

English edition

Legislation

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1546/2001
of 30 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 ⁽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 31 July 2001.

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

Done at Brussels, 30 July 2001.

For the Commission
Frederik BOLKESTEIN
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 30 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 ⁽¹⁾	Standard import value
0707 00 05	052	45,1
	999	45,1
0709 90 70	052	75,6
	999	75,6
0805 30 10	388	69,1
	524	90,0
	528	75,7
	999	78,3
0806 10 10	052	109,7
	220	83,2
	508	134,5
	600	104,3
	624	78,1
	999	102,0
0808 10 20, 0808 10 50, 0808 10 90	388	93,5
	400	77,3
	508	85,9
	512	105,2
	524	55,8
	528	71,4
	720	129,0
	800	200,8
	804	103,6
	999	102,5
0808 20 50	052	124,5
	388	85,6
	512	69,0
	528	71,2
	999	87,6
0809 10 00	052	169,7
	064	129,4
	999	149,6
0809 20 95	052	302,6
	400	224,8
	404	244,4
	999	257,3
0809 30 10, 0809 30 90	052	133,6
	999	133,6
0809 40 05	064	75,2
	066	76,6
	094	63,7
	624	261,2
	999	119,2

⁽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 1547/2001
of 30 July 2001
setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 1450/2001 ⁽²⁾, and in particular Article 3 thereof,

Whereas:

- (1) Pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilisation, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin. This aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries.
- (2) Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾, lays down common detailed rules for implementation of the

specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands.

- (3) As a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex.
- (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

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 30 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 198, 21.7.2001, p. 7.

⁽³⁾ OJ L 296, 17.11.1994, p. 23.

⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.

ANNEX

to the Commission Regulation of 30 July 2001 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

(EUR/t)

Product (CN code)	Amount of aid
Milled rice (1006 30)	223,00
Broken rice (1006 40)	49,00

COMMISSION REGULATION (EC) No 1548/2001**of 30 July 2001****setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 1449/2001 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin. This aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries.
- (2) Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira. Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice

products to the Azores and Madeira and establishing the forecast supply balance for these products ⁽⁵⁾, as last amended by Regulation (EC) No 1683/94 ⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation.

- (3) As a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex.
- (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

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 30 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 198, 21.7.2001, p. 5.

⁽³⁾ OJ L 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 198, 17.7.1992, p. 37.

⁽⁶⁾ OJ L 178, 12.7.1994, p. 53.

ANNEX

to the Commission Regulation of 30 July 2001 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

(EUR/t)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	223,00	223,00

COMMISSION REGULATION (EC) No 1549/2001

of 30 July 2001

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (3) Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.
- (4) Export possibilities exist for a quantity of 600 tonnes of rice to certain destinations. The procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 409/2001 ⁽⁵⁾ should be used. Account should be taken of this when the refunds are fixed.

- (5) Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated.
- (6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (7) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.
- (8) The refund must be fixed at least once a month; whereas it may be altered in the intervening period.
- (9) It follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto.
- (10) For the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted.
- (11) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 600 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 1 August 2001.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 60, 1.3.2001, p. 27.

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

Done at Brussels, 30 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

ANNEX

to the Commission Regulation of 30 July 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	178,00	1006 30 65 9100	R01	EUR/t	222,00
1006 20 13 9000	R01	EUR/t	178,00		R02	EUR/t	194,00
1006 20 15 9000	R01	EUR/t	178,00		R03	EUR/t	199,00
1006 20 17 9000	—	EUR/t	—		064	EUR/t	—
1006 20 92 9000	R01	EUR/t	178,00		A97	EUR/t	194,00
1006 20 94 9000	R01	EUR/t	178,00	1006 30 65 9900	021 and 023	EUR/t	194,00
1006 20 96 9000	R01	EUR/t	178,00		R01	EUR/t	222,00
1006 20 98 9000	—	EUR/t	—		064	EUR/t	—
1006 30 21 9000	R01	EUR/t	178,00		A97	EUR/t	194,00
1006 30 23 9000	R01	EUR/t	178,00	1006 30 67 9100	021 and 023	EUR/t	194,00
1006 30 25 9000	R01	EUR/t	178,00		064	EUR/t	—
1006 30 27 9000	—	EUR/t	—	1006 30 67 9900	064	EUR/t	—
1006 30 42 9000	R01	EUR/t	178,00	1006 30 92 9100	R01	EUR/t	222,00
1006 30 44 9000	R01	EUR/t	178,00		R02	EUR/t	194,00
1006 30 46 9000	R01	EUR/t	178,00		R03	EUR/t	199,00
1006 30 48 9000	—	EUR/t	—		064	EUR/t	—
1006 30 61 9100	R01	EUR/t	222,00		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	222,00
	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	021 and 023	EUR/t	194,00
	R01	EUR/t	222,00		R01	EUR/t	222,00
	A97	EUR/t	194,00		A97	EUR/t	194,00
	064	EUR/t	—	1006 30 96 9100	064	EUR/t	—
1006 30 63 9100	R01	EUR/t	222,00		R01	EUR/t	222,00
	R02	EUR/t	194,00		R02	EUR/t	194,00
	R03	EUR/t	199,00		R03	EUR/t	199,00
	064	EUR/t	—		064	EUR/t	—
	A97	EUR/t	194,00		A97	EUR/t	194,00
1006 30 63 9900	021 and 023	EUR/t	194,00	1006 30 96 9900	021 and 023	EUR/t	194,00
	R01	EUR/t	222,00		R01	EUR/t	222,00
	064	EUR/t	—		A97	EUR/t	194,00
	A97	EUR/t	194,00	1006 30 98 9100	021 and 023	EUR/t	194,00
				1006 30 98 9900	—	EUR/t	—
				1006 40 00 9000	—	EUR/t	—

(°) The procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 applies to licences applied for under that Regulation for 600 t, for destinations R02 and R03.

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 REGULATION (EC) No 1550/2001
of 30 July 2001
amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals
products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 1450/2001 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 1304/2001 ⁽⁴⁾, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 30 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 198, 21.7.2001, p. 7.

⁽³⁾ OJ L 185, 4.7.1992, p. 26.

⁽⁴⁾ OJ L 177, 30.6.2001, p. 10.

ANNEX

to the Commission Regulation of 30 July 2001 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

(EUR/t)

Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	17,00
Barley	(1003 00 90)	17,00
Maize	(1005 90 00)	37,00
Durum wheat	(1001 10 00)	17,00
Oats	(1004 00 00)	17,00

COMMISSION REGULATION (EC) No 1551/2001
of 30 July 2001
amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals
products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 1449/2001 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EC) No 1305/2001 ⁽⁴⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 30 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 198, 21.7.2001, p. 5.

⁽³⁾ OJ L 185, 4.7.1992, p. 28.

⁽⁴⁾ OJ L 177, 30.6.2001, p. 12.

ANNEX

to the Commission Regulation of 30 July 2001 amending Regulation (EEC) No 1833/92 fixing the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

(EUR/t)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Common wheat (1001 90 99)	17,00	17,00
Barley (1003 00 90)	17,00	17,00
Maize (1005 90 00)	37,00	37,00
Durum wheat (1001 10 00)	17,00	17,00

COMMISSION REGULATION (EC) No 1552/2001
of 30 July 2001
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products
from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 1303/2001 ⁽⁴⁾, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 2001.

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

Done at Brussels, 30 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 328, 23.12.2000, p. 2.

⁽³⁾ OJ L 43, 19.2.1992, p. 23.

⁽⁴⁾ OJ L 177, 30.6.2001, p. 8.

ANNEX

to the Commission Regulation of 30 July 2001 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(EUR/t)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	21,00	21,00	21,00	25,00
Barley (1003 00 90)	21,00	21,00	21,00	25,00
Maize (1005 90 00)	40,00	40,00	40,00	43,00
Durum wheat (1001 10 00)	21,00	21,00	21,00	25,00
Oats (1004 00 00)	21,00	21,00	—	—

COMMISSION REGULATION (EC) No 1553/2001

of 30 July 2001

amending Annex I to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, as last amended by Commission Regulation (EC) No 1322/2001 ⁽²⁾, and in particular Articles 6, 7 and 8 thereof,

Whereas:

- (1) In accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals.
- (2) Maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs.
- (3) In establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue).
- (4) For the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney. However, the liver and kidney are frequently removed from carcasses moving in inter-

national trade, and maximum residue limits should therefore also always be established for muscle or fat tissues.

- (5) In the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey.
- (6) Cefapirin, clavulanic acid and moxidectin should be inserted into Annex I to Regulation (EEC) No 2377/90.
- (7) An adequate period should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive 81/851/EEC ⁽³⁾, as last amended by Commission Directive 2000/37/EC ⁽⁴⁾, to take account of the provisions of this Regulation.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THE FOLLOWING REGULATION:

Article 1

Annex I to Regulation (EEC) No 2377/90 is hereby amended as set out in the Annex hereto.

Article 2

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

It shall apply from the 60th day following its publication.

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

Done at Brussels, 30 July 2001.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 1.
⁽²⁾ OJ L 177, 30.6.2001, p. 52.

⁽³⁾ OJ L 317, 6.11.1981, p. 1.
⁽⁴⁾ OJ L 139, 10.6.2000, p. 25.

ANNEX

Annex I to Regulation (EEC) No 2377/90 is amended as follows:

1. Anti-infectious agents

1.2. Antibiotics

1.2.2. Cephalosporins

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Cefapirin	Sum of cephapirin and desacetylcephapirin	Bovine	50 µg/kg 50 µg/kg 100 µg/kg 60 µg/kg	Muscle Fat Kidney Milk'	

1.2.13. Beta-lactamase inhibitors

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Clavulanic acid	Clavulanic acid	Bovine	100 µg/kg 100 µg/kg 200 µg/kg 400 µg/kg 200 µg/kg	Muscle Fat Liver Kidney Milk	
		Porcine	100 µg/kg 100 µg/kg 200 µg/kg 400 µg/kg	Muscle Skin and fat Liver Kidney'	

2. Antiparasitic agents

2.3. Agents acting against endo- and ectoparasites

2.3.1. Avermectins

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Moxidectin	Moxidectin	Bovine	40 µg/kg	Milk'	

**COMMISSION REGULATION (EC) No 1554/2001
of 30 July 2001**

laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards marketing sugar produced in the French overseas departments and equalising the price conditions with preferential raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular Article 7(5) thereof,

Whereas:

- (1) Article 7(4) of Regulation (EC) No 1260/2001 provides for flat-rate Community aid for sugar produced in the French overseas departments to be marketed in the European regions of the Community. The aid is for raw sugar produced in the French overseas departments to be refined in a refinery situated in the European regions of the Community and to be transported to the European regions of the Community or, where necessary, to be stored in those departments.
- (2) The aid for refining in Community refineries is intended to provide those refineries with sugar produced in the French overseas departments at the same price as preferential sugar.
- (3) The sea transport costs depend principally on the size of the vessels, which in turn is determined by the depth of water in the ports of loading in the French overseas departments. Experience has shown that precisely on account of the specific features of ports, sugar is frequently transported from some of these departments to the Community in vessels with a net registered tonnage of less than 20 000 tonnes, whereas the Caribbean-United Kingdom freight element is established on the basis of vessels with a net registered tonnage of between 25 000 tonnes and 30 000 tonnes. The freight costs borne by operators may therefore be disproportionate to the freight element established on a flat-rate basis. The detailed rules for applying the flat rate amount should therefore provide for the possibility of adjusting the Caribbean-United Kingdom freight element when the size of the vessels used so warrants.
- (4) Article 5(4) of Protocol 3 on ACP sugar appearing in the ACP-EC Partnership Agreement ⁽²⁾ stipulates that the guaranteed price refers to unpacked sugar, cif European ports of the Community, fixed for standard quality sugar. When the yield of preferential sugar differs from

the yield of standard quality, the scale of increases applied is that practised in international trade, which differs from the scale provided for the same purpose under Community rules for raw sugar produced in the Community. To equalise the price conditions between the two types of raw sugar, the difference resulting from applying one or other of the two scales should be offset by a specific transaction in favour of refiners of raw sugar produced in the French overseas departments.

- (5) Aid for refining is warranted only for such quantities of raw sugar originating in the French overseas departments as can be refined into white sugar in the European regions of the Community, taking account of available supplies of such sugar as regularly established in a Community supply balance for raw sugar.
- (6) Since the producers of this sugar do not have large storage facilities in their factories, all the sugar intended for disposal to refineries in the Communities is sent directly after production for storage in port silos. These producers must therefore advance the cost of transporting the sugar from the factory to the port of loading. In recent years, the irregularity of consignments has increased the duration of this advance as the sugar has spent longer in storage in port silos, thereby increasing the burden on the producers concerned. It is therefore justifiable to grant an advance on the final payment of the aid equal to the amount of the fob component of the aid. In order to receive the advance applicants should be required to lodge a security, and the other conditions to be fulfilled in order for the advance to be paid, in particular the quantities of sugar concerned, should be laid down.
- (7) Detailed rules for determining weights and sugar yields should be laid down, particularly where products of this kind are transported in bulk in the same vessel but on behalf of several producers.
- (8) In general, a considerable period elapses between the date on which the sugar concerned is loaded and that on which the arrival formalities are completed enabling the competent agency to pay the aid. Provision should therefore be made for advance payments.
- (9) Adequate measures should be laid down for checks on refined sugar, and refining should be defined for that purpose.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 317, 15.12.2000, p. 3.

- (10) The detailed rules laid down in this Regulation replace those in Commission Regulation (EEC) No 2750/86 of 3 September 1986 laying down detailed rules for the application of measures for the marketing of sugar produced in the French overseas departments and amending for the fourth time Regulation (EEC) No 3016/78 ⁽¹⁾, as last amended by Regulation (EC) No 350/1999 ⁽²⁾. That Regulation should therefore be repealed.
- (11) These measures should apply from the start of the 2001/02 marketing year.
- (12) 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

Flat-rate Community aid shall be granted as an intervention measure for sugar produced in the French overseas departments to be marketed in the European regions of the Community.

Article 2

1. On application to the competent French authorities, producers of the sugar referred to in Article 1 and delivered to European ports in the Community shall be granted aid for the 2001/02 marketing year made up of the following components:

- (a) a flat-rate amount per tonne of sugar expressed as white sugar to cover the transport costs from the ex-factory stage to the fob port stage, fixed at:
- EUR 17 per tonne for Reunion and Martinique,
 - EUR 24 per tonne for Guadeloupe;
- (b) a uniform flat-rate amount to cover the sea transport costs from the fob port in overseas department stage to the cif European ports in the Community stage and the connected insurance costs;
- (c) a flat-rate amount per 100 kilograms of raw sugar expressed as white sugar held in storage by producers at the end of each month, fixed at EUR 0,33 per month.

2. This flat-rate amount referred to in paragraph 1(b) shall be based on the Caribbean-United Kingdom freight element as established by the Freight Committee of the United Terminal Sugar Market Association of London and incorporated in the London daily price for sugar valid on the date on which the bill of lading for the sugar concerned is drawn up.

The amount shall be converted into euro at the conversion rate used to determine the cif price and shall be adjusted on a flat-rate basis to take account in the insurance costs of the difference between the value of the sugar on the world market and its value in the Community. The amount shall then be multiplied by a coefficient equal to 1,00 divided by the yield of the sugar concerned.

The adjusted amount shall be determined by the Commission and notified to the competent French authorities.

3. The competent French authorities may adjust the amount referred to in paragraph 1(b) on a flat-rate basis, where the actual transport costs borne by the producer exceed that amount because the vessels used have a net registered tonnage of less than 20 000 tonnes.

The adjustment for each month and each geographical area (Antilles/Reunion) shall be equivalent to an amount not exceeding the average difference recorded for bulk transport during the 12 months preceding the month of departure of the sugar from the ports in the French overseas departments between the actual freight costs for vessels with a net registered tonnage of less than 20 000 tonnes, established on the basis of bills of lading, and the Caribbean-to-United Kingdom freight element referred to in paragraph 1(b).

The adjustment may be increased by no more than 25 % where the vessels used have a net registered tonnage of less than 7 000 tonnes because of port conditions.

The competent French authorities shall notify the Commission immediately of the adjustments made, specifying in particular the number of vessels and the amounts concerned, and shall forward the relevant supporting documents.

Article 3

1. The aid referred to in Article 2 shall apply to the accepted arrival weight expressed as white sugar in accordance with the yield formula referred to in Article 4.

Where transport in bulk does not permit individual lots to be identified, the average yield of the whole cargo shall be applied to all the sugar concerned.

2. The aid referred to in Article 2 shall be paid on presentation, by the producer concerned, of:

- (a) any proof recognised by the Member State concerned that the sugar concerned has entered the European regions of the Community, and
- (b) the bill of lading, the analysis results and the definitive invoice.

The analyses shall be carried out at the unloading stage by lots of 250 tonnes on the whole cargo by a laboratory approved by the Member State into whose territory the sugar has been introduced.

⁽¹⁾ OJ L 253, 5.9.1986, p. 8.

⁽²⁾ OJ L 44, 18.2.1999, p. 8.

3. A payment in advance may be made equal to 90 % of the amount determined on the basis of the weight as stated in the provisional invoice and expressed as white sugar on the basis of a flat-rate yield of 96 %.

Applications for payment in advance shall be made by the producers concerned and shall be accompanied by the bill of lading and the provisional invoice.

4. Without prejudice to paragraph 2, an initial advance payment may be made equal to the component of the aid referred to Article 2(1)(a), on application by the producer or producers of the raw sugar concerned. This initial advance shall be treated as a down payment on the advance provided for in paragraph 3.

The first advance on payment shall be calculated on the basis of the weight recorded in the silo at the port of loading by the competent French authorities or persons acting under their responsibility, and expressed as white sugar on the basis of a flat-rate yield of 96 %.

At the time of submission of applications as referred to in the first subparagraph, a security shall be lodged corresponding to the amount of the advance requested. The security shall be released for the quantities for which the final payment of the total aid referred to in Article 2(1)(a) and (b) is made in accordance with paragraph 1.

The applicant shall have the choice of providing the security in cash or in the form of a guarantee by an institution meeting the criteria laid down by France.

The part of the security or the security which is not released shall be forfeit for the quantity of sugar for which the corresponding obligations have not been fulfilled.

Article 4

1. In the case of sugar as referred to in Article 1 which has been refined in a refinery in the European regions of the Community, aid shall be granted to the refineries concerned for every tenth of a percent of yield in excess of 92 %, of an amount equal to 0,0387 % of the intervention price for raw sugar for the marketing year during which refining takes place.

2. Paragraph 1 shall apply up to a ceiling in quantity to be determined according to the regions in the Community where refining may be carried out.

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

Done at Brussels, 30 July 2001.

The quantities referred to in the first subparagraph shall be determined in accordance with the procedure referred to in Article 42(2) of Regulation (EC) No 1260/2001 on the basis of a Community supply balance for raw sugar and for the refining of such sugar in the European regions of the Community concerned.

3. The total amount of the aid referred to in paragraph 1 shall be granted on application by the undertakings which have refined the sugar concerned to the competent authorities of the Member State in whose territory the refining took place.

Article 5

Applications for the aid referred to in Article 4 shall be accompanied by proof acceptable to the Member State concerned that the refined sugar was obtained from raw sugar produced in the French overseas departments. For this purpose, and at the request of the interested party concerned, the raw sugar concerned shall be placed under customs control or under another administrative control offering the same guarantees.

For the purpose of granting this aid 'refining' means the conversion of raw sugar as defined in Article 1(2)(b) of Regulation (EC) No 1260/2001 into white sugar as defined in Article 1(2)(a) of that Regulation.

Article 6

The Member States concerned shall notify the Commission, for each month, and within two months following the month concerned, of the quantities, expressed as white sugar, for which aid has been granted under Articles 2 and 4, respectively, and the amounts of aid corresponding to those quantities.

Article 7

Regulation (EEC) No 2750/86 is hereby repealed.

Article 8

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.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

COMMISSION REGULATION (EC) No 1555/2001

of 30 July 2001

amending Regulation (EEC) No 1859/82 concerning the selection of returning holdings for the purpose of determining incomes of agricultural holdings

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation No 79/65/EEC of 15 June 1965 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Economic Community ⁽¹⁾, as last amended by Regulation (EC) No 1256/97 ⁽²⁾, and in particular Articles 4(4) and 6(2) thereof,

Article 2 of Regulation (EEC) No 1859/82 is replaced by the following text:

'Article 2

For the 2001 accounting year (a period of 12 consecutive months beginning between 1 January and 1 July in 2001) and for subsequent accounting years, the threshold as referred to in Article 4 of Regulation No 79/65/EEC in ESU shall be as follows:

Whereas:

- (1) Article 4 of Regulation No 79/65/EEC defines that the field of survey shall cover the agricultural holdings having an economic size equal to, or greater than, a threshold expressed in European size units (ESU) within the meaning of Annex III to Commission Decision 85/377/EEC of 7 June 1985 establishing a Community typology for agricultural holdings ⁽³⁾, as last amended by Decision 1999/725/EC ⁽⁴⁾.
- (2) Article 2 of Commission Regulation (EEC) No 1859/82 of 12 July 1982 concerning the selection of returning holdings for the purpose of determining incomes of agricultural holdings ⁽⁵⁾, as last amended by Regulation (EC) No 285/2000 ⁽⁶⁾, sets the thresholds for 1995 and subsequent accounting years.
- (3) The structural change has led to a decrease in the number of the smallest holdings and in their contribution to the total output of agriculture, thereby making their use unnecessary in order for the field of survey to cover the most relevant part of the agricultural activity (at least 90 % of total standard gross margin).
- (4) In the case of Italy it is advisable to raise the threshold from 2 ESU to 4 ESU but for practical reasons this modification cannot be implemented until the accounting year 2002.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Community Committee on the Farm Accountancy Data Network,

— Belgium:	16 ESU
— Netherlands:	16 ESU
— Denmark:	8 ESU
— Germany:	8 ESU
— France:	8 ESU
— Luxembourg:	8 ESU
— Austria:	8 ESU
— Finland:	8 ESU
— Sweden:	8 ESU
— United Kingdom (with the exception of Northern Ireland):	16 ESU
— Northern Ireland:	8 ESU
— Ireland:	2 ESU
— Italy:	2 ESU
— Greece:	2 ESU
— Spain:	2 ESU
— Portugal:	2 ESU.

For Italy the threshold as defined in the first subparagraph will be 4 ESU for the 2002 accounting year (a period of 12 consecutive months beginning between 1 January and 1 July 2002) and for subsequent accounting years.'

Article 2

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

It shall apply from the 2001 accounting year.

⁽¹⁾ OJ 109, 23.6.1965, p. 1859/65

⁽²⁾ OJ L 174, 2.7.1997, p. 7.

⁽³⁾ OJ L 220, 17.8.1985, p. 1.

⁽⁴⁾ OJ L 291, 13.11.1999, p. 28.

⁽⁵⁾ OJ L 205, 13.7.1982, p. 5.

⁽⁶⁾ OJ L 31, 5.2.2000, p. 79.

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

Done at Brussels, 30 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

COMMISSION REGULATION (EC) No 1556/2001
of 30 July 2001
amending Regulation (EC) No 1555/96 on rules of application for additional import duties on fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 911/2001 ⁽²⁾, and in particular Article 33(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1555/96 ⁽³⁾, as last amended by Regulation (EC) No 1273/2001 ⁽⁴⁾, provides for surveillance of imports of the products listed in the Annex thereto. That surveillance is to be carried out in accordance with the rules on the surveillance of preferential imports laid down in Article 308d of Commission Regulation (EEC) No 2454/93 ⁽⁵⁾, as last amended by Regulation (EC) No 993/2001 ⁽⁶⁾.
- (2) For the purposes of Article 5(4) of the Agreement on Agriculture ⁽⁷⁾ concluded during the Uruguay Round of multilateral trade negotiations and in the light of the

latest data available for 1997, 1998 and 1999, the trigger levels for additional duties on apples should be amended.

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EC) No 1555/96 is replaced by the Annex hereto.

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 September 2001.

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

Done at Brussels, 30 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.
⁽²⁾ OJ L 129, 11.5.2001, p. 3.
⁽³⁾ OJ L 193, 3.8.1996, p. 1.
⁽⁴⁾ OJ L 175, 28.6.2001, p. 12.
⁽⁵⁾ OJ L 253, 11.10.1993, p. 1.
⁽⁶⁾ OJ L 141, 28.5.2001, p. 1.
⁽⁷⁾ OJ L 336, 23.12.1994, p. 22.

ANNEX

'ANNEX

Without prejudice to the rules for the interpretation of the Combined Nomenclature, the description of the products is deemed to be indicative only. The scope of the additional duties for the purposes of this Annex is determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation. Where 'ex' appears before the CN code, the scope of the additional duties is determined both by the scope of the CN code and the corresponding trigger period.

Serial No	CN code	Description	Trigger period	Trigger level (tonnes)
78.0015	ex 0702 00 00	Tomatoes	— 1 October to 31 March	718 828
78.0020			— 1 April to 30 September	1 174 823
78.0065	ex 0707 00 05	Cucumbers	— 1 May to 31 October	11 881
78.0075			— 1 November to 30 April	6 621
78.0085	ex 0709 10 00	Artichokes	— 1 November to 30 June	661
78.0100	0709 90 70	Courgettes	— 1 January to 31 December	9 867
78.0110	ex 0805 10 10 ex 0805 10 30 ex 0805 10 50	Oranges	— 1 December to 31 May	372 855
78.0120	ex 0805 20 10	Clementines	— 1 November to end of February	289 518
78.0130	ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	Mandarins (including tangerines and satsumas); wilkings and similar citrus hybrids	— 1 November to end of February	117 200
78.0155	ex 0805 30 10	Lemons	— 1 June to 31 December	289 508
78.0160			— 1 January to 31 May	14 586
78.0170	ex 0806 10 10	Table grapes	— 21 July to 20 November	205 769
78.0175	ex 0808 10 20 ex 0808 10 50 ex 0808 10 90	Apples	— 1 January to 31 August	1 035 900
78.0180			— 1 September to 31 December	578 486
78.0220	ex 0808 20 50	Pears	— 1 January to 30 April	269 828
78.0235			— 1 July to 31 December	91 447
78.0250	ex 0809 10 00	Apricots	— 1 June to 31 July	178 499
78.0265	ex 0809 20 95	Cherries, other than sour cherries	— 21 May to 10 August	153 116
78.0270	ex 0809 30	Peaches, including nectarines	— 11 June to 30 September	255 305
78.0280	ex 0809 40 05	Plums	— 11 June to 30 September	54 177'

COMMISSION REGULATION (EC) No 1557/2001**of 30 July 2001****laying down detailed rules for the application of Council Regulation (EC) No 814/2000 on information measures relating to the common agricultural policy**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 814/2000 of 17 April 2000 on information measures relating to the common agricultural policy⁽¹⁾, and in particular Article 9 thereof,

Whereas:

- (1) In view of experience gained during the 2000 and 2001 marketing years, Commission Regulation (EC) No 1390/2000 of 29 June 2000 laying down detailed rules for the application of Council Regulation (EC) No 814/2000 on information measures relating to the common agricultural policy⁽²⁾ should be amended in order to make some clarifications, improve the arrangements for the receipt and processing of applications and provide for greater flexibility in financing arrangements to allow up to 75 % financing of certain measures of exceptional interest. In view of the extent of these necessary amendments, and to achieve transparency for all the interested parties, Regulation (EC) No 1390/2000 should be redrafted.
- (2) Regulation (EC) No 814/2000 defines the type and content of information measures relating to the common agricultural policy.
- (3) A call for proposals is the most efficient and most transparent way of ensuring that the grants provided for in Regulation (EC) No 814/2000 receive the widest publicity and that the best measures are selected.
- (4) The eligibility criteria for applicants, the exclusion criteria and the general selection criteria for the measures referred to in Article 3(2) of Regulation (EC) No 814/2000 should be laid down in detail.
- (5) Amongst the recipients of the financing foreseen under Regulation (EC) No 814/2000, there are organisations without a well-defined legal status. In order to protect the financial interests of the Community, when an advance on the grant is to be paid, it is, therefore, necessary for a bank guarantee of an equivalent amount to be provided.
- (6) In order to make the financial resources available to the largest number possible, a financing rate of more than 50 % must be an exception.
- (7) Notifying the Committee for the European Agricultural Guidance and Guarantee Fund (EAGGF), established by Council Regulation (EC) No 1258/1999 of 17 May 1999

on the financing of the common agricultural policy⁽³⁾, of measures financed under this Regulation will facilitate the coordination of measures implemented by the Member States and those supported by the Community.

- (8) Taking into account the time limits necessary for the call for proposals to be published, it is advisable to foresee the entry into force of the Regulation with immediate effect.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the EAGGF Committee,

HAS ADOPTED THIS REGULATION:

*Article 1***Scope**

This Regulation lays down detailed rules for the application of the information measures relating to the common agricultural policy in the form of work programmes and specific measures referred to in Article 2(1)(a) and (b) of Regulation (EC) No 814/2000.

*Article 2***Call for proposals**

The Commission shall publish in the *Official Journal of the European Communities* by 31 July each year a call for proposals specifying *inter alia* the priority topics and measures and the deadlines for the submission of applications and for the commencement, implementation and conclusion of the measures concerned.

*Article 3***Eligibility criteria for applicants**

1. The organisations and associations referred to in Article 2(1)(a) of Regulation (EC) No 814/2000 must meet the following conditions:
 - (a) be private; in the case of organisations or associations bringing together other organisations or associations, these last bodies must also be private;
 - (b) be non-profit-making;
 - (c) have been established in a Member State for at least two years.

⁽¹⁾ OJ L 100, 20.4.2000, p. 7.

⁽²⁾ OJ L 158, 30.6.2000, p. 17.

⁽³⁾ OJ L 160, 26.6.1999, p. 103.

2. The parties referred to in Article 2(1)(b) of Regulation (EC) No 814/2000 must be legal persons legally constituted in a Member State for at least two years.

3. Where the agreement referred to in Article 9 provides for the payment of an advance on the grant, the applicant shall provide a bank guarantee of an equivalent amount.

This guarantee shall not be required where the applicant is a public body.

Article 4

Reasons for excluding applicants

Applicants will be excluded in the following cases:

- (a) if they are in a state of bankruptcy, liquidation, cessation or suspension of activities, judicial winding-up, composition or similar action, or if are the subject of such proceedings;
- (b) if they have been convicted by a final judgment for an offence relating to professional good character;
- (c) if they are guilty of serious professional misconduct;
- (d) if they are in breach of the rules regarding the payment of social security contributions, taxes or dues;
- (e) if they do not have the financial, technical or professional capacity required to implement the measure in the light of the information given in point 3(c) and (d) of Annex I.

Article 5

Ineligible measures

Apart from the measures listed in Article 2(3) of Regulation (EC) No 814/2000, the following shall not be eligible:

- (a) profit-making measures;
- (b) general assemblies or statutory meetings.

Article 6

Reasons for excluding measures and conditions governing the admissibility of measures

1. Work programmes shall be excluded where they involve an application for a grant of less than EUR 25 000 or more than EUR 500 000.

2. Specific measures shall be excluded where they involve an application for a grant of less than EUR 5 000 or more than EUR 100 000.

3. Work programmes and specific measures shall be excluded where the preparation thereof, implementation and follow-up are carried out outside the period laid down in the call for proposals under which they have been submitted.

4. Not more than one work programme or three specific measures may be received from each applicant in one marketing year.

5. If the call for proposals for the marketing year in question provides for a second date for the submission of applications, an applicant whose work programme has been rejected may submit a maximum of three grant applications, each for a specific measure, in compliance with the ceiling laid down in paragraph 2 of this Article.

6. Grant applications shall be admissible only where they are made in accordance with Annex I.

Article 7

Selection criteria for measures

1. The Commission shall select the applications to receive Community financing on the basis of the quality of the project and cost-effectiveness, as laid down in Article 3(2) of Regulation (EC) No 814/2000.

2. The quality of projects shall be appraised *inter alia* on the basis of:

- (a) their relevance and general interest;
- (b) their european dimension and value-added;
- (c) their lasting multiplier effect at european, national and regional level;
- (d) their contribution to the development of lasting multinational, inter-regional or inter-sectoral cooperation;
- (e) the means contemplated for evaluating the measures.

3. Cost-effectiveness shall be appraised *inter alia* on the basis of:

- (a) whether the budget submitted is reasonable;
- (b) the contribution requested from the Commission;
- (c) the ability of the applicant to mobilise other sources of financing.

4. The selection criteria shall be as set out in Annex II.

Article 8

Rate of financial assistance

1. The maximum rate of Community financing for the measures selected shall be 50 % of the eligible cost as defined in Annex III.

2. The maximum rate of Community financing may be increased to 75 % of the eligible cost for a specific measure or for one or more measures contained in a programme provided that they are of exceptional interest on the basis of the selection criteria and that they provide for subsistence expenses per participant and per day of less than 60 % of the maximum amount laid down in the scales made available to applicants by the Commission.

Preference shall be given to measures implemented in rural areas.

*Article 9***Agreement**

The applications selected shall be the subject of an agreement between the Commission and the beneficiaries covering the rights and obligations resulting from the Commission decision to award a grant.

*Article 10***Annual nature of grants**

Grants shall be awarded on a strictly annual basis and shall imply no right in subsequent years, even where the measure concerned forms part of a multiannual strategy.

*Article 11***Publicity**

A list of the beneficiaries and activities financed under this Regulation and the amounts and rates of financial support shall be published each year in the *Official Journal of the European Communities*.

*Article 12***Notification of the EAGGF Committee**

The EAGGF Committee shall be notified of:

- (a) the content of the call for proposals before its publication;
- (b) the work programmes received;
- (c) the measures selected to receive a grant;

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

Done at Brussels, 30 July 2001.

(d) activities implemented on the Commission's initiative.

*Article 13***Evaluation**

Beneficiaries shall provide everything required for the evaluation of the measures financed as provided for in Article 7 of Regulation (EC) No 814/2000 and shall in particular, complete the questionnaires and evaluation forms attached to the application forms supplied by the Commission.

The Commission shall carry out the evaluation four years at the latest after the entry into force of this Regulation.

*Article 14***Repeal**

Regulation (EC) No 1390/2000 is hereby repealed.

*Article 15***Entry into force**

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

For the Commission
Frederik BOLKESTEIN
Member of the Commission

ANNEX I

SUBMISSION AND CONTENT OF GRANT APPLICATIONS

1. Grant applications must be:
 - (a) submitted within the time limit laid down;
 - (b) fully and correctly completed, and typewritten;
 - (c) submitted in five copies ⁽¹⁾, all signed and dated by the person responsible for the measure, using the original grant application forms available from the Commission as indicated in the call for proposals; where all or part of the measure is to be implemented outside the Community, an additional copy must be supplied;
 - (d) sent by registered post with acknowledgement of receipt;
 - (e) completed in one of the official languages of the Community; a brief summary of the project in one or more other Community languages may be attached.
2. The forward budget must:
 - (a) be presented by measure (including for work programmes);
 - (b) be drawn up using the original documents provided on the web site or from the Commission services indicated in the call for proposals;
 - (c) be balanced, expressed in euro, and free of errors;
 - (d) be sufficiently detailed to permit identification, monitoring and checking of the proposed measures;
 - (e) indicate the calculations and specifications used in drawing it up;
 - (f) include on the revenue side:
 - the direct contribution from the applicant,
 - details of contributions from any other providers of funds,
 - all revenue generated by the project including, where appropriate, the fees required of participants,
 - the requested Commission grant, where appropriate broken down into the different applications submitted to the Commission;
 - (g) be dated and signed both on the revenue side and on the expenditure side.
3. The following must be attached to the application:
 - (a) the applicant's articles of association, organisation chart, rules of procedure and most recent general report;
 - (b) any document proving that the applicant does not fall within the scope of Article 4(a), (b), (c) or (d) of this Regulation;
 - (c) balance sheets or annual accounts for the last two financial years;
 - (d) any document proving the financial, technical and professional capacity of the applicant and, in particular, details of the academic and vocational qualifications and experience of those responsible for the measure, the average annual staff complement, the plant and technical equipment available and a description of the measures implemented over the last two years;
 - (e) the detailed programme of each measure specifying, *inter alia*, the particular subjects to be dealt with, the structure of the event or publication, and, where possible, the names, qualifications and vocational experience of those participants whose travel and subsistence expenses are to be covered and of the contributors and the subjects the latter are to deal with;
 - (f) all documents of use in appraising the content of the measure.

Where subcontractors are used, the same information must be supplied to prove the financial, technical and vocational capacity of the subcontractor(s) concerned.

⁽¹⁾ Applications may be sent on electronic media but must be accompanied by a paper copy signed and dated by the person responsible for the measure.

ANNEX II

SELECTION CRITERIA

1. For the criteria referred to in Article 7(2):
 - (a) the relevance and general interest of the measure are to be appraised, in particular, in the light of:
 - the extent to which the content of the measure is in line with the objectives laid down in Article 1 of Regulation (EC) No 814/2000 and covers the priority topics set out in the call for proposals,
 - the relevance of the information requirements identified by the applicant,
 - the extent to which the planned budgetary and human resources are adapted to the measures proposed by the applicant,
 - the suitability of the measures proposed by the applicant for the public targeted;
 - (b) the European dimension and value-added are to be appraised, in particular, in the light of:
 - the number of countries covered by the measure,
 - the number of regions covered by the measure,
 - the number of sectors covered by the measure,
 - the number of organisations involved in drawing up and implementing the measure,
 - the degree of effective and balanced cooperation between the various partners in the planning and implementation of the measures and in their financial contributions,
 - the representativeness of the organisations concerned (in terms of the size of their membership and their areas of activity),
 - the expertise of the contributors and people involved in implementing the measures with regard to the topics covered;
 - (c) the lasting multiplier effect at European, national and regional level is to be appraised, in particular, in the light of:
 - the number of beneficiaries of the measure,
 - the representativeness of the beneficiaries and the type of beneficiaries involved,
 - the dissemination policy chosen, i.e.:
 - the communication tools proposed (publications, reports, databases, directories, follow-up seminars, technical notes, etc.),
 - the media used (paper, electronic, audio-visual),
 - the information channels used (press, direct mail, direct distribution, etc.),
 - the follow-up given to the measure or its multiannual nature;
 - (d) the contribution to the development of lasting multinational, inter-regional or inter-sectoral cooperation is to be appraised, in particular, in the light of:
 - the exchanges carried out,
 - the joint use made of experiences,
 - the partnerships set up,
 - the networks created,
 - the establishment of a joint information/dissemination policy;
 - (e) the evaluation of the measures is to be appraised, in particular, in the light of:
 - the *ex ante* evaluation carried out,
 - the *ex post* evaluation carried out,
 - the criteria laid down for carrying out the evaluation,
 - the techniques used (surveys, questionnaires, statistics, etc).
2. For the criteria referred to in Article 7(3):
 - (a) whether the budget submitted is reasonable is to be appraised, in particular, in the light of:
 - the total amount,
 - the costs given for each item, with reference to the best market conditions and the rates and scales laid down by the Commission,
 - the balance between the various items,
 - the total cost per direct beneficiary of the measure;

- (b) the contribution requested is to be appraised, in particular, in the light of:
 - the total amount,
 - that contribution as a proportion of total revenue;
 - (c) the ability of the applicant to mobilise other sources of financing is to be appraised, in particular, in the light of:
 - the applicant's own resources as a proportion of total revenue,
 - committed public (national, regional or local) or private financing as a proportion of total revenue,
 - the size of the contribution required of the participants.
-

ANNEX III

ELIGIBLE COSTS

1. To be eligible, costs must:
 - (a) arise directly from the measure;
 - (b) be essential for the implementation of the measure and reflect the best terms available on the market.
2. Costs must relate to:
 - (a) preparation of the measures concerned (design, research, coordination, publicity, *ex ante* evaluation, etc.);
 - (b) implementation of the measures (production costs, speakers' fees, hire of facilities and equipment, interpretation, printing of documents, participation in events, travel expenses, etc.);
 - (c) follow-up activities (press reviews, distribution of reports, *ex post* evaluation, etc.).
3. The following are eligible:
 - (a) personnel costs (unit cost per working day), on presentation of pay slips for the period concerned or invoices where outside personnel are used;
 - (b) travel expenses as follows:
 - booking fees and the cost of second-class travel by train using the shortest route, on presentation of the ticket,
 - the cost of air travel for return journeys of more than 800 km, in economy class, using the lowest available promotional fare (APEX, PEX, Excursion, etc.), on presentation of the ticket and boarding cards ⁽¹⁾,
 - the cost of inter-city journeys by coach, using the shortest route, on presentation of the ticket or invoice,
 - the cost of coach or car hire, provided that it is included in the forward budget and duly justified, on presentation of the invoice,
 - the cost of travel in a private car, based on second-class rail or coach travel, using the shortest route, supplements excluded; such costs are eligible on presentation of a declaration signed by the user specifying the dates of departure and return and the point of departure and the destination and an attestation from a rail or coach company indicating the cost of such a journey ⁽²⁾; expenditure incurred by the user of a private car on petrol, parking, road tolls and meals is not eligible,
 - the cost of urban transport (bus, underground, tram) and taxi fares are not eligible;
 - (c) accommodation and subsistence expenses, on the following conditions:
 - up to a maximum amount per person per day (available from the Commission); this amount covers the cost of accommodation and of group meals taken in connection with implementation of the measure, on presentation of the invoices,
 - up to a maximum amount per person per meal (available from the Commission); where provision is made for some or all meals not to be taken together,
 - joint hotel bills are eligible only where they indicate the number of rooms, the names of the persons concerned and the number of nights; restaurant bills must specify the number of diners and a list of diners must be attached;
 - (d) the cost of interpretation and translation, on the same conditions as personnel costs, up to maximum amounts (available from the Commission);
 - (e) the fees of experts or speakers, up to a maximum amount (available from the Commission), on presentation of an invoice and proof of payment, provided that the persons concerned are not national, Community or international civil servants or members or employees of the organisation receiving the grant or an associated or affiliated organisation;
 - (f) the hire of conference halls and equipment, on presentation of the invoice;
 - (g) subcontracting, but only in those cases stipulated in the agreement; where the contract is for an amount of more than EUR 10 000, the beneficiary must obtain three tenders, provide the Commission with proof that the subcontractor selected represents the best value and justify that choice where the tender selected is not the cheapest; the subcontractor is subject to the same rules as the beneficiary;

⁽¹⁾ Where another class is used, expenses are eligible only on presentation of an attestation by the transport company indicating the cost of second-class travel, in which case the eligible expenditure will be limited to that amount.

⁽²⁾ By derogation, where there is no public transport link and for a return journey of up to 300 kilometres, the eligible cost shall be EUR 0,25 per kilometre.

- (h) the cost of publication and distribution and the cost of audio-visual productions, other than personnel costs, on presentation of the invoices;
 - (i) other costs arising from the requirements of the grant agreement (audits, specific evaluations of the measure, reports, translations, securities, etc.), on presentation of the invoices;
 - (j) a contingency reserve of a maximum of 5 % of the direct eligible costs;
 - (k) a fixed amount of up to 7 % of the total direct eligible costs, including the contingency reserve, to cover the cost of consumables, supplies and other costs (including telephone, fax, couriers, Internet, photocopies and all office supplies), provided that the beneficiary is in receipt of no other operating costs grant from the European Commission.
4. The following are not eligible:
- (a) contributions in kind;
 - (b) non-specified or one-off expenditure, except in the particular cases referred to in this Regulation;
 - (c) indirect costs (rent, electricity, water, gas, insurance, taxes, etc.);
 - (d) invested capital costs, contingency reserves, interest on debts owed, exchange rate losses, gifts and expenditure on luxuries.
5. The dates taken into account for the eligibility of costs are the dates when the costs are generated and not the dates when the accounting documents are drawn up.
- No expenditure generated before the date on which the measure commences as specified in the grant agreement may be taken into consideration.
6. All invoices must be made out in due and proper form in accordance with the legislation or rules of the country concerned and must specify the amount and percentage of VAT. Poor-quality copies will not be taken into consideration.
7. No unjustified cost will be taken into account.
8. Costs must have actually been incurred, be recorded in the beneficiary's accounts or tax documents and be identifiable and verifiable.
9. Where eligible costs are directly covered by another provider of funds, this must be specified in the forward budget and in the final accounts under 'Other contributions' and fulfil the conditions laid down in paragraphs 6, 7 and 8.
-

COMMISSION REGULATION (EC) No 1558/2001

of 30 July 2001

opening an invitation to tender for the refund for the export of barley to all third countries except the United States and Canada

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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) In view of the current situation on the cereals market, an invitation should be opened, in respect of barley to tender for the export refund provided for in Article 4 of Regulation (EC) No 1501/95.
- (2) The detailed procedural rules governing invitations to tender are as regards the fixing of the export refund in Regulation (EC) No 1501/95. The commitments on the part of the tenderer include an obligation to lodge an application for an export licence. Compliance with this obligation may be ensured by requiring tenderers to lodge a tendering security of EUR 12 per tonne when they submit their tenders.
- (3) It is necessary to provide for a specific period of validity for licences issued under that invitation to tender. That period of validity must meet the needs of the world market for the 2001/02 marketing year.
- (4) In order to ensure that all those concerned are treated equally, it is necessary to lay down that the period of validity of the licences issued should be identical.
- (5) In order to ensure the smooth operation of the export tendering procedure it is appropriate to prescribe a minimum quantity to be tendered for and a time limit and form for the communication of tenders submitted to the competent authorities.
- (6) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

Article 1

1. Tenders shall be invited for the export refund provided for in Article 4 of Regulation (EC) No 1501/95.
2. The tendering procedure shall concern barley for export to all third countries except the United States and Canada.
3. The invitation shall remain open until 30 May 2002. During this period weekly awards shall be made, for which the quantities and the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.

Notwithstanding Article 4(4) of Regulation (EC) No 1501/95, the time limit for the submission of tenders for the first partial invitation to tender shall be 2 August 2001.

Article 2

A tender shall be valid only if it relates to an amount of not less than 1 000 tonnes.

Article 3

The security referred to in Article 5(3a) of Regulation (EC) No 1501/95 shall be EUR 12 per tonne.

Article 4

1. Notwithstanding Article 23(1) of 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 ⁽⁵⁾, export licences issued under Article 8(1) of Regulation (EC) No 1501/95 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued in connection with the invitations to tender pursuant to this Regulation shall be valid from their date of issue, as defined in paragraph 1, until the end of the fourth month following that of issue.

Article 5

Notwithstanding Article 16 of Commission Regulation (EC) No 800/1999 ⁽⁶⁾, as last amended by Regulation (EC) No 90/2001 ⁽⁷⁾, proof of completion of customs formalities for release for consumption shall not be required for payment of refunds fixed in a contract awarded under this tender, in so far as the operator provides proof that a quantity of at least 1 500 tonnes of cereal products have left the customs territory of the Community on board a vessel suitable for sea transport.

⁽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 152, 24.6.2000, p. 1.

⁽⁶⁾ OJ L 102, 17.4.1999, p. 11.

⁽⁷⁾ OJ L 14, 18.1.2001, p. 22.

Article 6

1. The Commission shall decide, pursuant to the procedure laid down in Article 23 of Regulation (EEC) No 1766/92:
 - to fix a maximum export refund, taking account in particular of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, or
 - to make no award.
2. Where a maximum export refund is fixed, the contract shall be awarded to the tenderer or tenderers whose bids are equal to or lower than the maximum refund.

Article 7

Tenders submitted must reach the Commission through the intermediary Member States, at the latest one and a half hours after expiry of the period for the weekly submission of tenders

as specified in the notice of invitation to tender. They must be communicated in the form indicated in Annex I, to the telex or fax numbers in Annex II.

If no tenders are received, Member States shall inform the Commission of this within the time limit indicated in the preceding paragraph.

Article 8

The time limits fixed for the submission of tenders shall correspond to Belgian time.

Article 9

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

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

Done at Brussels, 30 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

ANNEX I

Weekly tender for the refund for the export of barley to all third countries except the United States and Canada

(Regulation (EC) No 1558/2001)

(Closing date for the submission of tenders (date/time))

1	2	3
Number of tenderer	Quantity (tonnes)	Amount of export refund (EUR/tonne)
1		
2		
3		
etc.		

ANNEX II

The only numbers to use to call Brussels (DG AGRI-C-1) are:

- telex: 22037 AGREC B,
22070 AGREC B (Greek characters),
 - fax: (32-2) 296 49 56,
(32-2) 295 25 15.
-

COMMISSION REGULATION (EC) No 1559/2001
of 30 July 2001
on the issue of import licences for frozen thin skirt of bovine animals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 996/97 of 3 June 1997 on the opening and administration of an import tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91 ⁽¹⁾, as last amended by Regulation (EC) No 1266/98 ⁽²⁾, and in particular Article 8(3) thereof,

Whereas:

- (1) Article 1(3)(b) of Regulation (EC) No 996/97 fixes the amount of frozen thin skirt which may be imported on special terms in 2001/2002 at 800 tonnes.
- (2) Article 8(3) of Regulation (EC) No 996/97 lays down that the quantities applied for may be reduced. The applications lodged relate to total quantities which

exceed the quantities available. Under these circumstances and taking care to ensure an equitable distribution of the available quantities, it is appropriate to reduce proportionally the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import licences made pursuant to Article 8 of Regulation (EC) No 996/97 are hereby met to the extent of 0,4452 % of the quantity requested.

Article 2

This Regulation shall enter into force on 31 July 2001.

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

Done at Brussels, 30 July 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ OJ L 144, 4.6.1997, p. 6.

⁽²⁾ OJ L 175, 19.6.1998, p. 9.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 July 2001

amending Decision 2001/532/EC concerning certain protection measures relating to classical swine fever in Spain

(notified under document number C(2001) 2448)

(Text with EEA relevance)

(2001/578/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(3) thereof,

Whereas:

- (1) Outbreaks of classical swine fever have occurred in Spain.
- (2) In view of the trade in live pigs, these outbreaks are liable to endanger the herds of other Member States.
- (3) Spain has taken measures within the framework of Council Directive 80/217/EEC of 22 January 1980, introducing Community measures for the control of classical swine fever ⁽³⁾, as last amended by the Act of Accession of Austria, Finland and Sweden.
- (4) By means of Decision 2001/532/EC ⁽⁴⁾, the Commission adopted certain protection measures relating to classical swine fever in Spain.
- (5) In the light of the evolution of the situation and following results of the epidemiological enquiries, it is necessary to adapt the measures adopted and forthwith to amend Decision 2001/532/EC.

- (6) This Decision is in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 2001/532/EC is replaced by the Annex to this Decision.

Article 2

In Article 7 of Decision 2001/532/EC the date '31 July 2001' is replaced by '15 September 2001'.

Article 3

The Member States shall amend the measures they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 July 2001.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 47, 21.2.1980, p. 11.

⁽⁴⁾ OJ L 192, 14.7.2001, p. 24.

ANNEX

'ANNEX I

In the autonomous region of Catalonia: all the *comarcas* in the Province of Lerida; the *comarca* of Anoia in the Province of Barcelona; the *comarcas* of Conca de Barberá, Priorat and Rivera d'Ebre in the Province of Tarragona.

In the autonomous region of Valencia: the *comarcas* of Chelva, Llira, Utiel, Requena, Torre Baja and Foios in the Province of Valencia.

In the autonomous region of Castilla-La Mancha: the *comarcas* of Landete, Cañete and Motilla del Palancar in the Province of Cuenca.

In the autonomous region of Aragon: the municipalities of Arcos de las Salinas, Torrijas and Abejuelas in the Province of Teruel.'

COMMISSION DECISION

of 30 July 2001

on the publication of the reference of standard EN 71-1: 1998 'Safety of toys — Part 1: Mechanical and physical properties', Clause 4.20(d) in accordance with Council Directive 88/378/EEC

(notified under document number C(2001) 1905)

(Text with EEA relevance)

(2001/579/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 88/378/EEC of 3 May 1988 on the approximation of the laws of the Member States concerning the safety of toys ⁽¹⁾, as amended by Directive 93/68/EEC ⁽²⁾, and in particular Article 6(1) thereof,

Having regard to the opinion of the Standing Committee established by Article 5 of Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations ⁽³⁾, as amended by Directive 98/48/EC ⁽⁴⁾,

Whereas:

- (1) Article 2 of Directive 88/378/EEC states that toys may be placed on the market only if they do not jeopardise the safety and/or health of users or third parties when they are used in a foreseeable way, bearing in mind the normal behaviour of children.
- (2) Under Article 5 of Directive 88/378/EEC, toys are presumed to conform to the essential safety requirements referred to in Article 3 of that Directive if they are declared to be in conformity with the harmonised standards whose references have been published in the *Official Journal of the European Communities*.
- (3) Member States are required to publish the references of national standards transposing the harmonised standards.
- (4) Pursuant to Article 6 of Directive 88/378/EEC, Germany and Austria sent notifications invoking a safeguard clause concerning Clause 4.20(d) in standard EN 71 'Safety of toys — Part 1: Mechanical and physical properties' — 1998 edition: they did so on the grounds that a peak emission sound pressure level of 140 dB, measured at a distance of 50 cm from the ear, was too high and could damage children's hearing.
- (5) The Commission, after examining the information submitted by Germany and Austria and after receiving the opinion of the Standing Committee set up by Directive 98/34/EC, decided on 20 July 1999 to exclude

from the publication in the *Official Journal of the European Communities* Clause 4.20(d) of standard EN 71-1: 1998, in respect of which it grants no presumption of conformity with the provisions of Directive 88/378/EEC.

- (6) The Commission published a communication ⁽⁵⁾ in the framework of Directive 88/378/EEC, listing a number of European harmonised standards approved on 15 July 1998 by the European Committee for Standardisation (CEN). That communication includes standard EN 71-1: 1998 concerning the safety of toys, but it excludes the C-weighted peak emission sound pressure level produced by a toy using percussion caps.
- (7) The reason for the exclusion was that Clause 4.20(d) of standard EN 71-1: 1998, could not ensure the safety of toys when used in a foreseeable way, bearing in mind the normal behaviour of children, as was required by Article 2 of Directive 88/378/EEC.
- (8) Pursuant to standard EN 71-1: 1998, Clause 4.20(d), the C-weighted peak emission sound pressure level, $L_{pc\ peak}$, produced by a toy using percussion caps may not exceed 140 dB: 140 dB at the measurement position corresponds to 150-160 dB at a distance of approximately 2,5 cm. The limit-value of 140 dB remains in force until 31 July 2001, after which date the limit-value is set at 125 dB,

HAS ADOPTED THIS DECISION:

Article 1

The publication in the *Official Journal of the European Communities* of the reference to harmonised standard EN 71 'Safety of toys — Part 1: Mechanical and physical properties', as adopted by the European Committee for Standardisation (CEN) on 15 July 1998 and as shown in the Annex, shall be accompanied by the following information note:

'Clause 4.20(d) of standard EN 71-1: 1998 will allow presumption of conformity to the provisions of Directive 88/378/EEC only as from 1 August 2001. Clause 4.20(d) states that, from that date, the C-weighted peak emission sound pressure level, $L_{pc\ peak}$, produced by a toy using percussion caps, shall not exceed 125 dB, measured as specified in the standard.'

⁽¹⁾ OJ L 187, 16.7.1988, p. 1.

⁽²⁾ OJ L 220, 30.8.1993, p. 1.

⁽³⁾ OJ L 204, 21.7.1998, p. 37.

⁽⁴⁾ OJ L 217, 5.8.1998, p. 18.

⁽⁵⁾ OJ C 340, 27.11.1999, p. 69.

Article 2

Where, pursuant to Article 5(1) of Directive 88/378/EEC, Member States publish the reference of a national standard transposing harmonised standard EN 71-1: 1998, they shall accompany that publication by a note identical to that provided for in Article 1.

Article 3

This Decision shall apply from 1 August 2001.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 30 July 2001.

For the Commission

Frederik BOLKESTEIN

Member of the Commission

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ANNEX

Publication of the references of European harmonised standards pursuant to Directive 88/378/EEC

European standardisation body	Reference	Title of the harmonised standard	Year of ratification
CEN ⁽¹⁾	EN 71-1: 1998	Safety of toys Part 1: Mechanical and physical properties	1998

⁽¹⁾ Comité européen de normalisation; www.cenorm.be.

INFORMATION NOTE:

Clause 4.20(d) of standard EN 71-1: 1998 will allow presumption of conformity to the provisions of Directive 88/378/EEC only as from 1 August 2001. Clause 4.20(d) states that, from that date, the C-weighted peak emission sound pressure level, $L_{pc \text{ peak}}$, produced by a toy using percussion caps, shall not exceed 125 dB, measured as specified in the standard.

Note:

- Any information concerning the availability of the standards can be obtained either from the European standardisation organisations or from the national standardisation bodies listed in the Annex to Directive 98/34/EC of the European Parliament and of the Council ⁽¹⁾, amended by Directive 98/48/EC ⁽²⁾.
- Publication of the references in the *Official Journal of the European Communities* does not imply that the standards are available in all Community languages.

⁽¹⁾ OJ L 204, 21.7.1998, p. 37.

⁽²⁾ OJ L 217, 5.8.1998, p. 18.