	1006 30 65 9100	R01	EUR/t	214,00
1006 20 13 9000	R01	EUR/t	171,00		R02	EUR/t	194,00
1006 20 15 9000	R01	EUR/t	171,00		R03	EUR/t	199,00
1006 20 17 9000	—	EUR/t	—		064	EUR/t	—
1006 20 92 9000	R01	EUR/t	171,00		A97	EUR/t	194,00
1006 20 94 9000	R01	EUR/t	171,00	1006 30 65 9900	021 and 023	EUR/t	194,00
1006 20 96 9000	R01	EUR/t	171,00		R01	EUR/t	214,00
1006 20 98 9000	—	EUR/t	—		064	EUR/t	—
1006 30 21 9000	R01	EUR/t	171,00	1006 30 67 9100	A97	EUR/t	194,00
1006 30 23 9000	R01	EUR/t	171,00		021 and 023	EUR/t	194,00
1006 30 25 9000	R01	EUR/t	171,00		064	EUR/t	—
1006 30 27 9000	—	EUR/t	—	1006 30 67 9900	064	EUR/t	—
1006 30 42 9000	R01	EUR/t	171,00	1006 30 92 9100	R01	EUR/t	214,00
1006 30 44 9000	R01	EUR/t	171,00		R02	EUR/t	194,00
1006 30 46 9000	R01	EUR/t	171,00		R03	EUR/t	199,00
1006 30 48 9000	—	EUR/t	—		064	EUR/t	—
1006 30 61 9100	R01	EUR/t	214,00		A97	EUR/t	194,00
	R02	EUR/t	194,00	1006 30 92 9900	021 and 023	EUR/t	194,00
	R03	EUR/t	199,00		R01	EUR/t	214,00
	064	EUR/t	—		A97	EUR/t	194,00
	A97	EUR/t	194,00		064	EUR/t	—
1006 30 61 9900	021 and 023	EUR/t	194,00	1006 30 94 9100	A97	EUR/t	194,00
	R01	EUR/t	214,00		021 and 023	EUR/t	194,00
	A97	EUR/t	194,00		R01	EUR/t	214,00
	064	EUR/t	—		A97	EUR/t	194,00
1006 30 63 9100	R01	EUR/t	214,00	1006 30 96 9100	064	EUR/t	—
	R02	EUR/t	194,00		R01	EUR/t	214,00
	R03	EUR/t	199,00		R02	EUR/t	194,00
	064	EUR/t	—		R03	EUR/t	199,00
	A97	EUR/t	194,00		064	EUR/t	—
1006 30 63 9900	021 and 023	EUR/t	194,00	1006 30 96 9900	A97	EUR/t	194,00
	R01	EUR/t	214,00		021 and 023	EUR/t	194,00
	064	EUR/t	—		R01	EUR/t	214,00
	A97	EUR/t	194,00	1006 30 98 9100	A97	EUR/t	194,00
				1006 30 98 9900	064	EUR/t	—
				1006 40 00 9000	021 and 023	EUR/t	194,00
					—	EUR/t	—
					—	EUR/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.

COMMISSION DIRECTIVE 2001/49/EC

of 28 June 2001

amending Annex I to Council Directive 91/414/EEC concerning the placing of plant protection products on the market to include DPX KE 459 (flupyr-sulfuron-methyl) as an active substance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽¹⁾, as last amended by Commission Directive 2001/236/EC ⁽²⁾, and in particular Article 6(1) thereof,

Whereas:

- (1) In accordance with Article 6(2) of Directive 91/414/EEC (hereinafter referred to as 'the Directive') on 26 October 1995 France received an application from Du Pont de Nemours SAS, ('the applicant') for the inclusion of the active substance DPX KE 459 (flupyr-sulfuron-methyl) in Annex I to the Directive.
- (2) In accordance with the provisions of Article 6(3) of the Directive Commission Decision 97/164/EC ⁽³⁾ concluded that the dossier submitted for flupyr-sulfuron-methyl could be considered as satisfying, in principle, the data and information requirements of Annex II, and for a plant protection product containing this active substance, of Annex III to the Directive.
- (3) The effects of flupyr-sulfuron-methyl on human and animal health and the environment have been assessed by France, acting as nominated rapporteur Member State, in accordance with the provisions of Article 6(2) and (4) of the Directive, for the uses proposed by the applicant France submitted its draft assessment report concerning the substance to the Commission on 2 December 1997.
- (4) The dossier and the information from the review of flupyr-sulfuron-methyl were also submitted to the Scientific Committee on Plants for opinion on 15 July 1999. This Committee gave its opinion on 20 November 2000 ⁽⁴⁾.
- (5) In the light of these examinations, it appears that plant protection products containing flupyr-sulfuron-methyl may be expected to satisfy, in general, the requirements laid down in Article 5(1) and (3) of the Directive, in particular with regard to the uses which were examined and detailed in the Commission review reports. It is therefore appropriate to include it in Annex I to the Directive, in order to ensure that in all Member States

plant protection products containing it can be authorised in accordance with the Directive.

- (6) After inclusion, a reasonable period is necessary to permit Member States to implement the provisions of this Directive and in particular to review, provisional authorisations granted for plant protection products containing flupyr-sulfuron-methyl, which should be replaced by authorisations granted under Article 4 of Directive 91/414/EEC. A longer period may also be required for plant protection products containing flupyr-sulfuron-methyl and other active substances included in Annex I.
- (7) The review report is required for the proper implementation by the Member States, of several sections of the uniform principles laid down in Annex VI to the Directive which refer to the evaluation of the data which were submitted for the purpose of the inclusion of the active substance in Annex I to the Directive. It is appropriate to provide that the finalised review report (except for confidential information in the meaning of Article 14 of the Directive) is kept available or made available by the Member States for consultation by any interested party.
- (8) Should this review report be updated to take account of technical and scientific developments, the conditions for the inclusion of flupyr-sulfuron-methyl in Annex I to the Directive may also need to be amended in accordance with the procedure specified in the Directive.
- (9) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health delivered on 27 April 2001,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The table in Annex I to Directive 91/414/EEC shall be amended to include the entry in respect of DPX KE 459 (flupyr-sulfuron-methyl) set out in the Annex hereto.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive, at the latest by 31 December 2001. They shall forthwith inform the Commission thereof.

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.

⁽²⁾ OJ L 164, 20.6.2001, p. 1.

⁽³⁾ OJ L 64, 5.3.1997, p. 7.

⁽⁴⁾ Opinion of the Scientific Committee on Plants regarding the evaluation of flupyr-sulfuron-methyl in the context of Directive 91/414/EEC concerning the placing of plant protection products on the market. SCP/FLUPYR/002, final dated 11 December 2000.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 3

However, with regard to the review of provisional authorisations granted in the light of the review report and for the application of the Uniform Principles provided in Annex VI to Directive 91/414/EEC, the provisional authorisations shall be withdrawn and where appropriate, replaced by a full authorisation by 30 November 2002. However for plant protection products containing DPX KE 459 (flupyrsulfuron-methyl) together with another active substance not yet in Annex I, the period referred to above is extended to the extent that a longer implementation period is provided for by the provisions laid down in the Directive amending Annex I to Directive 91/414/EEC to include the other substance in the Annex.

Article 4

Member States shall keep available the review report for DPX KE 459 flupyrsulfuronmethyl (except for confidential information within the meaning of Article 14 of the Directive) for consultation by any interested parties or shall make it available to them on specific request.

Article 5

This Directive shall enter into force on 1 July 2001.

Article 6

This Directive is addressed to the Member States.

Done at Brussels, 28 June 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX

ENTRY TO BE INSERTED IN THE TABLE IN ANNEX I TO DIRECTIVE 91/414/EEC

No	Common name, identification numbers	IUPAC name	Purity ⁽¹⁾	Entry into force	Expiration of inclusion	Specific provisions
	DPX KE 459 (flupyrsulfuron-methyl) CAS No 144740-54-5 CIPAC No 577	2-(4,6-dimethoxypyrimidin-2-ylcarbamoylsulfamoyl)-6-trifluoromethylnicotinate monosodium salt	903 g/kg	1 July 2001	30 June 2011	Only uses as a herbicide may be authorised. In decision-making according to the Uniform Principles Member States must pay particular attention to the protection of groundwater. Date of Standing Committee on Plant Health at which the review report was finalised: 27 April 2001.

⁽¹⁾ Further details on identity and specification of active substances are provided in the review report for DPX KE 459 (flupyrsulfuron-methyl) (5050/V1/97).'

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 15 June 2001

amending Decision 96/221/EC approving the programme concerning viral haemorrhagic septicaemia for certain geographical zones presented by Denmark

(notified under document number C(2001) 1606)

(Only the Danish text is authentic)

(Text with EEA relevance)

(2001/485/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products ⁽¹⁾, as last amended by Directive 98/45/EC ⁽²⁾, and in particular Article 10(2) thereof,

Whereas:

- (1) The Member States may submit to the Commission a programme that is designed to enable them to obtain the status of approved zone with regard to certain diseases affecting fish.
- (2) Such programmes have already, by Commission Decision 96/221/EC ⁽³⁾ been approved for certain catchment areas in Denmark.
- (3) Denmark, by Commission Decision 93/74/EEC ⁽⁴⁾, as last amended by Decision 2001/139/EC ⁽⁵⁾, is recognised as an approved continental and coastal zone for fish with regard to infectious haematopoietic necrosis (IHN) and partly as an approved continental and coastal zone with regard to viral haemorrhagic septicaemia (VHS).
- (4) Denmark has submitted to the Commission a voluntary eradication programme concerning VHS, with a view to subsequently obtaining the status as approved zone for the whole territory of Denmark.

- (5) The programme specifies the geographical situation of the zones concerned, the measures to be taken by the official services, the procedures to be followed by the approved laboratories, the prevalence of the disease of concern and the measures to combat the diseases where detected.
- (6) On scrutiny the programme has been found to comply with Article 10 of Directive 91/67/EEC.
- (7) The programme of concern should be approved and the Annex to Decision 96/221/EC should be amended.
- (8) 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 Annex to Decision 96/221/EC is hereby replaced by the Annex hereto.

Article 2

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 15 June 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 46, 19.2.1991, p. 1.

⁽²⁾ OJ L 189, 3.7.1998, p. 12.

⁽³⁾ OJ L 74, 22.3.1996, p. 42.

⁽⁴⁾ OJ L 27, 4.2.1993, p. 35.

⁽⁵⁾ OJ L 50, 21.2.2001, p. 20.

ANNEX

GEOGRAPHICAL AREAS/ZONES

The catchment area of Fiskebæk Å;
all parts of Jutland south and west of the catchment areas of Storåen, Karup Å, Gudenåen and Grejs Å;
the area of all the Danish isles.

COMMISSION DECISION**of 15 June 2001****on Community financial assistance towards the eradication of bluetongue in Italy in 2000***(notified under document number C(2001) 1613)***(Only the Italian text is authentic)**

(2001/486/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/75/EC ⁽¹⁾ laying down specific provisions for the control and eradication of bluetongue and in particular Articles 6 and 9,Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽²⁾, as last amended by Decision (EC) No 2001/12/EC ⁽³⁾, and in particular Article 3(3) and (5) thereof,

Whereas:

- (1) Outbreaks of bluetongue occurred in Italy in 2000. The onset of the disease represents a serious danger to Community stocks. With a view to preventing the spreading of the disease and contributing to its eradication the Community may contribute to eligible expenditures incurred by the Member State.
- (2) As soon as the presence of bluetongue was officially confirmed the Italian authorities reported that they had taken the measures listed in Article 3(2) of Decision 90/424/EEC, when they are adapted to the epidemiological specificity of bluetongue.
- (3) Pursuant to Article 3(2) of Regulation (EC) No 1258/1999 ⁽⁴⁾, veterinary and plant health measures undertaken in accordance with Community rules shall be financed under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund. For financial control purposes, Articles 8 and 9 of Regulation (EC) No 1258/1999 apply.
- (4) The financial contribution from the Community shall be granted provided that the actions planned are efficiently carried out and that the authorities supply all the necessary information within the time limits laid down.
- (5) It is appropriate to clarify the terms 'swift and adequate compensation of farmers' used in Article 3(2) of Decision 90/424/EEC and to further define destruction, cleaning, disinfecting and disinsecting costs used in Article 3(5) of Decision 90/424/EEC.

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

HAS ADOPTED THIS DECISION:

Article 1

Italy may obtain financial assistance from the Community for eligible expenditure incurred under eradication measures relating to outbreaks of bluetongue which occurred in 2000.

Article 2

1. The Community financial contribution shall be paid on the basis of:

- the supporting documents submitted by Italy on the swift and adequate compensation of owners for the slaughter, destruction of animals and, where appropriate, their products for the cleaning, disinsecting and disinfecting of holdings and equipment and for the destruction of the contaminated feedingstuffs and contaminated equipment,
- the results of the Commission checks referred to in Article 3.

2. The documents referred to in paragraph 1 shall include an epidemiological report covering each holding on which sheep have been slaughtered and destroyed, and a financial report.

The financial report shall take account of the categories of the animals destroyed or slaughtered and destroyed in each farm due to bluetongue. These reports shall be provided in computerised form in accordance with the model and format requested by the Commission.

3. The supporting documents relating to the measures taken in the period referred to in Article 1 shall be forwarded no later than 30 June 2001.

4. For the purposes of this Decision, 'swift and adequate compensation' means animals compensated in the 90 days after their slaughtering at the value of the animals immediately before they became affected; 'destruction, cleaning, disinfecting, disinsecting costs' means the costs of purchase, VAT excluded, of products in order to clean, disinfect and disinsect affected holdings, and the costs of services in order to destruct carcasses.

⁽¹⁾ OJ L 327, 22.12.2000, p. 74.⁽²⁾ OJ L 224, 18.8.1990, p. 19.⁽³⁾ OJ L 3, 6.1.2001, p. 27.⁽⁴⁾ OJ L 160, 26.6.1999, p. 103.

Article 3

The Commission may make on-the-spot checks, with the cooperation of the competent national authorities, on the application of the above measures and the related expenditure incurred.

The Commission shall inform the Member States of the results of the checks carried out.

Article 4

This Decision is addressed to the Italian Republic.

Done at Brussels, 15 June 2001.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION

of 18 June 2001

modifying Decision 2000/159/EC on the provisional approval of residue plans of third countries according to Council Directive 96/23/EC

(notified under document number C(2001) 1614)

(Text with EEA relevance)

(2001/487/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Directive 72/462/EEC of 12 December on health and veterinary inspection problems upon importation of bovine, ovine, caprine animals and swine, fresh meat or meat products from third countries ⁽²⁾, as last amended by Directive 97/79/EC ⁽³⁾, and in particular Article 3 thereof,

Whereas:

- (1) There is a public health concern in relation to residues in products of animal origin. Therefore residue plans on these products shall be approved and regularly updated.
- (2) The deadline set in Article 8(3) of Directive 96/23/EC for third countries to forward to the Commission the monitoring plans for the current year and results of the previous year is 31 March of each year.
- (3) 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 ⁽⁴⁾, also lays down the conditions to amend the lists of approved establishments in third countries.
- (4) The Annex to Decision 2000/159/EC of 8 February 2000 on the provisional approval of residue plans of third countries according to Council Directive 96/23/EC ⁽⁵⁾, indicates the third countries which have submitted a plan, setting out the guarantees which it

offers as regards the monitoring of the groups of residues and substances referred to in Annex I to Directive 96/23/EC. Consequently, when these guarantees are not provided, the lists laid down by Decision 95/408/EC should be amended in accordance with the modifications to the Annex to Decision 2000/159/EC.

- (5) Some third countries have presented residue monitoring plans including results thereof to the Commission, and there is a need for evaluation, additional information and further clarification. Pending further evaluation, these third countries may remain listed in the Annex to Decision 2000/159/EC on the provisional approval of residue plans of third countries according to Council Directive 96/23/EC.
- (6) Decision 2000/159/EC was first updated by Decision 2001/31/EC ⁽⁶⁾. A few third countries submitted their monitoring plans after the adoption of the Decision. Pending further evaluation, these third countries may be included in the Annex to Decision 2000/159/EC for the products concerned.
- (7) The situation of some other third countries regarding monitoring plans for certain species has changed since the publication of Decision 2001/31/EC. Pending further evaluation, these third countries may be included in the Annex to Decision 2000/159/EC for the products concerned.
- (8) In the light of the foregoing, it is appropriate to update the Annex to Decision 2000/159/EC on the provisional approval of residue plans of third countries according to Council Directive 96/23/EC. Decision 2000/159/EC should therefore be amended accordingly.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ L 125, 23.5.1996, p. 10.

⁽²⁾ OJ L 302, 31.12.1972, p. 28.

⁽³⁾ OJ L 24, 30.1.1998, p. 31.

⁽⁴⁾ OJ L 243, 11.10.1995, p. 17.

⁽⁵⁾ OJ L 51, 24.2.2000, p. 30.

⁽⁶⁾ OJ L 8, 12.1.2001, p. 40.

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2000/159/EC is replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 June 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX

The residue monitoring plans of the following third countries are provisionally approved on the basis of Directive 96/23/EC for the animals or primary animal products marked by an 'X' in the table.

ISO2 code	Country	Bovine	Ovine/ caprine	Swine	Equidae	Poultry	Aquaculture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
AD	Andorra ⁽¹⁾	X	X		X								
AF	Afghanistan		X ⁽²⁾										
AG	Antigua and Barbuda												
AL	Albania		X				X						
AM	Armenia												
AN	Netherlands Antilles												
AO	Angola												
AR	Argentina	X	X		X	X	X	X	X		X	X	X
AU	Australia	X	X	X	X	X	X	X	X	X	X	X	X
AZ	Azerbaijan												
BA	Bosnia and Herzegovina												
BD	Bangladesh		X ⁽²⁾				X						
BG	Bulgaria		X	X	X ⁽³⁾	X		X			X	X	X
BH	Bahrain		X ⁽²⁾										
BJ	Benin												
BR	Brazil	X	X ⁽²⁾	X	X	X	X	X				X	X
BS	Bahamas												
BW	Botswana	X											
BY	Belarus				X ⁽³⁾		X						
BZ	Belize												
CA	Canada	X	X	X	X	X	X	X	X		X	X	X
CH	Switzerland	X	X	X		X		X	X				
CI	Côte d'Ivoire												
CL	Chile	X ⁽²⁾	X	X	X ⁽²⁾	X	X				X	X	X
CM	Cameroon												

ISO2 code	Country	Bovine	Ovine/ caprine	Swine	Equidae	Poultry	Aquaculture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
CN	China		X ⁽²⁾	X ⁽²⁾		X	X			X			X
CO	Colombia						X	X					
CR	Costa Rica		X ⁽²⁾				X						
CU	Cuba						X						X
CV	Cape Verde												
CY	Cyprus		X ⁽²⁾	X ⁽²⁾	X ⁽³⁾	X	X	X	X	X	X	X	X
CZ	Czech Republic	X	X	X	X ⁽³⁾	X	X	X	X	X	X	X	X
DZ	Algeria						X						
EC	Ecuador						X						
EE	Estonia	X	X	X	X ⁽³⁾	X	X	X	X				X
EG	Egypt		X ⁽²⁾										
ER	Eritrea												
ET	Ethiopia												
FJ	Fiji												
FK	Falkland Islands												
FO	Faeroe Islands						X						
GA	Gabon												
GD	Grenada												
GH	Ghana												
GL	Greenland		X		X ⁽³⁾						X	X	
GM	Gambia												
GN	Guinea												
GT	Guatemala						X						X
HK	Hong Kong ⁽⁴⁾												
HN	Honduras		X ⁽²⁾				X						
HR	Croatia	X	X	X	X ⁽³⁾	X	X	X	X	X	X	X	X
HU	Hungary	X	X	X	X ⁽³⁾	X	X	X	X	X	X	X	X
ID	Indonesia						X						

ISO2 code	Country	Bovine	Ovine/ caprine	Swine	Equidae	Poultry	Aquaculture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
IL	Israel					X	X	X	X			X	X
IN	India	X ⁽²⁾	X ⁽²⁾				X		X				X
IR	Iran		X ⁽²⁾				X						
IS	Iceland	X	X	X	X		X	X					
JM	Jamaica						X						
JP	Japan		X ⁽²⁾				X						
KE	Kenya												
KR	South Korea					X	X						
KW	Kuwait		X ⁽²⁾										
LB	Lebanon		X ⁽²⁾										
LK	Sri Lanka						X						
LT	Lithuania	X	X ⁽²⁾	X	X ⁽³⁾	X	X	X	X		X	X	X
LV	Latvia	X	X	X		X	X	X		X	X	X	
MA	Morocco		X ⁽²⁾				X						
MD	Moldova												
MG	Madagascar						X						
MK	Former Yugoslav Republic of Macedonia ⁽⁵⁾	X	X		X ⁽³⁾								
MM	Myanmar												
MN	Mongolia		X ⁽²⁾										
MR	Mauritania												
MT	Malta	X	X	X	X ⁽³⁾	X	X	X	X	X			X
MU	Mauritius						X						
MV	Maldives												
MX	Mexico	X ⁽²⁾	X ⁽²⁾		X	X	X	X	X	X			X
MY	Malaysia					X ⁽⁶⁾	X						
MZ	Mozambique												
NA	Namibia	X	X				X					X	
NC	New Caledonia						X				X	X	

ISO2 code	Country	Bovine	Ovine/ caprine	Swine	Equidae	Poultry	Aquaculture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
NG	Nigeria												
NI	Nicaragua	X ⁽²⁾	X ⁽²⁾				X						X
NO	Norway ⁽⁷⁾	X	X	X		X	X	X	X		X	X	X
NZ	New Zealand	X	X		X		X	X			X	X	X
OM	Oman												
PA	Panama	X ⁽²⁾	X ⁽²⁾				X						
PE	Peru		X ⁽²⁾			X	X						
PF	French Polynesia												
PG	Papua New Guinea												
PH	Philippines						X						
PK	Pakistan	X ⁽²⁾	X ⁽²⁾										
PL	Poland	X	X	X	X	X	X	X	X	X	X	X	X
PM	Saint Pierre and Miquelon												
PY	Paraguay	X	X ⁽²⁾										
RO	Romania	X	X	X	X	X	X	X	X	X	X	X	X
RU	Russia				X ⁽³⁾							X ⁽⁸⁾	
SB	Solomon Islands												
SC	Seychelles						X						
SG	Singapore ⁽⁴⁾												
SH	St Helena												
SI	Slovenia	X		X	X ⁽³⁾	X	X	X	X	X	X	X	X
SK	Slovakia	X	X	X	X ⁽³⁾	X	X	X	X		X	X	X
SM	San Marino ⁽⁹⁾	X		X									X
SN	Senegal												
SR	Suriname						X						
SV	El Salvador												X
SY	Syria		X ⁽²⁾										
SZ	Swaziland	X											
TG	Togo												

ISO2 code	Country	Bovine	Ovine/ caprine	Swine	Equidae	Poultry	Aquaculture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
TH	Thailand					X	X						
TM	Turkmenistan		X ⁽²⁾										
TN	Tunisia		X ⁽²⁾		X ⁽³⁾	X	X				X	X	
TR	Turkey		X ⁽²⁾			X	X	X					X
TW	Taiwan						X						
TZ	Tanzania												
UA	Ukraine				X ⁽³⁾								
UG	Uganda												
US	United States	X	X	X	X	X	X	X	X	X	X	X	X
UY	Uruguay	X	X		X		X	X		X	X		X
UZ	Uzbekistan		X ⁽²⁾										
VC	Saint Vincent and the Grenadines												
VE	Venezuela						X						
VN	Vietnam						X						X
YE	Yemen												
YT	Mayotte						X						
YU	Federal Republic of Yugoslavia	X	X	X	X ⁽³⁾								
ZA	South Africa	X	X	X		X	X	X		X	X	X	
ZM	Zambia												X
ZW	Zimbabwe	X					X					X	

⁽¹⁾ Initial residue monitoring plan approved by veterinary subgroup EC/Andorra (in accordance with Decision 2/1999 of EC/Andorra Joint Committee of 22 December 1999 (OJ L 315.2.2000)).

⁽²⁾ Only casings.

⁽³⁾ Exports of live horses for slaughter (food producing animals only).

⁽⁴⁾ Third country using only raw material from other approved third countries for food production.

⁽⁵⁾ Appropriate denomination still under discussion at UN.

⁽⁶⁾ Peninsular (western) Malaysia only.

⁽⁷⁾ Monitoring plan approved in accordance with Decision of the EFTA Surveillance Authority No 223/96/COL of 4 December 1996 (OJ L 78, 20.3.1997, p. 38).

⁽⁸⁾ Only for reindeer from Murmansk region.

⁽⁹⁾ Monitoring plan approved in accordance with Decision No 1/94 of the EC-San Marino Cooperation Committee of 28 June 1994 (OJ L 238, 13.9.1994, p. 25).

COMMISSION DECISION

of 28 June 2001

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

(notified under document number C(2001) 1687)

(Text with EEA relevance)

(2001/488/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) 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) All Member States have implemented the restrictions to the movement of animals of susceptible species laid down in Commission Decision 2001/327/EC of 24 April 2001 concerning restrictions to the movement of animals of susceptible species with regard to foot-and-mouth disease and repealing Decision 2001/263/EC ⁽³⁾, as last amended by Decision 2001/416/EC ⁽⁴⁾.
- (3) It appears also appropriate to maintain for an additional period of time certain restrictions to the movement of sheep and goats within the Community.
- (4) 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 Directive 2001/10/EC of the European Parliament and of the Council ⁽⁶⁾.
- (5) Council Directive 92/102/EEC ⁽⁷⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, concerns the identification and registration of animals.
- (6) Council Directive 85/511/EEC ⁽⁸⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, intro-

duced Community measures for the control of foot-and-mouth disease.

- (7) It appears appropriate to further restrict the movement of animals through staging points and allow such movement only for animals of susceptible species for breeding and in the case of bovine and porcine animals also for production, taking into account the requirements for health and identification standards applicable to intra-Community trade in such animals.
- (8) 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⁾.
- (9) Council Regulation (EC) No 1255/97 of 25 June 1997 concerns Community criteria for staging points and amends the route plan referred to in the Annex to Directive 91/628/EEC ⁽¹¹⁾.
- (10) Commission Decision 93/444/EEC ⁽¹²⁾ concerns detailed rules governing intra-Community trade in certain live animals and products intended for exportation to third countries.
- (11) 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 is however also possible to further ease certain restrictions established under Decision 2001/327/EC.
- (12) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2001/327/EC is amended as follows:

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.⁽²⁾ OJ L 62, 15.3.1993, p. 49.⁽³⁾ OJ L 115, 25.4.2001, p. 12.⁽⁴⁾ OJ L 149, 2.6.2001, p. 40.⁽⁵⁾ OJ L 46, 19.2.1991, p. 19.⁽⁶⁾ OJ L 147, 31.5.2001, p. 41.⁽⁷⁾ OJ L 355, 5.12.1992, p. 32.⁽⁸⁾ OJ L 315, 26.11.1985, p. 11.⁽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 208, 19.8.1993, p. 34.

1. In Article 2 paragraph 3 is deleted and paragraphs 1 and 2 are replaced by the following:

'1. Without prejudice to Directive 91/68/EEC, Member States other than the United Kingdom shall ensure that trade between Member States in sheep and goats for breeding, fattening and slaughter is subject to the following additional conditions:

- (a) in the case of animals for breeding and fattening, the animals have remained on a single holding of origin for a period of at least 30 days prior to loading, or since birth in the holding of origin where the animals are less than 30 days old;
- (b) in the case of animals for breeding and fattening, no sheep and goats have been introduced into that holding during the last 21 days of the residence period referred to in subparagraph (a), and no animal of species susceptible to foot-and-mouth disease imported from a third country has been introduced into the holding during the 30 days prior to dispatch from the holding of origin, unless the imported animal has been completely isolated from all other animals on the holding;
- (c) in no case sheep and goats must be outside their holding of origin for more than six days before arriving in the certified holding of destination in another Member State.

In the case of transport by ship, the time referred to in the first subparagraph is prolonged by the time of the sea voyage.

Where animals for breeding transit a staging point in accordance with the provisions in Article 2a, the time referred to in the first subparagraph is prolonged by the resting time spent in the staging point;

- (d) in the case of sheep and goats transiting through an approved assembly centre in the Member State of origin, the period during which the assembly of these animals takes place outside the holding of origin must ensure that the condition in subparagraph (c) can be met. The animals shall only transit one single approved assembly centre in the Member State of origin;
- (e) sheep and goats for slaughter may in addition to the provisions in subparagraph (d) transit through one single approved assembly centre in one other Member State of transit before being consigned to the Member State of destination, subject to the conditions in subparagraph (c);
- (f) notwithstanding the provisions in Article 12 of Directive 91/628/EEC, the animals must be accompanied by an animal health certificate in accordance with the models provided for in the respective Annexes of that Directive which must in addition bear the following words:

"Animals in accordance with Commission Decision 2001/327/EC";

(g) intra-Community trade in sheep and goats requires advance notification of the transport by the competent veterinary authorities of the place of departure to the central competent veterinary authorities in the Member State of destination and any Member State of transit. This notification shall be dispatched not later than 24 hours prior to departure of the transport.

2. In the case of intra-Community trade in animals of species susceptible to foot and mouth disease dispatched from a region in a Member State in which restrictions in accordance with Article 9 of Directive 85/511/EEC have been applied during the three months prior to certification, the transport is subject to authorisation by the competent authorities of the place of departure and notification to the central veterinary authorities of the Member State of destination. This notification shall be dispatched not later than 24 hours prior to departure of the transport.'

2. Article 2a is replaced by the following:

'Article 2a

1. 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 certified for intra-Community trade are not moved through staging points established and approved in accordance with Regulation (EC) No 1255/97.

2. Derogating from the provisions in paragraph 1, the movement through staging points may be authorised for intra-Community trade in animals of the bovine and porcine species for breeding and production and in animals of the ovine and caprine species for breeding under the conditions detailed in paragraphs 4 and 5.

3. Derogating from the provisions in paragraph 2, the transport of bovine and porcine animals accompanied in application of Commission Decision 93/444/EEC, and in particular Article 2(1) thereof, by an animal health certificate for animals for slaughter in accordance with Directive 64/432/EEC, may on their way to a third country transit a staging point referred to in paragraph 1, subject to the conditions in paragraph 5.

4. The consignor must provide evidence and declare in writing to the certifying veterinary authorities that suitable arrangements have been made to ensure that the staging point situated within the Community receives at the same time only animals of the same species and of the same certified health status. The route plan is supplemented by the declaration of the consignor.

5. The staging point indicated in the route plan accompanying the consignment is notified by the certifying veterinary authorities to the central veterinary authorities in the Member State of destination and any Member State of transit. This notification shall be dispatched not later than 24 hours prior to departure of the transport.'

3. The date in Article 4 is replaced by '30 September 2001'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 June 2001.

For the Commission

David BYRNE

Member of the Commission
