

English edition

## Legislation

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**Commission**

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## I

(Acts whose publication is obligatory)

**REGULATION (EC) No 1484/2001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
of 27 June 2001  
amending Council Regulation (EEC) No 3528/86 on the protection of the Community's forests  
against atmospheric pollution**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1) thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(2)</sup>,

Having consulted the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty <sup>(3)</sup>,

Whereas:

- (1) The period of application of Regulation (EEC) No 3528/86 <sup>(4)</sup> expired on 31 December 1996. The said Regulation was amended by Regulation (EC) No 307/97 <sup>(5)</sup>. In its judgment of 25 February 1999 in Joined Cases C-164/97 and C-165/97 <sup>(6)</sup> the Court of Justice of the European Communities annulled Council Regulation (EC) No 307/97 but preserved its legal effects pending the adoption of a new Regulation which replaces the Regulation annulled. In order to guarantee legal certainty, the validity of the measures taken in application of the annulled Regulation should be ensured.
- (2) Forests play an essential part in maintaining fundamental ecological balances, particularly as regards the soil, water resources, climate, fauna and flora. Those ecological balances are indispensable for sustainable agriculture and the management of rural areas.

(3) The importance of forests in the ecosystems of the Member States of the Community should be taken into account.

(4) The conservation of the forest ecosystems reflects economic, ecological and social concerns and contributes, in particular, towards safeguarding the social function of those working in agriculture and in rural areas.

(5) The Community and the Member States committed themselves at international level at the three pan-European Ministerial Conferences on the Protection of Forests in Europe, held in Strasbourg in 1990, in Helsinki in 1993 and in Lisbon in 1998, to continuous surveillance of forest damage. The Community scheme provided for by Regulation (EEC) No 3528/86 contributes to the fulfilment of this commitment.

(6) Results from the systematic survey network show obvious trends in spatial and temporal distribution of forest damage over the entire area of the Community.

(7) Plots for the intensive and continuous monitoring of forest ecosystems have been set up by the Member States. A continuation of this monitoring activity over a longer period will improve understanding of the causal relationship between changes in forest ecosystems and the factors influencing them.

(8) Damage caused to forests by various factors, especially atmospheric pollution and certain unfavourable meteorological factors, hampers the development of sustainable agricultural activity and the management of rural areas.

(9) The protection of forests against atmospheric pollution and other unfavourable meteorological factors therefore contributes directly to the achievement of the aims set out in Article 33(1)(b) of the Treaty.

<sup>(1)</sup> OJ C 307 E, 26.10.1999, p. 32 and OJ C 96 E, 27.3.2001, p. 362.

<sup>(2)</sup> OJ C 51, 23.2.2000, p. 24.

<sup>(3)</sup> European Parliament Opinion of 6 July 2000 (OJ C 121, 24.4.2001, p. 176), Council common position of 26 February 2001 (OJ C 97, 27.3.2001, p. 1) and European Parliament Decision of 13 June 2001.

<sup>(4)</sup> OJ L 326, 21.11.1986, p. 2. Regulation as last amended by Regulation (EEC) No 2157/92 (OJ L 217, 31.7.1992, p. 1).

<sup>(5)</sup> OJ L 51, 21.2.1997, p. 9.

<sup>(6)</sup> [1999] ECR I — 1139.



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

Done at Luxembourg, 27 June 2001.

*For the European Parliament*

*The President*

N. FONTAINE

*For the Council*

*The President*

B. ROSENGREN

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**REGULATION (EC) No 1485/2001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
of 27 June 2001  
amending Council Regulation (EEC) No 2158/92 on protection of the Community's forests against  
fire**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1) thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the Economic and Social Committee <sup>(2)</sup>,

Having consulted the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty <sup>(3)</sup>,

Whereas:

- (1) Since the rural communities, in particular foresters and stock farmers, who are the main trustees of Europe's forest heritage, and in particular their professional organisations, play a fundamental role in drawing up regional fire prevention action plans, in practising preventive silviculture and as first-line firefighters, it is important to create the conditions for the effective participation of these people in the protection of European forests against this abiotic agent.
- (2) The period of application of Regulation (EEC) No 2158/92 <sup>(4)</sup> expired on 31 December 1996. The said Regulation was amended by Council Regulation (EC) No 308/97 <sup>(5)</sup>. In its judgment of 25 February 1999 in Joined Cases C-164/97 and C-165/97 <sup>(6)</sup> the Court of Justice of the European Communities annulled Council Regulation (EC) No 308/97 but preserved its legal effects pending the adoption of a new Regulation which replaces the Regulation annulled. In order to guarantee legal certainty, the validity of the measures taken in application of the annulled Regulation should be ensured.
- (3) Forests play an essential part in maintaining fundamental balances, particularly as regards the soil, water resources, climate, flora and fauna. Those ecological balances are indispensable for sustainable agriculture and the management of rural areas.
- (4) The importance of the Mediterranean forests in the ecosystems of the Member States in the south of the

Community, particularly the regions affected by desertification, should be taken into account.

- (5) The conservation of the forest ecosystem reflects economic, ecological and social concerns and contributes, in particular, towards maintaining the social situation of those people working in agriculture and in rural areas.
- (6) The Community and the Member States attach particular importance to the protection of their forest resources and have given international undertakings on the sustainable development of forests and the protection of forest regions, in particular during the United Nations World Conference on the Environment and Development in Rio de Janeiro in 1992 and at the three pan-European Ministerial Conferences on the Protection of European Forests in Strasbourg in 1990, in Helsinki in 1993 and in Lisbon in 1998. The Community scheme provided for by Regulation (EEC) No 2158/92 helps to fulfil those undertakings.
- (7) Pursuant to Regulation (EEC) No 2158/92, sixty million hectares of forest, equivalent to about one half of Europe's forests, have been classified as fire-risk zones.
- (8) Fires continue to restrict the sustainable development of forests in fire-risk zones.
- (9) The protection of forests against fire therefore contributes directly to the achievement of the aims set out in Article 33(1)(b) of the Treaty.
- (10) The Community system of information on forest fires established under Article 5 of Regulation (EEC) No 2158/92 has permitted the development of Community cooperation on forest fires. The development of that system will provide an effective instrument for better evaluating forest-fire protection measures and for better analysing the causes of fires.
- (11) The scheme provided for by Regulation (EEC) No 2158/92 should therefore be continued, in particular to strengthen the consistency of forest measures financed in fire-risk zones, to reinforce the fight against the causes of fires and to improve prevention and monitoring systems and its duration extended for five years, thus bringing its period of application to ten years from 1 January 1992.

<sup>(1)</sup> OJ C 307 E, 26.10.1999, p. 33 and OJ C 96 E, 27.3.2001, p. 365.

<sup>(2)</sup> OJ C 51, 23.3.2000, p. 24.

<sup>(3)</sup> European Parliament Opinion of 6 July 2000 (OJ C 121, 24.4.2001, p. 176), Council common position of 26 February 2001 (OJ C 97, 27.3.2001, p. 5) and European Parliament Decision of 13 June 2001.

<sup>(4)</sup> OJ L 217, 31.7.1992, p. 3.

<sup>(5)</sup> OJ L 51, 21.2.1997, p. 11.

<sup>(6)</sup> [1999] ECR I-1139.

- (12) The measures necessary for the implementation of Regulation (EEC) No 2158/92 should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission <sup>(1)</sup>.
- (13) This Regulation establishes for the entire duration of the measure a financial framework which is to be the principal point of reference, within the meaning of point 33 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure <sup>(2)</sup>, for the budgetary authority under the annual budgetary procedure.
- (14) Regulation (EEC) No 2158/92 should accordingly be amended,

HAVE ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 2158/92 is hereby amended as follows.

1. Articles 9 and 10 shall be replaced by the following:

*'Article 9*

1. The Commission shall be assisted by the Standing Forestry Committee (hereinafter referred to as "the Committee").

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period provided for in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

*Article 10*

1. The scheme shall run for ten years from 1 January 1992.

2. The financial allocation for the implementation of the scheme shall be EUR 49,4 million for the period 1997 to 2001.

The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.

3. Before expiry of the period referred to in paragraph 1, the Commission shall submit to the European Parliament and to the Council a report on the application of this Regulation and a proposal for revision covering in particular the ecological, economic and social aspects (qualitative assessment) and the results of a cost-benefit analysis (quantitative assessment).'

2. In Article 2(5), Article 4(4) and Article 5(3) the words 'procedure laid down in Article 9' shall be replaced by 'procedure laid down in Article 9(2)'.

*Article 2*

Any reference to a measure taken in application of Regulation (EC) No 308/97 shall be taken as a reference to a measure taken in application of this Regulation from the day of the latter's entry into force.

*Article 3*

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

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

Done at Luxembourg, 27 June 2001.

*For the European Parliament*

*The President*

N. FONTAINE

*For the Council*

*The President*

B. ROSENGREN

<sup>(1)</sup> OJ L 184, 17.7.1999, p. 23.

<sup>(2)</sup> OJ C 172, 18.6.1999, p. 1.

**COMMISSION REGULATION (EC) No 1486/2001**  
**of 19 July 2001**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EC) No 1498/98 <sup>(2)</sup>, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 20 July 2001.

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

Done at Brussels, 19 July 2001.

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

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

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



## ANNEX

**to the Commission Regulation of 19 July 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value	
0702 00 00	091	53,1	
	092	53,1	
	999	53,1	
0707 00 05	052	66,8	
	628	126,4	
	999	96,6	
0709 90 70	052	75,5	
	999	75,5	
0805 30 10	388	74,7	
	524	76,6	
	528	70,9	
	999	74,1	
0808 10 20, 0808 10 50, 0808 10 90	388	92,5	
	400	86,8	
	508	79,3	
	512	85,7	
	524	100,8	
	528	73,6	
	804	103,9	
	999	88,9	
	0808 20 50	052	111,6
		388	86,9
512		69,1	
528		66,5	
804		143,4	
0809 10 00	999	95,5	
	052	168,3	
	064	112,5	
	999	140,4	
0809 20 95	052	319,9	
	061	221,4	
	400	251,5	
	404	246,7	
	999	259,9	
0809 30 10, 0809 30 90	052	149,2	
	999	149,2	
0809 40 05	064	100,8	
	624	284,4	
	999	192,6	

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

**COMMISSION REGULATION (EC) No 1487/2001****of 19 July 2001****applying a reduction coefficient to refund certificates for goods not covered by Annex I to the Treaty, as provided for by Article 8(5) of Regulation (EC) No 1520/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products <sup>(1)</sup>, as last amended by Regulation (EC) No 2580/2000 <sup>(2)</sup>,

Having regard to Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds <sup>(3)</sup>, as amended by Regulation (EC) No 2390/2000 <sup>(4)</sup>, and in particular Article 8(5),

Whereas:

- (1) The total amount of applications for refund certificates valid from 1 August 2001 exceeds the maximum

referred to in Article 8(4) of Regulation (EC) No 1520/2000.

- (2) A reduction coefficient shall be calculated on the basis of Article 8(3) and (4) of Regulation (EC) No 1520/2000. Such coefficient should therefore be applied to amounts requested in the form of refund certificates valid from 1 August 2001 as established in Article 8(6) of Regulation (EC) No 1520/2000,

HAS ADOPTED THIS REGULATION:

*Article 1*

The amounts for applications of refund certificates valid from 1 August 2001 are subject to a reduction coefficient of 0,36.

*Article 2*

This Regulation shall enter into force on 20 July 2001.

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

Done at Brussels, 19 July 2001.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

<sup>(1)</sup> OJ L 318, 20.12.1993, p. 18.

<sup>(2)</sup> OJ L 298, 25.11.2000, p. 5.

<sup>(3)</sup> OJ L 177, 15.7.2000, p. 1.

<sup>(4)</sup> OJ L 276, 28.10.2000, p. 3.

**COMMISSION REGULATION (EC) No 1488/2001**

**of 19 July 2001**

**laying down rules for the application of Council Regulation (EC) No 3448/93 as regards the placement of certain quantities of certain basic products listed in Annex I to the Treaty establishing the European Community under the inward processing arrangements without prior examination of the economic conditions**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products <sup>(1)</sup>, as last amended by Regulation (EC) No 2580/2000 <sup>(2)</sup>, and in particular the third subparagraph of Article 11(1) thereof,

Whereas:

- (1) Under Regulation (EC) No 3448/93, certain quantities of certain basic products within the meaning of Article 11 of the said Regulation may be placed under the inward processing arrangements without prior examination of the economic conditions set out in Article 117(c) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code <sup>(3)</sup>, as last amended by European Parliament and Council Regulation (EC) No 2700/2000 <sup>(4)</sup>. The arrangements must be adopted for implementing this possibility and for checking and planning the quantities of such products.
- (2) The procedure enabling the said quantities to be determined using a balance should therefore be laid down. This procedure should also be made transparent by providing for the said balance to be submitted for examination to the Group of Experts on horizontal questions concerning trade in processed agricultural products not listed in Annex I, and the quantities should be published in good time.
- (3) For the purposes of granting such quantities, a specific certificate must be provided for in order to obtain the appropriate customs authorisation.
- (4) In so far as the procedure in question must make it possible to ensure that the Community processing industry has access to agricultural raw materials under competitive conditions and as such a guarantee cannot be provided by the export refund system because of the ceilings set in agreements concluded pursuant to Article 300 of the Treaty, this procedure must be aimed at operators whose needs for refunds are not being met, either in whole or in part.

- (5) The rules for applying for, granting, using and discharging these certificates, together with their technical characteristics, should be defined so that the relevant procedure is flexible and permits prudent management. It should therefore follow, to a large extent, the procedure already in place for certain agricultural certificates, which is set out in Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products <sup>(5)</sup>.
- (6) In so far as the Commission takes account of all companies that process agricultural products, all the goods not covered by Annex I must be taken into consideration as a whole. The procedure described above must therefore provide for production under the inward processing arrangements in two stages, each carried out by a different company.
- (7) It must be laid down that these certificates can be delivered in three tranches. In addition, the emergency issue of one or more tranches should be provided for to deal with any unexpected events, particularly those of the market, and the rights relating to these certificates should be transferable.
- (8) In order to make it possible to check and plan the quantities of the basic products concerned, communication of statistics on the use of the certificates must be provided for.
- (9) The Management Committee on horizontal questions concerning trade in processed agricultural products not listed in Annex I to the Treaty did not deliver an opinion within the time limit laid down by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

**Scope of the Regulation**

1. The placement of certain quantities of basic products set out in Article 11 of Regulation (EC) No 3448/93 under the inward processing arrangements without prior examination of the economic conditions is subject, during its period of validity, to presentation of an inward processing certificate (hereinafter 'IP certificate').

<sup>(1)</sup> OJ L 318, 20.12.1993, p. 18.

<sup>(2)</sup> OJ L 298, 25.11.2000, p. 5.

<sup>(3)</sup> OJ L 302, 19.10.1992, p. 1.

<sup>(4)</sup> OJ L 311, 12.12.2000, p. 1.

<sup>(5)</sup> OJ L 152, 24.6.2000, p. 1.

2. Two successive inward processing authorisations may be granted — one for the placement of a basic product and one for the placement of an intermediate product corresponding to the basic product. The economic conditions will then also be regarded as having been met by each of these authorisations, provided that each of the applications for authorisation is submitted on the basis of the same IP certificate.

#### Article 2

##### Balance

1. No later than 21 September of each year, the Commission shall draw up the balance described in Article 11 of Regulation (EC) No 3448/93 and submit it for examination to the Group of Experts on horizontal questions concerning trade in processed agricultural products not listed in Annex I (hereinafter 'Group of Experts').

2. If the estimated amount needed for refunds exceeds the funds available, the quantities of the various basic products, as identified by their eight-digit Combined Nomenclature code, shall be determined according to the balance.

#### Article 3

##### Initial publication of the quantities available

The total quantities of each basic product determined pursuant to Article 2(2) will be published no later than 30 September each year in the *Official Journal of the European Communities*.

Certificates may be granted for those quantities in three tranches in accordance with Articles 21, 22 and 23.

#### Article 4

##### Applications for IP certificates

1. Only an operator who is a titular holder of a valid refund certificate within the meaning of Commission Regulation (EC) No 1520/2000<sup>(1)</sup> or who was the titular holder of a certificate issued during the previous budget year, may apply for an IP certificate.

Nonetheless, where the second subparagraph of Article 14(3) of Regulation (EC) No 1520/2000 applies, any operator who has been granted refunds during the current or the previous budget year may also apply for an IP certificate.

2. A separate application must be made for each quantity of a single, available, basic product, identified by its eight-digit nomenclature code. Only one application per tranche may be made by any single operator for each basic product.

The authority shall only accept applications for certificates for which the applicant has provided a written declaration that, for the tranche in question, he has not made and undertakes not to make any other applications for IP certificates for the same basic product in the Member State to which he has applied, nor

in any other Member States. If more than one application is made for the same basic product, all of the applications shall be rejected.

3. The total quantity applied for per operator and per tranche for any basic product shall not exceed 5 000 tonnes for basic products covered by the common organisation of the markets in milk products, sugar and rice, and 20 000 tonnes for basic products covered by the common organisation of the market in cereals.

#### Article 5

##### Lodging of applications for certificates

1. No application for a certificate shall be accepted unless it is forwarded to or lodged with the competent body on forms printed and/or made out in accordance with Article 9.

However, competent bodies may accept written telecommunications and electronic messages as valid applications, provided they include all the information which would have appeared on the form, had it been used. Member States may require that a written telecommunication and/or electronic message be followed by an application on a form printed or made out in accordance with Article 9, forwarded or delivered direct to the competent body; in such cases the date on which the written telecommunication or electronic message reached the competent body shall be taken as the day the application is lodged. This requirement shall not affect the validity of applications forwarded by written telecommunication or electronic message.

Where applications for certificates are submitted electronically, the competent authorities of the Member State shall determine how the hand-written signature is to be replaced by another method, which might be based on the use of codes.

2. Applications for certificates may be cancelled only by letter, written telecommunication or electronic message received by the competent authority, except in cases of *force majeure*, by 1 p.m. on the day the application is lodged.

#### Article 6

##### Procedure for lodging applications

1. The day an application for a certificate is lodged means the day on which it is received by the competent body, provided it is received not later than 1 p.m., regardless of whether the application is delivered direct to the competent body or forwarded to it by letter or written telecommunication or electronic message.

2. An application for a certificate received by the competent body either on a Saturday, a Sunday or a holiday or after 1 p.m. on a working day shall be deemed to have been lodged on the first working day following the day on which it was in fact received.

<sup>(1)</sup> OJ L 177, 15.7.2000, p. 1.

3. Where a period of a specified number of days is laid down for the lodging of applications for certificates and where the last day of the period falls on a Saturday, a Sunday or a holiday, the period in question shall end on the first following working day at 1 p.m.

However, such extensions shall not be taken into account for the purpose of determining the certificate's period of validity.

4. The time limits specified in this Regulation are in Belgian local time.

#### Article 7

### Rejection of applications

Applications containing conditions not provided for in Community rules shall be rejected.

#### Article 8

### Extracts

Extracts from certificates shall have the same legal effects as the certificates from which they are extracted, within the limits of the quantity in respect of which such extracts are issued.

#### Article 9

### Specifications for the use and design of the forms

1. Without prejudice to the second subparagraph of Article 5(1) and Article 11(1), applications for certificates, certificates and extracts therefrom shall be drawn up on forms conforming to the specimens set out in Annex I to Regulation (EC) No 1291/2000 under the heading 'Import certificate AGRIM', subject to the following changes:

- (a) either the title 'Import certificate AGRIM' should be removed or crossed out, or 'IP certificate' should be stamped over it. This may be achieved by mechanical or electronic means;
- (b) sections 7 and 8 are deleted;
- (c) the title of section 11 is deleted;
- (d) section 19 of the model for the certificate is deleted;
- (e) the entry 'IP certificate for the manufacture of goods not covered by Annex I and referred to in Article 1(1) of Regulation (EC) No 1520/2000' shall be made, either manually or by mechanical or electronic means, in section 20 of the model for applying for a certificate and in section 24 of the model for the certificate.

Such forms must be completed following the instructions given therein.

2. Certificate forms shall be made up in sets containing copy No 1, copy No 2 and the application, together with any extra copies of the certificate, in that order.

However, Member States may require applicants to complete an application form only, instead of the sets provided for in the preceding subparagraph.

Where the quantity for which the certificate is issued is less than the quantity initially applied for, the quantity applied for must be entered only on the application form.

Forms for extracts of certificates shall be made up in sets containing copy No 1 and copy No 2, in that order.

3. Forms, including extension pages, shall be printed on white paper free of mechanical pulp, dressed for writing and weighing at least 40 grams per square metre. Their size shall be 210 × 297 mm, the permitted length ranging from 5 mm below the latter figure to 8 mm above; the type space between lines shall be 4,24 mm (one sixth of an inch); the layout of forms shall be followed precisely. Both sides of copy No 1 and the side of the extension pages on which the attributions must appear shall in addition have a printed guilloche pattern background so as to reveal any falsification by mechanical or chemical means. The guilloche background shall be green.

4. Member States shall be responsible for having the forms printed. The forms may also be printed by printers appointed by the Member State in which they are established. In the latter case, reference to the approval by the Member State must appear on each form. Each form shall bear an indication of the printer's name and address or a mark enabling the printer to be identified and, except for the application form and extension pages, an individual serial number. The number shall be preceded by the following letters according to the Member State issuing the document: 'AT' for Austria, 'BE' for Belgium, 'DE' for Germany, 'DK' for Denmark 'EL' for Greece, 'ES' for Spain, 'FI' for Finland, 'FR' for France, 'IE' for Ireland, 'IT' for Italy, 'LU' for Luxembourg, 'NL' for the Netherlands, 'PT' for Portugal, 'SE' for Sweden and 'UK' for the United Kingdom.

At the time of their issue, certificates and extracts may bear an issue number allocated by the issuing body.

5. Applications, certificates and extracts shall be completed in typescript or by computerised means: They shall be printed and completed in one of the official languages of the Community, as specified by the competent authorities of the issuing Member State. However, Member States may allow applications only to be handwritten in ink and in block capitals.

6. The stamps of issuing bodies and attributing authorities shall be applied by means of a metal stamp, preferably made of steel. However, an embossing press combined with letters or figures obtained by means of perforation may be substituted for the issuing body's stamp.

7. The competent authorities of the Member States concerned may, where necessary, require certificates and extracts therefrom to be translated into the official language or one of the official languages of that Member State.

*Article 10***Procedure for issuing extracts**

1. On application by the titular holder of the certificate or by the transferee, and on presentation of copy No 1 of the document, one or more extracts therefrom may be issued by the issuing body or the agency or agencies designated by each Member State.

Extracts shall be drawn up in at least two copies, the first of which, called 'holder's copy' and marked 'No 1', shall be supplied or addressed to the applicant and the second, called 'issuing body's copy' and marked 'No 2', shall be retained by the issuing body.

The body issuing the extract shall, on copy No 1 of the certificate, enter the quantity for which the extract has been issued. The word 'extract' shall be entered beside the quantity entered on copy No 1 of the certificate.

2. No further extract may be made of an extract of a certificate.

3. Copy No 1 of an extract which has been used or which is out of date shall be returned by the titular holder to the body which issued the certificate, together with copy No 1 of the certificate from which it derives, so that the body may adjust the entries on copy No 1 of the certificate in the light of those appearing on copy No 1 of the extract.

*Article 11***Electronic certificates**

1. Without prejudice to Article 9, certificates may be issued and used using computerised systems in accordance with detailed rules laid down by the competent authorities. They are known hereinafter as 'electronic certificates'.

The content of electronic certificates must be identical to that of certificates on paper.

2. Where titular holders or transferees of certificates need to use the electronic form thereof in a Member State which is not linked to the computerised issuing system, they shall request an extract therefrom.

Such extracts shall be issued without delay and at no additional cost on a form as provided for in Article 9(1).

In Member States linked to the computerised issuing system, such extracts shall be issued in the form of the paper extract.

*Article 12***Number of copies of IP certificates**

Without prejudice to Article 11, certificates shall be drawn up in at least two copies, the first of which, called 'holder's copy' and marked 'No 1', shall be supplied without delay to the

applicant and the second, called 'issuing body's copy' and marked 'No 2', shall be retained by the issuing body.

*Article 13***Validity of IP certificate**

1. IP certificates shall be valid until the end of the third month following that in which they are applied for.

2. For the purpose of determining their period of validity, certificates shall be considered to have been issued on the day on which the application for them was lodged, that day being included in the calculation of such period of validity. However, certificates may not be used until their actual issue.

3. On presentation, during its period of validity, of copy No 1 of the IP certificate or of the extract therefrom, the operator may, under the conditions set out by Commission Regulation (EEC) No 2454/93 <sup>(1)</sup> make a single application to the customs authority in a Member State for authorisation to use inward processing arrangements for a quantity of the basic product less than or equal to the quantity referred to in the certificate or the extract. The economic conditions referred to in Article 117(c) of Regulation (EEC) No 2913/92 shall then be deemed to have been met.

However, a second application may subsequently be accepted under the terms of Article 14.

The customs authority shall state in part 2 of the first section of column 29 and in the first section of column 30 of copy No 1 the quantity actually applied for.

The customs authority shall sign the first Section of column 32 of the original of copy No 1 and stamp it to certify the date on which the application was lodged.

The customs authority shall then forward the duly completed original of copy No 1 to the issuing body specified in section 1 within 15 working days. If, however, Article 14(1) is applied, it shall send a copy of completed copy No 1 to the issuing body and keep the original.

If the certificate is electronic, the procedure may be carried out electronically.

*Article 14***Second application for authorisation**

1. At the request of the operator, and before the application for a first inward processing authorisation has been lodged, the issuing body or the body designated by each Member State (or one of these bodies, if more than one has been designated) shall enter the following, duly completed, in Section 20 of the certificate or, where appropriate, the extract:

— Solicitud de segunda autorización prevista por [...] para la admisión del producto de código NC [...] con arreglo al apartado 2 del artículo 1 del Reglamento (CE) nº 1488/2001

— Påtænkt ansøgning om anden tilladelse fra ... med henblik på henførsel af produktet ... (KN-koden anføres) i henhold til artikel 1, stk. 2, i forordning (EF) nr. 1488/2001

<sup>(1)</sup> OJ L 253, 11.10.1993, p. 1.

- Antrag auf eine zweite Bewilligung vorgesehen von ..., zwecks Überführung des Erzeugnisses der KN-Position ... gemäß Artikel 1 Absatz 2 der Verordnung (EG) Nr. 1488/2001
- Αίτηση παροχής δεύτερης άδειας που ζητήθηκε από τον ... για την εμπορία του προϊόντος του κώδικα ΣΟ ... σύμφωνα με το άρθρο 1, παράγραφος 2 του κανονισμού (ΕΚ) αριθ. 1488/2001
- Application by ... for a second authorisation for the placement of the product ... [insert CN code] in accordance with Article 1(2) of Regulation (EC) No 1488/2001
- Demande de deuxième autorisation envisagée par ... pour le placement de produit de code NC ... conformément à l'article 1 paragraphe 2 du règlement (CE) n° 1488/2001
- Domanda di seconda autorizzazione, richiesta da ... per l'iscrizione del prodotto del codice NC ... ai sensi dell'articolo 1, paragrafo 2, del regolamento (CE) n. 1488/2001
- Aanvraag voor een tweede vergunning van ... voor de plaatsing van het product met GN-code ... overeenkomstig artikel 1, lid 2, van Verordening (EG) nr. 1488/2001
- Pedido de segunda autorização previsto por ... para a colocação do produto do código NC ... em conformidade com o n.º 2 do artigo 1.º do Regulamento (CE) n.º 1488/2001
- Toinen lupahakemus, jonka tekee ..., tuotteen, jonka CN-koodi on ..., saattamiseksi sisäiseen jalostusmenettelyyn asetuksen (EY) N:o 1488/2001 1 artiklan 2 kohdan mukaisesti
- En andra tillståndsansökan planeras av ... för aktiv förädling av en produkt med KN-kod ... enligt artikel 1.2 i förordning (EG) nr 1488/2001.

The operator may only designate one applicant for a second authorisation and only one product, and may only require one entry.

Furthermore, the body in question shall stamp the entry to certify the date on which it was made.

2. The operator — holder of the first authorisation — shall notify the customs authority of the quantity of the product referred to in the entry given in the second subparagraph of paragraph 1.

On receipt of the notification referred to in the previous subparagraph, the customs authority shall add in section 20 of the certificate the following, duly completed, after the entry mentioned in paragraph 1:

- Por una cantidad de ... kg
- For ... kg
- Für eine Menge von ... kg
- Για ποσότητα ... Kg
- For ... kg
- Pour une quantité de ... Kg
- Per una quantità di ... kg
- Voor een hoeveelheid van ... kg
- Para uma quantidade de ... kg
- Määrälle ... kg
- För en kvantitet på ... kg.

Within 15 working days of the notification referred to in the first subparagraph, the customs authority shall forward the original of copy No 1 to the issuing body specified in section 1.

3. On receipt of copy No 1 in accordance with paragraph 2, the body in question shall calculate the number of calendar days corresponding to the outstanding period of validity, with reference to the date on which the application mentioned in the first subparagraph of Article 13(3), a complete month being deemed to have 30 days.

4. The holder of the certificate shall, on the day on which he issues the notification referred to in paragraph 2, ask for rights to be transferred or, where appropriate, transferred back to the operator referred to in paragraph 1, in accordance with Article 15.

5. At the request of the operator referred to in the entry given in paragraph 1 above, the body in question shall return the certificate after effecting the transfer or, where appropriate, the transfer back referred to in paragraph 4, and after making the following, duly completed, entry in section 11:

- Nueva fecha de fin de validez: ...
- Ny udløbsdato ...
- Neues Ende der Gültigkeitsdauer: ...
- Νέα ημερομηνία λήξης ισχύος ...
- New expiry date: ...
- Nouvelle date de fin de validité le ...
- Nuova data di scadenza della validità: ...
- Nieuwe datum waarop geldigheidsduur afloopt: ...
- Nova data de termo de validade: ...
- Uusi voimassaolon päättymispäivä on ...
- Ny sista giltighetsdag ...

The new expiry date shall be calculated by adding the period calculated in paragraph 3 to the date of receipt of the application referred to in the previous subparagraph.

6. On presentation, during the period of validity, of copy No 1 of the IP certificate or the extract, the operator may lodge with the customs authority of a Member State, under the terms set out in Regulation (EEC) No 2454/93, an application for inward processing authorisation for a quantity less than or equal to the quantity of the product specified in the certificate or extract in accordance with paragraph 1. The economic conditions referred to in Article 117(c) of Regulation (EEC) No 2913/92 shall then be regarded as having been met.

The customs authority shall state the quantity actually applied for in part 2 of Section 2 of column 29 and in section 2 of column 30 of copy No 1 of the certificate.

The customs authority shall sign the original of copy No 1 and stamp it to certify the date on which it was lodged in the second section of column 32 of the original of copy No 1.

The customs authority shall forward the duly completed original of copy No 1 to the issuing body specified in section 1 within 15 working days.

7. If the certificate is electronic, the procedure may be carried out electronically.

#### Article 15

##### Transfer of rights

1. Rights deriving from certificates shall be transferable by their titular holder during the period of their validity. Such transfer may be made in favour of a single transferee only for each certificate or extract therefrom.

2. Transferees may not further transfer their rights but may transfer them back to the titular holder.

In such cases, one of the following entries shall be made by the issuing body in section 6 of the certificate:

- Retrocesión al titular el ...
- Tilbageføring til indehaveren den ...
- Rückübertragung auf den Lizenzinhaber am ...
- Εκ νέου παραχώρηση στο δικαιούχο στις ...
- Rights transferred back to the titular holder on ... [date]
- Rétrocession au titulaire le ...
- Retrocessione al titolare in data ...
- Aan de titularis geretrocedeerd op ...
- Retrocessão ao titular em ...
- Palautus todistuksenhaltijalle ...
- Återbördad till licensinnehavaren den ...

3. In the event of a request for transfer by the titular holder or transfer back to the titular holder by the transferee, the issuing body or the agency or agencies designated by each Member State shall enter the following on the certificate or where appropriate the extract therefrom:

- (a) the name and address of the transferee or the entry referred to in paragraph 2;
- (b) the date of such entry certified by the stamp of the body or agency.

4. The transfer or transfer back to the titular holder shall take effect from the date of the entry.

#### Article 16

##### Effects of the entries made by the authorities of a Member State

Certificates and extracts issued and entries and endorsements made by the authorities of a Member State shall have the same legal effects in each of the other Member States as documents issued and entries and endorsements made by the authorities of these Member States.

#### Article 17

##### Erroneous entries on certificates

1. Entries made on certificates or extracts may not be altered after their issue.

2. Where the accuracy of entries on the certificate or extract is in doubt, such certificate or extract shall, on the initiative of the party concerned or of the competent authorities of the Member State concerned, be returned to the issuing body.

If the issuing body considers a correction to be required, it shall withdraw the extract or certificate as well as any extracts previously issued and shall issue without delay either a corrected extract or a corrected certificate and the corrected extracts corresponding thereto. On such further documents, which shall include the entry 'certificate corrected on ...' or 'extract corrected on ...', any former entries shall be reproduced on each copy.

Where the issuing body does not consider it necessary to correct the certificate or extract, it shall enter thereon the endorsement 'verified on ... in accordance with Article 17 of Regulation (EC) No 1488/2001' and apply its stamp.

#### Article 18

##### Return of the certificate to the issuing body

1. At the request of the issuing body, the titular holder must return to it the certificate and the extracts therefrom.

2. Where a disputed document is returned or held in accordance with this Article or Article 17, the competent national authorities shall on request give the party concerned a receipt.

#### Article 19

##### Checking for authenticity

1. Where there is doubt concerning the authenticity of a certificate or extract, or entries or endorsements thereon, the competent national authorities shall return the questionable document, or a photocopy thereof, to the authorities concerned for checking.

Documents may also be returned by way of random check; in such case only a photocopy of the document shall be returned.

2. Where a questionable document is returned in accordance with paragraph 1, the competent national authorities shall on request give a receipt to the party concerned.

#### Article 20

##### Loss of a certificate

Where the holder or transferee of an IP certificate is able to prove to the satisfaction of the competent authority both that the certificate or an extract therefrom has not been used wholly or in part and that it can no longer be used, particularly because it has been totally or partially destroyed, the body which issued the original certificate shall issue a replacement certificate or extract for a quantity of goods equalling the quantity remaining available.

A replacement certificate or extract shall contain the information and entries appearing on the document which it replaces.



## Article 21

**First tranche of IP certificate issues — reduction coefficient**

1. For the purposes of the first tranche of certificate issues, the quantities of the basic products published pursuant to Article 3 shall be covered to the extent of 60 %.

After the publication date referred to in Article 3 and not later than 14 October of each year, each operator may apply for one IP certificate per basic product.

2. By 21 October at the latest, Member States shall inform the Commission of the applications for each basic product, stating the quantity applied for and the company name of the corresponding operator.

3. Using the quantities referred to in the first subparagraph of paragraph 1, the Commission shall, if necessary, set a reduction coefficient for each basic product.

The Commission shall publish the coefficient(s) in question in the *Official Journal of the European Communities* within five working days after the date given in paragraph 2.

If necessary, within five working days of the date given in paragraph 2, it shall inform the Member States concerned of the applications rejected because they were made in several Member States by the same operator and for the same basic product.

4. Within five working days of the end of the period specified in the third subparagraph of paragraph 3, the competent authority of the Member State in question may issue the certificates which have been applied for.

5. If a reduction coefficient has been set, the certificates issued for each application must include the quantity of the basic product requested multiplied by the reduction coefficient in question.

The issuing body shall indicate in sections 17 and 18 the quantity for which the certificate is issued.

## Article 22

**Second and third publication of available quantities**

The Commission, taking into account the foreseeable volumes of exports of the goods concerned and the situation of the market of each basic product, shall review the balance regularly and submit it for examination to the Group of Experts.

Where the amount of refunds due is estimated to be greater than the financial resources available, and taking into account the quantities already granted with certificates and the unused quantities of which the Commission has been informed in accordance with Article 25, the Commission shall determine the remaining quantity available for each basic product. This will be the subject of a second publication in the *Official Journal of the European Communities* by no later than 31 January of each year and of a third publication by no later than 31 May of each year.

## Article 23

**Second and third tranches of IP certificate issues — reduction coefficient**

1. For the purposes of the second tranche of certificate issues, the quantities of the basic products published pursuant to the second subparagraph of Article 22 shall be covered to the extent of 60 %.

For the purposes of the third tranche of certificate issues, the quantities of the basic products published pursuant to the second subparagraph of Article 22 shall be covered to the extent of 100 %.

2. Each operator may apply for an IP certificate for each basic product within 10 working days following the publication referred to in the second subparagraph of Article 22.

3. Within five working days of the end of the period described in paragraph 2, Member States shall inform the Commission of the total quantities applied for per basic product, stating the quantity applied for and the business name of the corresponding operator.

4. Using the quantities published pursuant to Article 21, the Commission shall, if necessary, fix a reduction coefficient for each basic product.

5. The procedure set out in the second and third subparagraphs of Article 21(3) and Article 21(4) and (5) shall apply.

## Article 24

**Emergency issue of IP certificates**

Throughout the budget year, taking into account the quantities already granted with certificates and the unused quantities of which it has been informed in accordance with Article 25, the Commission may, as a matter of urgency, determine the remaining quantity available for each basic product identified by its eight-digit nomenclature code. This will be published in the *Official Journal of the European Communities*. The procedure provided for in Article 23(2), (3), (4) and (5) shall apply. It shall first submit the relevant balance for examination to the Group of Experts.

## Article 25

**Statistical information**

1. By 15 March of each budget year, Member States, on the basis of the communications referred to in the first subparagraph of Article 13(3), shall communicate to the Commission the total quantities for each basic product in respect of which a customs authorisation has been granted and for which a certificate has been issued pursuant to Article 21.

2. By 15 October of each budget year, Member States, on the basis of the communications referred to in the first subparagraph of Article 13(3), shall communicate to the Commission the total quantities for each basic product in respect of which a customs authorisation has been granted and for which a certificate has been issued pursuant to Articles 23 and 24.

3. By 1 May of the budget year following that in which customs authorisations were granted under this Regulation, Member States shall communicate to the Commission the actual quantities of each basic product imported under these authorisations.

*Article 26*

**Mutual assistance and communications to the Commission**

1. Where necessary for the proper application of this Regulation, the competent authorities of the Member States shall exchange information on certificates and extracts therefrom and on irregularities and infringements concerning them.

2. Member States shall inform the Commission as soon as they have knowledge of irregularities and infringements in regard to this Regulation.

3. Member States shall communicate to the Commission the names and addresses of the bodies which issue certificates and extracts therefrom. The Commission shall publish this information in the *Official Journal of the European Communities*.

4. Member States shall also forward to the Commission impressions of the official stamps and, where appropriate, of the embossing presses used by authorities empowered to act. The Commission shall immediately inform the other Member States thereof.

*Article 27*

**Entry into force**

This Regulation shall enter into force on the seventh day after 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, 19 July 2001.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 1489/2001**  
**of 19 July 2001**  
**amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to tender**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender <sup>(2)</sup>, as last amended by Regulation (EC) No 1236/2001 <sup>(3)</sup>, opened buying in by invitation to tender in certain Member States or regions of a Member State for certain quality groups.
- (2) The application of Article 47(3), (4) and (5) of Regulation (EC) No 1254/1999 and the need to limit intervention to buying in the quantities necessary to ensure

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 20 July 2001.

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

Done at Brussels, 19 July 2001.

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

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 21.

<sup>(2)</sup> OJ L 159, 10.6.1989, p. 36.

<sup>(3)</sup> OJ L 168, 23.6.2001, p. 18.

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

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

**Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1, i forordning (EØF) nr. 1627/89**  
**Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 der Verordnung (EWG) Nr. 1627/89 genannten Qualitätsgruppen**

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

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

**États membres ou régions d'États membres et groupes de qualités visés à l'article 1<sup>er</sup> paragraphe 1 du règlement (CEE) n° 1627/89**

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

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

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

**Jäsenvaltiot tai alueet ja asetuksen (ETY) N:o 1627/89 1 artiklan 1 kohdan tarkoittamat laaturyhmät**  
**Medlemsstater eller regioner och kvalitetsgrupper som avses i artikel 1.1 i förordning (EEG) nr 1627/89**

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

**COMMISSION REGULATION (EC) No 1490/2001**  
**of 19 July 2001**  
**on the issue of system B export licences in the fruit and vegetables sector**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 298/2000 <sup>(2)</sup>, and in particular Article 5(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1185/2001 <sup>(3)</sup> fixes the indicative quantities for system B export licences other than those sought in the context of food aid.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for oranges will shortly be exceeded. This overrun will prejudice the

proper working of the export refund scheme in the fruit and vegetables sector.

- (3) To avoid this situation, applications for system B licences for oranges exported after 19 July 2001 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for system B export licences for oranges submitted pursuant to Article 1 of Regulation (EC) No 1185/2001, export declarations for which are accepted after 19 July 2001 and before 17 September 2001 are hereby rejected.

*Article 2*

This Regulation shall enter into force on 20 July 2001.

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

Done at Brussels, 19 July 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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<sup>(1)</sup> OJ L 292, 15.11.1996, p. 12.

<sup>(2)</sup> OJ L 34, 9.2.2000, p. 16.

<sup>(3)</sup> OJ L 161, 16.6.2001, p. 26.

**COMMISSION REGULATION (EC) No 1491/2001****of 19 July 2001****fixing the maximum export refund on common wheat in connection with the invitation to tender 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>,

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 <sup>(3)</sup>, as last amended by Regulation (EC) No 602/2001 <sup>(4)</sup>, 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 except for Poland was opened pursuant to Commission Regulation (EC) No 943/2001 <sup>(5)</sup>.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

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

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 13 to 19 July 2001, pursuant to the invitation to tender issued in Regulation (EC) No 943/2001, the maximum refund on exportation of common wheat shall be EUR 0,00/t.

*Article 2*

This Regulation shall enter into force on 20 July 2001.

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

Done at Brussels, 19 July 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 89, 29.3.2001, p. 16.

<sup>(5)</sup> OJ L 133, 16.5.2001, p. 3.

**COMMISSION REGULATION (EC) No 1492/2001**  
**of 19 July 2001**  
**fixing the maximum export refund on rye in connection with the invitation to tender issued in**  
**Regulation (EC) No 1005/2001**

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<sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000<sup>(2)</sup>,

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<sup>(3)</sup>, as last amended by Regulation (EC) No 602/2001<sup>(4)</sup>, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1005/2001<sup>(5)</sup>.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

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

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 13 to 19 July 2001, pursuant to the invitation to tender issued in Regulation (EC) No 1005/2001, the maximum refund on exportation of rye shall be EUR 30,95/t.

*Article 2*

This Regulation shall enter into force on 20 July 2001.

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

Done at Brussels, 19 July 2001.

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

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

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

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 89, 29.3.2001, p. 16.

<sup>(5)</sup> OJ L 140, 24.5.2001, p. 10.

**COMMISSION REGULATION (EC) No 1493/2001****of 19 July 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 602/2001 <sup>(4)</sup>.
- (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 20 July 2001.

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

Done at Brussels, 19 July 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 89, 29.3.2001, p. 16.



## ANNEX

**to the Commission Regulation of 19 July 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	—	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	42,50
1005 10 90 9000	—	EUR/t	—	1102 10 00 9700	C01	EUR/t	33,50
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 <sup>(1)</sup>
1008 20 00 9000	—	EUR/t	—	1103 11 10 9400	A00	EUR/t	0 <sup>(1)</sup>
				1103 11 10 9900	—	EUR/t	—
				1103 11 90 9200	A00	EUR/t	0 <sup>(1)</sup>
				1103 11 90 9800	—	EUR/t	—

<sup>(1)</sup> 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 1494/2001**  
**of 19 July 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 602/2001 <sup>(4)</sup>, 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 20 July 2001.

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

Done at Brussels, 19 July 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 89, 29.3.2001, p. 16.

## ANNEX

## to the Commission Regulation of 19 July 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	—	-0,93	-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	0,00	0,00	0,00	0,00	—	—
1102 10 00 9700	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	-1,40	-2,79	-4,19	-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.

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 9 July 2001

**on the setting-up of a committee in the area of supplementary pensions**

(notified under document number C(2001) 1775)

(Text with EEA relevance)

(2001/548/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Communities, and in particular Articles 138 and 140 thereof,

Whereas:

- (1) The European Commission, in its Social Policy Agenda of 28 June 2000, proposed to create a pensions forum to address the issue of pensions and mobility with all relevant actors by issuing a communication.
- (2) The European Commission, in its communication 'Towards a single market for supplementary pensions' of 11 May 1999 (COM (1999) 134 final), supported the idea of setting up a pensions forum, as put forward by the High-Level Panel on Freedom of Movement, and consequent decided to convene such a forum to meet at least twice a year and to be made up of representatives or governments, the social partners, pension funds and, where appropriate, other institutions active in this area.
- (3) The European Parliament welcomed the Commission communication and the setting-up of such a Committee in its resolution concerning the Commission communication 'Towards a single market for supplementary pensions',

HAS DECIDED AS FOLLOWS:

Article 1

1. A committee in the area of supplementary pensions (the pensions forum) shall be set up at the Commission.
2. The pensions forum shall be composed of representatives of Member States' governments, the social partners and supplementary pension schemes.

1. The Commission may consult the pensions forum about any problems and developments at Community level affecting supplementary pensions.

The pensions forum shall assist the Commission in particular in finding solutions to the problems and obstacles associated with cross-border mobility of workers in the area of supplementary pensions.

2. The pensions forum shall work, where necessary, in cooperation with any other appropriate bodies or committees dealing with social and economic policy.

Article 3

1. The pensions forum shall comprise 45 members.
2. Seats shall be allocated as follows:
  - one seat per Member State,
  - four seats for the other EFTA member countries (one seat for the European Free Trade Association liaison office and one seat per country involved),
  - 14 seats for the social partners represented at Community level,
  - 12 seats for the pension funds and other bodies active in this area:
    - three seats for the E.F.R.P. (European Federation for Retirement Provision),
    - one seat for each of the following bodies:
      - FEFSI (European Federation of Investment Funds and Companies)
      - ACME (Association of European Cooperative and Mutual Insurers)

- AIM (International Association for Mutual Assistance)
- CEA (European Insurance Committee)
- AEIP (European Association of Paritarian Institutions)
- EAPSPI (European Association of Public Sector Pension Institutions)
- GCAACE (Groupe Consultatif des Associations d'actuels des pays de la CE)
- FBE (Banking Federation of the European Union)
- AGE (the European older people's platform).

#### Article 4

The members of the pensions forum shall be appointed by the Commission on the basis of nominations from the Member States, the other countries making up the EEA, the social partners represented at Community level and the other bodies listed in Article 3. The Commission shall take all necessary measures to ensure balanced representation of the sexes.

#### Article 5

The term of office of members of the pensions forum shall be three years. It may be renewed.

On expiry of their term of office, members of the pensions forum shall continue in office until such time as they are replaced or reappointed.

A member's term of office shall terminate before expiry of the three-year period in the event of resignation or death. A member's term of office may also be terminated if the body which put him forward as a candidate asks for him to be replaced.

The member shall be replaced for the remainder of the term of office.

Members shall not receive payment for their work.

#### Article 6

The Commission shall publish the list of members for information in the *Official Journal of the European Communities*.

#### Article 7

The pensions forum shall elect one chairman and two vice-chairmen for a period of two years. They shall be elected by a two-thirds majority of the members present. The pensions forum shall be chaired by the representative of the relevant departments of Directorate General for Employment and Social Affairs until the members of the pensions forum elect a chairman.

#### Article 8

The pensions forum may invite any person with particular competence in respect of an item included on the agenda to take part in its deliberations as an expert.

Experts shall take part in the deliberations only in respect of the item for which they have been invited to attend.

#### Article 9

The pensions forum may set up working parties.

#### Article 10

1. The pensions forum shall be convened by the Commission and shall meet at the Commission's offices.

2. Representatives of the Commission departments concerned shall take part in meetings of the pensions forum and the working parties.

3. A Secretariat for the pensions forum and the working parties shall be provided by the Commission.

#### Article 11

The pensions forum shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.

The Commission may, when seeking the opinion of the pensions forum, set a time limit within which such opinion shall be given.

The positions adopted by the economic categories represented shall be noted in the minutes, which shall be forwarded to the Commission.

The Commission shall make the results of discussions available to all participants on requests of the latter.

#### Article 12

Without prejudice to the provisions of Article 287 of the Treaty, the members of the pensions forum shall be under an obligation not to disclose information which has come to their knowledge through the work of the pensions forum or of its working parties, where the Commission informs the latter that the opinion requested or the question raised in on a matter of a confidential nature.

In such cases, meetings shall be attended only by the members of the pensions forum and the representatives of the Commission.

#### Article 13

The Commission shall assess the work and usefulness of the pensions forum within two years of the entry into force of this Decision.

#### Article 14

This Decision comes into force on the day of its adoption.

Done at Brussels, 9 July 2001.

For the Commission

Anna DIAMANTOPOULOU  
Member of the Commission