

English edition

Legislation

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⁽¹⁾ Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1775/2001
of 7 September 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 8 September 2001.

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

Done at Brussels, 7 September 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 7 September 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	77,6
	999	77,6
0709 90 70	052	80,8
	999	80,8
0805 30 10	388	70,9
	524	72,9
	528	68,7
	999	70,8
0806 10 10	052	70,7
	999	70,7
0808 10 20, 0808 10 50, 0808 10 90	388	77,9
	400	77,8
	512	69,6
	528	63,2
	804	105,0
	999	78,7
0808 20 50	052	102,9
	999	102,9
0809 30 10, 0809 30 90	052	109,1
	999	109,1
0809 40 05	052	75,7
	060	55,9
	064	49,9
	066	66,6
	068	52,9
	094	52,9
	999	59,0

⁽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 1776/2001

of 7 September 2001

amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, as last amended by Commission Regulation (EC) No 1230/2001 ⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) To ensure uniform application of the Combined Nomenclature annexed to the said regulation, it is necessary to make a distinction between, on the one hand, fruit juices containing added sugar of heading 2009 and, on the other hand, preparations for the manufacture of beverages including flavoured sugar syrups of heading 2106.
- (2) According to the harmonised system explanatory note to heading 2009, amongst other additives, sugar can be added to fruit juices provided that they retain their original character.
- (3) The fruit juices or mixtures of fruit juices whether or not containing added sugar are classified in the subheadings of heading 2009 of the Combined Nomenclature according to their density, whether or not exceeding 1,33 g/cm³ at 20 °C, which depends, amongst other, on the sugar content of these products.
- (4) Additional note 2 to Chapter 20 of the Combined Nomenclature lays down the measuring method to be applied for the determination of the content of various sugars expressed as sucrose for products of this Chapter, including fruit juices of heading 2009.
- (5) It seems appropriate to create a minimum limit of 50 % by weight for the fruit juice content of products of subheadings of heading 2009 with the wording 'of a density not exceeding 1,33 g/cm³ at 20 °C', in order to

ensure that they retain their original character of fruit juices of this heading.

- (6) It is necessary to amend additional note 5 to Chapter 20 to reflect this decision.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Additional note 5 to Chapter 20 of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87 is replaced by the following text:

- '5. (a) The added sugar content of products classified under heading No 2009 corresponds to the "sugar content" less the figures given hereunder, according to the kind of juice concerned:
 - lemon or tomato juice: 3,
 - apple juice: 11,
 - grape juice: 15,
 - other fruit or vegetable juices, including mixtures of juices: 13.
- (b) The fruit juices with added sugar, of a density not exceeding 1,33 g/cm³ at 20 °C and containing less than 50 % by weight of fruit juices in their natural state obtained from fruits or by dilution of concentrated juice, lose their original character of fruit juices of heading No 2009.'

Article 2

This Regulation shall enter into force on the 20th 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 Brussels, 7 September 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 168, 23.6.2001, p. 6.

COMMISSION REGULATION (EC) No 1777/2001

of 7 September 2001

amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, as last amended by Commission Regulation (EC) No 1230/2001 ⁽²⁾, and in particular Article 9 thereof,

Whereas:

(1) To ensure uniform application of the Combined Nomenclature annexed to the said Regulation, it is necessary to make a distinction between:

1. on the one hand, herbal medicinal preparations and preparations based on various active substances, amongst others, vitamins, minerals, essential amino acids or fatty acids, for therapeutic or prophylactic uses in human or animal medicine, consisting of mixed or unmixed products, put up in measured doses or in forms or packings for retail sale, which could be classified in Chapter 30 as medicaments of heading 3004, and
2. on the other hand, preparations for special dietary uses including preparations used for particular nutritional uses, and food supplements used for maintaining health or well-being, which are generally classifiable in Chapter 21 as food preparations of heading 2106.

(2) It has been noted that the classification of certain types of food or medicinal preparations designated for specific medicinal purposes presents difficulties due to the absence of clear definitions in the Combined Nomenclature.

(3) It is necessary to consider that certain medicinal preparations known as homeopathic medicinal products, for human beings or animals, are prepared from products, substances or compositions called homeopathic stocks in accordance with a homeopathic manufacturing procedure described in various officially recognised pharmacopoeias, with respect to human beings, in accordance with Article 1 of Council Directive 92/73/EEC of 22 September 1992 widening the scope of Directives 65/65/EEC and 75/319/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to medicinal products and laying down additional provisions on homeopathic medicinal prod-

ucts ⁽³⁾, and with respect to animals, in accordance with Article 1 of Council Directive 92/74/EEC of 22 September 1992 widening the scope of Directive 81/851/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to veterinary medicinal products and laying down additional provisions on homeopathic veterinary medicinal products ⁽⁴⁾.

- (4) Preparations used for particular nutritional uses and preparations for special dietary uses are products specifically made up or prepared to fulfil the dietetic needs corresponding to a special physical or physiological condition in accordance with Article 1(2) of Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses ⁽⁵⁾, whereas food supplements are preparations generally based on vitamins, essential amino acids or fatty acids and minerals.
- (5) A distinction between, on the one hand, preparations used for particular nutritional uses or dietetic uses which could contribute to maintaining health or well-being and, on the other hand, herbal medicinal preparations or preparations based on various active substances including certain homeopathic preparations which could help to prevent or treat diseases or specific ailments can be established. With regard to products put up for retail sale, the criteria for the distinction can be established on the basis of verifiable technical specifications generally given on the label, on packaging or on the accompanying user directions, for example, the presence of active substances, dosage and mode of application.
- (6) It seems appropriate to create a list of mandatory criteria laid down in an additional note to Chapter 30 of the Combined Nomenclature, which covers pharmaceutical products.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Chapter 30 of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87 is hereby amended as follows.

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 168, 23.6.2001, p. 6.

⁽³⁾ OJ L 297, 13.10.1992, p. 8.

⁽⁴⁾ OJ L 297, 13.10.1992, p. 12.

⁽⁵⁾ OJ L 186, 30.6.1989, p. 27.

The following additional note 1 is inserted.

'Heading 3004 includes herbal medicinal preparations and preparations based on the following active substances: vitamins, minerals, essential amino acids or fatty acids, in packings for retail sale. These preparations are classified in heading 3004 if they bear on the label, packaging or on the accompanying user directions the following statements of:

- (a) the specific diseases, ailments or their symptoms for which the product is to be used;
- (b) the concentration of active substance or substances contained therein;

- (c) dosage, and
- (d) mode of application.

This heading includes homeopathic medicinal preparations when they meet the abovementioned conditions of (a), (c) and (d).

In the case of preparations based on vitamins, minerals, essential amino acids or fatty acids, the level of one of these substances per recommended daily dose indicated on the label must be significantly higher than the recommended daily intake to maintain general health or well-being.'

Article 2

This Regulation shall enter into force on the 20th 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 Brussels, 7 September 2001.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

COMMISSION REGULATION (EC) No 1778/2001**of 7 September 2001****supplementing the Annex to Regulation (EC) No 1107/96 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Council Regulation (EEC) No 2081/92****(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 2081/92 of 14 July 1992 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, as last amended by Regulation (EC) No 2796/2000 ⁽²⁾, and in particular Article 17(2) thereof,

Whereas:

(1) Additional information was requested concerning a name notified by the Italian Government under Article 17 of Regulation (EEC) No 2081/92 in order to ensure that it complies with Articles 2 and 4 of that Regulation.

(2) After considering that additional information, the Commission twice submitted the application for registration to the Scientific Committee for Designations of Origin, Geographical Indications and Certificates of Specific Character, which issued a favourable opinion on registration of the name on both occasions.

(3) The raw material used in the product in question comes from pigs which belong to the category of Italian heavy pigs. They are raised in the production area and are given a particular type of feed based on local cereals and the by-products of local cheesemaking. Since the name is a traditional name in accordance with Article 2(3) of Regulation (EEC) No 2081/92, the traditional production area must be accepted regardless of its size. It can therefore be asserted that the name in question refers to an agricultural product originating in a specific region and that its quality or characteristics are essentially due to a geographical environment with its inherent natural and human factors, as laid down in Article 2(3) and the second indent of Article 2(2)(a) of the above Regulation.

(4) The name covered by the application for registration does not constitute the name of an agricultural product or a foodstuff which, although it relates to the place or the region where this product or foodstuff was originally

produced or marketed, has become the common name of an agricultural product or a foodstuff. It cannot therefore be regarded as a name that has become generic within the meaning of Article 3(1) of Regulation (EEC) No 2081/92.

(5) The name covered by the application for registration is protected under bilateral agreements between Italy and Germany, Spain, France and Austria respectively.

(6) The application for registration of this name therefore complies with the above Articles. It should therefore be registered and added to the Annex to Commission Regulation (EC) No 1107/96 ⁽³⁾, as last amended by Regulation (EC) No 1347/2001 ⁽⁴⁾.

(7) The Committee provided for in Article 15 of Regulation (EEC) No 2081/92 has not delivered an opinion within the time limit set by its Chairman. In accordance with Article 5(4) of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁵⁾, the Commission has submitted a proposal for implementing measures to the Council and has informed Parliament thereof. Since the Council has not acted within the three-month time limit provided for in the fourth paragraph of Article 15 of Regulation (EEC) No 2081/92, the proposed measures are to be adopted by the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

The name in the Annex hereto is hereby added to the Annex to Regulation (EC) No 1107/96.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ L 208, 24.7.1992, p. 1.

⁽²⁾ OJ L 324, 21.12.2000, p. 26.

⁽³⁾ OJ L 148, 21.6.1996, p. 1.

⁽⁴⁾ OJ L 182, 5.7.2001, p. 3.

⁽⁵⁾ OJ L 184, 17.7.1999, p. 23.

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

Done at Brussels, 7 September 2001.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

A. AGRICULTURAL PRODUCTS LISTED IN ANNEX I TO THE TREATY INTENDED FOR HUMAN CONSUMPTION

Meat-based products

ITALY

— Salamini italiani alla cacciatora (PDO)

COMMISSION REGULATION (EC) No 1779/2001
of 7 September 2001
concerning the issue of A licences for the import of garlic

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1047/2001 of 30 May 2001 introducing a system of import licences and certificates of origin and establishing the method for managing the tariff quotas for garlic imported from third countries ⁽¹⁾, as amended by Regulation (EC) No 1510/2001 ⁽²⁾,

Whereas:

- (1) Article 8(1) of Regulation (EC) No 1047/2001 provides that if quantities covered by applications for A licences exceed the quantities available, the Commission is to fix a simple reduction percentage and suspend the issue of such licences covered by subsequent applications.
- (2) Quantities applied for on 3 and 4 September 2001 under Article 4(1) of Regulation (EC) No 1047/2001 for products originating in China exceed the quantities available. The extent to which A licences can be issued, and whether the issue of those licences should be suspended for any subsequent applications, should therefore be determined,

HAS ADOPTED THIS REGULATION:

Article 1

A import licences covered by applications under Article 1(1), of Regulation (EC) No 1047/2001 for products originating in China on 3 and 4 September 2001 and forwarded to the Commission on 5 September 2001 shall be issued, with the entry referred to in Article 1(2) of that Regulation, at the rate of:

- 31,261 % of the quantity applied for, for traditional importers,
- 0,907 % of the quantity applied for, for new importers.

Article 2

Issue of the import licences covered by applications under Regulation (EC) No 1047/2001 for products originating in China is hereby suspended for applications lodged from 4 September 2001 to 3 December 2001.

Article 3

This Regulation shall enter into force on 8 September 2001.

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

Done at Brussels, 7 September 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 145, 31.5.2001, p. 35.

⁽²⁾ OJ L 200, 25.7.2001, p. 21.

COMMISSION REGULATION (EC) No 1780/2001
of 7 September 2001
concerning the issue of A licences for the import of garlic

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1047/2001 of 30 May 2001 introducing a system of import licences and certificates of origin and establishing the method for managing the tariff quotas for garlic imported from third countries ⁽¹⁾, as amended by Regulation (EC) No 1510/2001 ⁽²⁾,

Whereas:

- (1) Article 8(1) of Regulation (EC) No 1047/2001 provides that if quantities covered by applications for A licences exceed the quantities available, the Commission is to fix a simple reduction percentage and suspend the issue of such licences covered by subsequent applications.
- (2) Quantities applied for on 3 and 4 September 2001 under Article 4(1) of Regulation (EC) No 1047/2001 for products originating in all third countries other than China and Argentina exceed the quantities available. The extent to which A licences can be issued, and whether the issue of those licences should be suspended for any subsequent applications, should therefore be determined,

HAS ADOPTED THIS REGULATION:

Article 1

A import licences covered by applications under Article 1(1), of Regulation (EC) No 1047/2001 for products originating in all third countries other than China and Argentina on 3 and 4 September 2001 and forwarded to the Commission on 5 September 2001 shall be issued, with the entry referred to in Article 1(2) of that Regulation, at the rate of:

- 58,717 % of the quantity applied for, for traditional importers,
- 15,198 % of the quantity applied for, for new importers.

Article 2

Issue of the import licences covered by applications under Regulation (EC) No 1047/2001 for products originating in all third countries other than China and Argentina is hereby suspended for applications lodged from 4 September 2001 to 3 December 2001.

Article 3

This Regulation shall enter into force on 8 September 2001.

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

Done at Brussels, 7 September 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 145, 31.5.2001, p. 35.

⁽²⁾ OJ L 200, 25.7.2001, p. 21.

COMMISSION REGULATION (EC) No 1781/2001
of 7 September 2001
on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat ⁽¹⁾, as last amended by Regulation (EC) No 134/1999 ⁽²⁾,

Whereas:

- (1) Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2(f).
- (2) Article 2(f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms for the period 1 July 2001 to 30 June 2002 at 11 500 t.

- (3) It should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 to 5 September 2001 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2(f) of Regulation (EC) No 936/97 shall be granted in full.
2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 936/97, during the first five days of October 2001 for 3 515,334 t.

Article 2

This Regulation shall enter into force on 11 September 2001.

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

Done at Brussels, 7 September 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 137, 28.5.1997, p. 10.

⁽²⁾ OJ L 17, 22.1.1999, p. 22.