

English edition

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2375/2001
of 29 November 2001
amending Commission Regulation (EC) No 466/2001 setting maximum levels for certain
contaminants in foodstuffs
(Text with EEA relevance)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures for contaminants in food ⁽¹⁾, and in particular Article 2(3) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Commission Regulation (EC) No 466/2001 ⁽²⁾ stipulates that foodstuffs should not, when placed on the market, contain higher contaminant levels than those specified in that Regulation.
- (2) The term 'dioxins' covers a group of 75 polychlorinated dibenzo-p-dioxin ('PCDD') and 135 polychlorinated dibenzofuran ('PCDF') congeners, of which 17 are of toxicological concern. The most toxic congener is 2,3,7,8-tetrachlordibenzo-p-dioxin (TCDD) classified by the International Agency for Research on Cancer and other reputable international organisations as a known human carcinogen. The Scientific Committee for Food ('SCF'), in line with the World Health Organisation ('WHO'), concluded that the carcinogenic effect of dioxins does not occur at levels below a certain threshold. Other adverse effects, such as endometriosis, neurobehavioural and immunosuppressive effects occur at much lower levels and are therefore considered relevant for determining a tolerable intake.
- (3) Polychlorinated biphenyls, ('PCBs'), are a group of 209 different congeners which can be divided into two groups according to their toxicological properties: 12 congeners exhibit toxicological properties to dioxins and

are therefore often termed 'dioxin-like PCBs'. The other PCBs do not exhibit dioxin-like toxicity but have a different toxicological profile.

- (4) Each congener of dioxins or dioxin-like PCBs exhibits a different level of toxicity. In order to be able to sum up the toxicity of these different congeners, the concept of toxic equivalency factors ('TEFs') has been introduced to facilitate risk assessment and regulatory control. This means that the analytical results relating to all 17 individual dioxin congeners and to the 12 dioxin-like PCB congeners are expressed in terms of a single quantifiable unit: 'TCDD toxic equivalent concentration' (TEQ).
- (5) Dioxins and PCBs are extremely resistant to chemical and biological degradation and therefore persist in the environment and accumulate in the feed and food chain.
- (6) More than 90 % of human dioxin exposure derives from foodstuffs. Foodstuffs of animal origin normally contribute to approximately 80 % of overall exposure. The dioxin burden in animals derives mainly from feedingstuffs. Therefore feedingstuffs, and in some cases soil, raise concerns as potential sources of dioxins.
- (7) The SCF adopted an opinion on the Risk Assessment of Dioxins and Dioxin-like PCBs in Food on 30 May 2001, an update based on new scientific information which has become available since the adoption of the SCF opinion on this matter on 22 November 2000. The SCF fixed a tolerable weekly intake ('TWI') for dioxins and dioxin-like PCBs of 14 pg WHO-TEQ/kg body weight. Exposure estimates indicate that a considerable proportion of the Community population has a dietary intake in excess of the TWI. Certain population groups in some countries could be at higher risk due to particular dietary habits.

⁽¹⁾ OJ L 37, 13.2.1993, p. 1.

⁽²⁾ OJ L 77, 16.3.2001, p. 1.

- (8) The reduction of human exposure to dioxins through food consumption is therefore important and necessary to ensure consumer protection. Particularly high levels of dioxin have been observed in certain food groups. As food contamination is directly related to feed contamination, an integrated approach must be adopted to reduce dioxin incidence throughout the food chain, i.e. from feed materials through food-producing animals to humans.
- (9) The SCF has recommended that continuing efforts should be made to limit environmental releases of dioxins and related compounds to the lowest levels feasible. This is the most effective and efficient way to reduce the presence of dioxins and similar substances in the food chain and to ensure continued reduction of the human body burden. The SCF has noted that recent investigations on human milk and blood seem to indicate that dioxin levels are no longer decreasing.
- (10) Maximum levels for dioxins and dioxin like PCBs are an appropriate tool to prevent unacceptably high exposure of the human population and to prevent the distribution of unacceptably highly contaminated foodstuffs e.g. from accidental pollution and exposure. Furthermore, the setting of maximum levels is indispensable for the implementation of a regulatory control system and to ensure uniform application.
- (11) Measures based solely on establishing maximum levels for dioxins and dioxin-like PCBs in foodstuffs would not be sufficiently effective in reducing human exposure to dioxins unless the levels were set so low that a large part of the food supply would have to be declared unfit for human consumption. It is generally recognised that, in order to actively reduce the presence of dioxins in foodstuffs, maximum levels should be accompanied by measures stimulating a pro-active approach, including action levels and target levels for foodstuffs in combination with measures to limit emissions. Target levels indicate the levels to be achieved in order to ultimately bring human exposure for the majority of the population down to the TWI set by the Scientific Committee. Action levels are a tool for competent authorities and operators to highlight those cases where it is appropriate to identify a source of contamination and to take measures for its reduction or elimination not only in the event of non-compliance with the provisions of this Regulation, but also where significant levels of dioxins above the normal background levels are found in foodstuffs. This approach will result in a gradual reduction of dioxin levels in foodstuffs and the target levels will ultimately be achieved. A Recommendation from the Commission on this issue is therefore being addressed to the Member States.
- (12) Although, from a toxicological point of view, any level should apply to dioxins, furans and dioxin-like PCBs, for the time being, the maximum levels are set only for dioxins and furans and not for dioxin-like PCBs, given the very limited data available on the prevalence of the latter. However, monitoring will continue, in particular on the presence of dioxin-like PCBs, with a view to including these substances in the maximum levels.
- (13) The unacceptability of the dioxin content of foodstuffs should be assessed in the light of the current background levels of contamination, which differ from foodstuff to foodstuff. The maximum level should be fixed, taking account of background contamination, at a strict but feasible level.
- (14) In order to ensure that all operators in the food and feed chain continue to make all possible efforts and to do all that is necessary to limit the presence of dioxins in feed and food, the maximum levels applicable should be reviewed within a defined period of time with the objective to set lower maximum levels. An overall reduction of at least 25 % of the human exposure to dioxins should be achieved by the year 2006.
- (15) Maximum levels are stipulated mainly for foodstuffs of animal origin. None currently apply to products such as horsemeat, goat meat, rabbit meat and eggs from ducks, geese and quails. Only limited data are available on the prevalence of dioxins in these foodstuffs. Moreover, they are of limited significance from an intake point of view, no maximum level has been laid down for the time being. Nor does any maximum level currently apply to cereals, fruits and vegetables, as these food items have generally low levels of contamination and are therefore only a minor contributory factor in overall human exposure to dioxins. However, it is appropriate that the levels of dioxins and dioxin-like PCBs in these foodstuffs are monitored regularly.
- (16) Vegetable oils normally do not contain significant levels of dioxins or dioxin-like PCBs. As vegetable oils are regularly put on the market or used as ingredient in foodstuffs as a mixture with animal fats, it is appropriate to establish a maximum level for vegetable oils for reasons of control.
- (17) The data currently available do not allow maximum levels to be laid down for different categories of fish and fishery products. The maximum level of dioxins in feedingstuffs for fish means that, farmed fish have significantly lower dioxin levels. Once more data is available, it may in future be appropriate to lay down different levels for the various categories of fish and fishery products or exempt categories of fish, insofar they are of limited significance from an intake point of view.

- (18) Certain fish species originating from the Baltic region may contain a high level of dioxin. A significant part of the Baltic fatty fish, such as Baltic herring and Baltic salmon, will not comply with the maximum level and would therefore be excluded from the Swedish and Finnish diet. There are indications that the exclusion of fish from the diet may have a negative health impact in Sweden and Finland. Sweden and Finland have a system in place which has the capacity to ensure that consumers are fully informed of the dietary recommendations concerning restrictions on consumption of fish from the Baltic region by identified vulnerable groups of the population in order to avoid potential health risks.
- (19) Monitoring data indicate that free range or semi-intensive eggs contain higher levels of dioxins than battery eggs. Measures may be taken to ensure that the dioxin levels in these eggs are reduced. It is therefore appropriate to provide for a transition period before the maximum levels apply to free range or semi-intensive eggs.
- (20) It is important to reduce the overall dioxin contamination in foodstuffs. It is therefore necessary to prohibit the mixing of foodstuffs complying with the maximum levels with foodstuffs exceeding these maximum levels.
- (21) In view of the disparities between Member States and the consequent risk of distortion of competition, Community measures are required in order to protect public health and ensure market unity while adhering to the principle of proportionality.
- (22) Regulation (EC) No 466/2001 should therefore be amended accordingly.
- (23) The SCF has been consulted, in accordance with Article 3 of Regulation (EEC) No 315/93, on the provisions liable to affect public health.
- (24) The Standing Committee for Foodstuffs did not deliver a favourable opinion. The Commission has therefore been unable to adopt the provisions it envisaged according to the procedure laid down in Article 8 of Council Regulation (EEC) 315/93,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 466/2001 is amended as follows:

1. in Article 1 the following paragraph shall be inserted:

'1a. By way of derogation from paragraph 1, Sweden and Finland are authorised for a transitional period, up to 31 December 2006, to place on the market fish, originating

from the Baltic region, which is intended for consumption in their territory with dioxin levels higher than those set in point 5.2. of section 5 of Annex I, provided that a system is in place to ensure that consumers are fully informed of the dietary recommendations with regard to the restrictions on consumption of fish from the Baltic region by identified vulnerable groups of the population in order to avoid potential health risks.

Any future application of this derogation will be considered in the framework of the review of section 5 of Annex I, provided for in Article 5(3).

Finland and Sweden shall communicate to the Commission by 31 December each year, the results of their monitoring of the levels of dioxins in fish from the Baltic region and report on the measures taken to reduce human exposure to dioxins from fish from the Baltic region.;

2. the following Article shall be inserted:

'Article 4a

With regard to dioxins in products referred to in section 5 of Annex I, it shall be prohibited:

- (a) to mix products complying with the maximum levels with products exceeding these maximum levels;
- (b) to use products, which do not comply with the maximum levels as an ingredient for the manufacture of other foodstuffs.;

3. in Article 5, the following paragraph shall be added:

'3. The Commission shall review section 5 of Annex I for the first time by 31 December 2004 at the latest in the light of new data on the presence of dioxins and dioxin-like PCBs, in particular with a view to the inclusion of dioxin-like PCBs in the levels to be set.

Section 5 of Annex I shall be further reviewed by 31 December 2006 at the latest with the aim of significantly reducing the maximum levels and possibly laying down maximum levels for other foodstuffs.;

4. Annex I shall be amended in accordance with the Annex to this Regulation.

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*.

It shall apply from 1 July 2002.

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

Done at Brussels, 29 November 2001.

For the Council
The President
M. VANDERPOORTEN

ANNEX

In Annex I, the following section 5 is added:

'Section 5: Dioxin (sum of polychlorinated dibenzo-*para*-dioxins (PCDDs) and polychlorinated dibenzofurans (PCDFs) expressed in World Health Organisation (WHO) toxic equivalents, using the WHO-TEFs (toxic equivalency factors, 1997)

Products	Maximum levels (PCDD + PCDF) ⁽¹⁾ (pg WHO-PCDD/F-TEQ/g fat or product)	Performance criteria for sampling	Performance criteria for the methods of analysis
5.1.1. Meat and meat products ⁽⁴⁾ originating from			
— Ruminants (bovine animals, sheep)	3 pg WHO-PCDD/F-TEQ/g fat ⁽²⁾ ⁽³⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)
— Poultry and farmed game	2 pg WHO-PCDD/F-TEQ/g fat ⁽²⁾ ⁽³⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)
— Pigs	1 pg WHO-PCDD/F-TEQ/g fat ⁽²⁾ ⁽³⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)
5.1.2. Liver and derived products	6 pg WHO-PCDD/F-TEQ/g fat ⁽²⁾ ⁽³⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)
5.2. Muscle meat of fish and fishery products ⁽⁵⁾ and products thereof	4 pg WHO-PCDD/F-TEQ/g fresh weight ⁽²⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)
5.3. Milk ⁽⁶⁾ and milk products, including butter fat	3 pg WHO-PCDD/F-TEQ/g fat ⁽²⁾ ⁽³⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)
5.4. Hen eggs and egg products ⁽⁷⁾ ⁽⁸⁾	3 pg WHO-PCDD/F-TEQ/g fat ⁽²⁾ ⁽³⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)
5.5. Oils and fats			
— Animal fat			
— from ruminants	3 pg WHO-PCDD/F-TEQ/g fat ⁽²⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)
— from poultry and farmed game	2 pg WHO-PCDD/F-TEQ/g fat ⁽²⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)
— from pigs	1 pg WHO-PCDD/F-TEQ/g fat ⁽²⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)
— mixed animal fat	2 pg WHO-PCDD/F-TEQ/g fat ⁽²⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)
— Vegetable oil	0,75 pg WHO-PCDD/F-TEQ/g fat ⁽²⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)
— fish oil intended for human consumption	2 pg WHO-PCDD/F-TEQ/g fat ⁽²⁾	Directive 2001/.../EC ^(*)	Directive 2001/.../EC ^(*)

^(*) Commission Directive to be adopted before 1 July 2002.

⁽¹⁾ Upperbound concentrations; upperbound concentrations are calculated assuming that all values of the different congeners less than the limit of determination are equal to the limit of determination.

⁽²⁾ These maximum levels shall be reviewed for the first time by 31 December 2004 at the latest in the light of new data on the presence of dioxins and dioxin-like PCBs, in particular with a view to the inclusion of dioxin-like PCBs in the levels to be set and will be further reviewed by 31 December 2006 at the latest with the aim of significantly reducing the maximum levels.

⁽³⁾ The maximum levels are not applicable for food products containing < 1 % fat.

⁽⁴⁾ Meat of bovine animals, sheep, pig, poultry and farmed game as defined in Article 2(a) of Council Directive 64/433/EEC (OJ L 121, 29.7.1964, p. 2012/64), as last amended by Directive 95/23/EC (OJ L 243, 11.10.1995, p. 7) and Article 2(1) of Council Directive 71/118/EEC (OJ L 55, 8.3.1971, p. 23), as last amended by Directive 97/64/EC (OJ L 24, 30.1.1998, p.31), and Article 2(2) of Council Directive 91/495/EEC (OJ L 268, 24.9.1991, p. 41) as last amended by Directive 94/65/EC (OJ L 368, 31.12.1994, p. 10), excluding edible offal as defined in Article 2(e) of Directive 64/433/EEC and Article 2(5) of Directive 71/118/EEC.

⁽⁵⁾ Muscle meat of fish and fishery products as defined in categories (a), (b), (c), (e) and (f) of the list in Article 1 of Council Regulation (EC) No 104/2000 (OJ L 17, 21.1.2000, p. 22). The maximum level applies to crustaceans excluding the brown meat of crab and to cephalopods without viscera.

⁽⁶⁾ Milk (raw milk, milk for the manufacture of milk-based products and heat treated milk as defined in Council Directive 92/46/EEC (OJ L 268, 14.9.1992, p. 1) as last amended by Council Directive 96/23/EC (OJ L 125, 23.5.1996, p. 10)).

⁽⁷⁾ Hen eggs and egg products as defined in Article 2 of Council Directive 89/437/EEC (OJ L 212, 22.7.1989, p. 87), as last amended by Council Directive 96/23/EC (OJ L 125, 23.5.1996, p. 10).

⁽⁸⁾ Free-range or semi-intensive eggs as defined in Article 18 of Commission Regulation (EEC) No 1274/91 (OJ L 121, 16.5.1991, p. 11), as last amended by Commission Regulation (EC) No 1651/2001 (OJ L 220, 15.8.2001, p. 5), must comply with the maximum level laid down as from 10 January 2004.'

COMMISSION REGULATION (EC) No 2376/2001
of 5 December 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 6 December 2001.

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

Done at Brussels, 5 December 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 5 December 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	93,3
	204	57,4
	999	75,3
0707 00 05	052	149,2
	628	235,6
	999	192,4
0709 90 70	052	138,4
	204	154,7
	999	146,6
0805 10 10, 0805 10 30, 0805 10 50	052	68,2
	204	72,4
	388	27,5
	508	23,9
	528	31,2
	999	44,6
0805 20 10	052	60,8
	204	62,2
	999	61,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	64,3
	204	63,2
	464	161,2
	999	96,2
	999	96,2
0805 30 10	052	57,6
	388	49,2
	600	51,9
	999	52,9
	999	52,9
0808 10 20, 0808 10 50, 0808 10 90	060	37,9
	400	83,5
	404	86,7
	720	120,2
	728	114,0
	999	88,5
	052	106,7
	064	66,2
0808 20 50	400	102,4
	720	111,4
	999	96,7
	999	96,7
	999	96,7

⁽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 2377/2001
of 4 December 2001
establishing unit values for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council ⁽²⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, as last amended by Regulation (EC) No 993/2001 ⁽⁴⁾, and in particular Article 173(1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173(2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 173(1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 December 2001.

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

Done at Brussels, 4 December 2001.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 302, 19.10.1992, p. 1.

⁽²⁾ OJ L 311, 12.12.2000, p. 17.

⁽³⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁴⁾ OJ L 141, 28.5.2001, p. 1.

ANNEX

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.30	Onions (other than seed) 0703 10 19	a) b) c)	29,06 172,78 275,81	399,87 190,62 1 172,28	56,84 22,89 18,13	216,28 56 268,01	9 902,19 64,04	4 835,18 5 826,01
1.40	Garlic 0703 20 00	a) b) c)	169,77 1 009,39 1 611,26	2 336,04 1 113,60 6 848,38	332,04 133,70 105,90	1 263,49 328 714,36	57 848,04 374,12	28 246,82 34 035,19
1.50	Leeks ex 0703 90 00	a) b) c)	47,12 280,17 447,23	648,40 309,10 1 900,87	92,16 37,11 29,39	350,70 91 239,56	16 056,58 103,84	7 840,32 9 446,97
1.60	Cauliflowers 0704 10 00	a) b) c)	55,28 328,68 524,66	760,67 362,61 2 229,99	108,12 43,54 34,48	411,42 107 037,01	18 836,66 121,82	9 197,82 11 082,64
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	18,38 109,29 174,45	252,93 120,57 741,48	35,95 14,48 11,47	136,80 35 590,39	6 263,29 40,51	3 058,32 3 685,04
1.90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> <i>L. convar. botrytis (L.) Alef var. italica Plenck</i>) ex 0704 90 90	a) b) c)	74,29 441,71 705,09	1 022,25 487,31 2 996,85	145,30 58,51 46,34	552,90 143 845,50	25 314,32 163,71	12 360,82 14 893,81
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	56,49 335,87 536,15	777,32 370,55 2 278,80	110,48 44,49 35,24	420,43 109 379,89	19 248,97 124,49	9 399,15 11 325,23
1.110	Cabbage lettuce (head lettuce) 0705 11 00	a) b) c)	90,36 537,26 857,61	1 243,38 592,72 3 645,11	176,73 71,16 56,37	672,50 174 961,36	30 790,17 199,13	15 034,64 18 115,55
1.130	Carrots ex 0706 10 00	a) b) c)	56,00 332,96 531,50	770,58 367,34 2 259,03	109,53 44,10 34,93	416,78 108 431,12	19 082,00 123,41	9 317,62 11 226,99
1.140	Radishes ex 0706 90 90	a) b) c)	138,63 824,26 1 315,74	1 907,59 909,35 5 592,32	271,14 109,18 86,48	1 031,75 268 425,11	47 238,17 305,50	23 066,09 27 792,82
1.160	Peas (<i>Pisum sativum</i>) 0708 10 00	a) b) c)	457,31 2 719,01 4 340,28	6 292,65 2 999,72 18 447,64	894,41 360,16 285,27	3 403,49 885 465,95	155 826,68 1 007,77	76 089,15 91 681,42

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	a) b) c)	203,92 1 212,43 1 935,37	2 805,95 1 337,60 8 225,97	398,83 160,60 127,20	1 517,65 394 837,40	69 484,55 449,37	33 928,85 40 881,59
1.170.2	Beans (<i>Phaseolus</i> ssp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	a) b) c)	120,76 718,01 1 146,13	1 661,69 792,13 4 871,45	236,19 95,11 75,33	898,76 233 823,97	41 148,97 266,12	20 092,77 24 210,21
1.180	Broad beans ex 0708 90 00	a) b) c)	157,74 937,88 1 497,11	2 170,55 1 034,71 6 363,22	308,51 124,23 98,40	1 173,98 305 427,23	53 749,91 347,61	26 245,73 31 624,03
1.190	Globe artichokes 0709 10 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	343,19 2 040,49 3 257,18	4 722,34 2 251,15 13 844,09	671,21 270,28 214,08	2 554,16 664 500,95	116 940,66 756,28	57 101,36 68 802,64
1.200.2	— other ex 0709 20 00	a) b) c)	283,11 1 683,31 2 687,02	3 895,71 1 857,10 11 420,73	553,72 222,97 176,61	2 107,06 548 182,05	96 470,55 623,90	47 105,94 56 758,94
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	104,95 623,98 996,04	1 444,08 688,40 4 233,48	205,26 82,65 65,46	781,06 203 202,44	35 760,11 231,27	17 461,43 21 039,64
1.220	Ribbed celery (<i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	135,14 803,51 1 282,61	1 859,57 886,46 5 451,53	264,31 106,43 84,30	1 005,78 261 667,53	46 048,95 297,81	22 485,40 27 093,14
1.230	Chantarelles 0709 51 30	a) b) c)	744,83 4 428,56 7 069,18	10 249,08 4 885,76 30 046,37	1 456,76 586,60 464,62	5 543,40 1 442 191,98	253 800,82 1 641,39	123 929,28 149 325,01
1.240	Sweet peppers 0709 60 10	a) b) c)	154,67 919,64 1 467,99	2 128,33 1 014,58 6 239,45	302,51 121,81 96,48	1 151,15 299 486,56	52 704,45 340,85	25 735,24 31 008,93
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	73,13 434,79 694,04	1 006,23 479,67 2 949,89	143,02 57,59 45,62	544,24 141 591,29	24 917,62 161,15	12 167,11 14 660,41
2.10	Chestnuts (<i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	176,48 1 049,30 1 674,97	2 428,42 1 157,63 7 119,19	345,16 138,99 110,09	1 313,45 341 712,93	60 135,56 388,91	29 363,80 35 381,06
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	51,96 308,96 493,18	715,03 340,85 2 096,18	101,63 40,92 32,41	386,73 100 614,40	17 706,39 114,51	8 645,92 10 417,65

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 00	a) b) c)	115,14 684,60 1 092,81	1 584,38 755,28 4 644,80	225,20 90,68 71,83	856,94 222 945,42	39 234,53 253,74	19 157,97 23 083,84
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	100,20 595,77 951,00	1 378,79 657,27 4 042,09	195,98 78,91 62,51	745,74 194 015,61	34 143,39 220,81	16 671,99 20 088,44
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:							
2.70.1	— Clementines ex 0805 20 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.2	— Monreales and satsumas ex 0805 20 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.3	— Mandarines and wilkings ex 0805 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.85	Limes (<i>Citrus aurantifolia</i> , <i>Citrus latifolia</i>), fresh ex 0805 30 90 ex 0805 90 00	a) b) c)	122,83 730,31 1 165,78	1 690,17 805,71 4 954,94	240,23 96,74 76,62	914,16 237 831,46	41 854,22 270,68	20 437,14 24 625,14
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 00	a) b) c)	49,94 296,93 473,99	687,20 327,59 2 014,61	97,68 39,33 31,15	371,68 96 698,87	17 017,33 110,06	8 309,45 10 012,23
2.90.2	— pink ex 0805 40 00	a) b) c)	65,06 386,82 617,47	895,23 426,76 2 624,47	127,24 51,24 40,58	484,20 125 971,79	22 168,85 143,37	10 824,91 13 043,16
2.100	Table grapes 0806 10 10	a) b) c)	374,30 2 225,47 3 552,46	5 150,45 2 455,23 15 099,13	732,06 294,78 233,49	2 785,71 724 741,21	127 541,91 824,84	62 277,88 75 039,93

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.110	Water melons 0807 11 00	a) b) c)	93,90 558,28 891,17	1 292,04 615,92 3 787,76	183,65 73,95 58,57	698,82 181 808,40	31 995,13 206,92	15 623,01 18 824,50
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	38,71 230,16 367,40	532,67 253,92 1 561,57	75,71 30,49 24,15	288,10 74 953,79	13 190,57 85,31	6 440,87 7 760,74
2.120.2	— other ex 0807 19 00	a) b) c)	100,63 598,32 955,07	1 384,69 660,09 4 059,38	196,81 79,25 62,77	748,93 194 845,69	34 289,47 221,76	16 743,32 20 174,38
2.140	Pears							
2.140.1	Pears — nashi (<i>Pyrus pyrifolia</i>), Pears — Ya (<i>Pyrus bretschneideri</i>) ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	Other ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 00	a) b) c)	421,88 2 508,40 4 004,08	5 805,22 2 767,36 17 018,68	825,13 332,26 263,17	3 139,86 816 877,46	143 756,29 929,71	70 195,26 84 579,75
2.160	Cherries 0809 20 95 0809 20 05	a) b) c)	957,93 5 695,58 9 091,70	13 181,38 6 283,60 38 642,74	1 873,55 754,43 597,56	7 129,38 1 854 808,22	326 414,14 2 111,00	159 385,89 192 047,42
2.170	Peaches 0809 30 90	a) b) c)	411,17 2 444,73 3 902,45	5 657,87 2 697,12 16 586,70	804,19 323,83 256,49	3 060,16 796 142,91	140 107,37 906,11	68 413,51 82 432,89
2.180	Nectarines ex 0809 30 10	a) b) c)	332,91 1 979,40 3 159,66	4 580,96 2 183,76 13 429,62	651,12 262,19 207,67	2 477,69 644 606,55	113 439,59 733,64	55 391,81 66 742,76
2.190	Plums 0809 40 05	a) b) c)	381,15 2 266,20 3 617,47	5 244,70 2 500,16 15 375,44	745,46 300,18 237,76	2 836,69 738 003,89	129 875,91 839,94	63 417,56 76 413,15
2.200	Strawberries 0810 10 00	a) b) c)	487,69 2 899,65 4 628,62	6 710,70 3 199,01 19 673,18	953,83 384,08 304,22	3 629,60 944 290,80	166 178,83 1 074,72	81 144,04 97 772,16
2.205	Raspberries 0810 20 10	a) b) c)	1 801,83 10 713,21 17 101,19	24 793,75 11 819,24 72 685,72	3 524,08 1 419,06 1 123,98	13 410,33 3 488 833,05	613 974,22 3 970,71	299 799,60 361 234,86
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	1 921,42 11 424,23 18 236,18	26 439,29 12 603,68 77 509,81	3 757,97 1 513,24 1 198,58	14 300,15 3 720 384,03	654 723,18 4 234,25	319 697,06 385 209,72
2.220	Kiwi fruit (<i>Actinidia chinensis</i> Planch.) 0810 50 00	a) b) c)	121,69 723,54 1 154,97	1 674,50 798,24 4 908,99	238,01 95,84 75,91	905,68 235 625,86	41 466,07 268,17	20 247,61 24 396,77

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.230	Pomegranates ex 0810 90 85	a)	146,51	2 016,08	286,56	1 090,43	49 924,85	24 377,98
		b)	871,14	961,07	115,39	283 691,82	322,88	29 373,54
		c)	1 390,57	5 910,38	91,40			
2.240	Khakis (including sharon fruit) ex 0810 90 85	a)	181,31	2 494,89	354,61	1 349,40	61 781,59	30 167,55
		b)	1 078,02	1 189,32	142,79	351 066,28	399,56	36 349,51
		c)	1 720,82	7 314,05	113,10			
2.250	Lychees ex 0810 90 30	a)	586,37	8 068,57	1 146,83	4 364,03	199 804,04	97 563,01
		b)	3 486,37	3 846,31	461,80	1 135 361,93	1 292,18	117 555,73
		c)	5 565,19	23 653,93	365,77			

COMMISSION REGULATION (EC) No 2378/2001
of 5 December 2001
prohibiting fishing for cod by vessels flying the flag of a Member State

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, as last amended by Commission Regulation (EC) No 1965/2001⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2848/2000 of 15 December 2000 fixing for 2001 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required⁽³⁾, as amended by Commission Regulation (EC) No 1666/2001⁽⁴⁾, lays down quotas for cod for 2001.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.

- (3) According to the information received by the Commission, catches of cod in the waters of ICES divisions I and II (Norwegian waters) by vessels flying the flag of a Member State or registered in a Member State have exhausted the quota allocated to the Community for 2001,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES divisions I and II (Norwegian waters) by vessels flying the flag of a Member State or registered in a Member State are hereby deemed to have exhausted the quota allocated to the Community for 2001.

Fishing for cod in the waters of ICES divisions I and II (Norwegian waters) by vessels flying the flag of a Member State or registered in a Member State is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

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

Done at Brussels, 5 December 2001.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 268, 9.10.2001, p. 23.

⁽³⁾ OJ L 334, 30.12.2000, p. 1.

⁽⁴⁾ OJ L 223, 18.8.2001, p. 4.

COMMISSION REGULATION (EC) No 2379/2001**of 5 December 2001****amending Regulation (EC) No 1148/2001 on checks on conformity to the marketing standards applicable to fresh 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 10 thereof,

Whereas:

- (1) Article 7 of Commission Regulation (EC) No 1148/2001 of 12 June 2001 on checks on conformity to the marketing standards applicable to fresh fruit and vegetables ⁽³⁾ lays down the conditions under which the Commission may approve the checking operations performed by certain third countries for products exported to the Community.
- (2) Under the second subparagraph of Article 7(3) of Regulation (EC) No 1148/2001, third country inspection bodies awarded such approval are to issue certificates of conformity of products that the Community customs authorities may accept for the purposes of releasing those products for free circulation. Common characteristics should therefore be laid down for the certificates issued by different third countries, relating in particular to the original and copies of such certificates, their format, printing, method of completion, numbering and archiving, and the signatures and stamps to be included thereon.
- (3) Article 7(5) of Regulation (EC) No 1148/2001 provides for a system of sampling checks by Member States on certificates issued by third countries. However, such checks should be carried out a posteriori where there are clear doubts about the authenticity of the certificates or the accuracy of the data they contain.
- (4) To implement Article 7 of Regulation (EC) No 1148/2001, a system of administrative cooperation must be established between the Community and each of the third countries concerned so that all the required information can be made available to the competent authorities in the Community. The substance and modus operandi of this administrative cooperation must be specified.

- (5) Where necessary, approval of checking operations carried out by some third countries may require the organisation of on-the-spot visits to assess their export inspection systems. In such cases, provision should be made for the possibility of using the special corps of inspectors in the fruit and vegetable sector set up under Article 40 of Regulation (EC) No 2200/96.
- (6) The specimen in Annex III to Regulation (EC) No 1148/2001 should also be completed.
- (7) As a result, Regulation (EC) No 1148/2001 should be amended.
- (8) 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

Regulation (EC) No 1148/2001 is amended as follows:

1. Article 7 is amended as follows.

- (a) The fourth subparagraph of paragraph 2 is replaced by the following:

‘For the purposes of the approval referred to in paragraph 1, the Commission may use the special corps of inspectors in the fruit and vegetable sector set up under Article 40 of Regulation (EC) No 2200/96 to make on-the-spot visits to check that the inspection operations carried out in the third country concerned comply with the provisions of this Article and, where appropriate, make recommendations for improving the degree of conformity of goods exported to the Community by that third country.’

- (b) The following subparagraphs are added to paragraph 3:

‘The standard forms on which the certificates provided for in the second subparagraph of this paragraph are drawn up shall be established within the framework of the approval referred to in paragraph 1.

The certificate shall bear the word “original”. Where additional copies are required, they should be stamped with the word “copy”. The competent authorities in the Community shall accept as valid only the original of the certificate.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 129, 11.5.2001, p. 3.

⁽³⁾ OJ L 156, 13.6.2001, p. 9.

The form shall measure 210 × 297 mm; a tolerance of up to plus 8 mm or minus 5 mm in the length may be allowed. The paper used shall be white, not containing mechanical pulp, sized for writing and shall weigh not less than 40 g/m².

The forms shall be printed and completed in one of the official languages of the Community.

The forms must be completed using a mechanographical or similar process.

Entries must not be erased or overwritten. Any alterations shall be made by crossing out the incorrect particulars and, where appropriate, adding those required. Such changes shall be initialled by the person making them and endorsed by the issuing authorities.

Each certificate shall bear a serial number, whether or not printed, by which it can be identified, and shall be stamped by the issuing authority and signed by the person or persons empowered to do so.

The issuing authority shall retain a copy of each certificate it issues.'

(c) Paragraph 4 is replaced by the following:

'4. The Commission may suspend approval if it is found that, in a significant number of lots and/or quantities, the goods do not correspond to the information in the certificates of conformity issued by the third country inspection bodies, or where an unsatisfactory response has been made to the requests for a posteriori checks as referred to in paragraph 5a.'

(d) The following paragraph 5a is inserted:

'5a. Whenever doubts arise as to the authenticity of a certificate as referred to in the second subparagraph of paragraph 3 or the accuracy of the information contained therein, an a posteriori check shall be carried out.

The competent authority in the Community shall return the certificate or its copy thereof to the official correspondent in the third country, as referred to in the second subparagraph of paragraph 2, giving, where

appropriate, the reasons for the enquiry and any information obtained suggesting that the certificate is not authentic or that the details it contains are incorrect. Requests for a posteriori checks shall be brought to the attention of the Commission as quickly as possible, together with the results of each request.

Where a request is made for an a posteriori check, the importer of the products concerned may ask the competent inspection bodies to carry out a conformity check as referred to in Article 6.'

(e) The following paragraph 8 is added:

'8. The application of this Article shall be subject to the establishment of a procedure for administrative cooperation between the Community and each third country concerned.

To this end the third countries concerned shall send the Commission all relevant information on checking operations, in particular specimens of the stamp imprints used by the inspection bodies and, where appropriate, and without delay, any change to this information.

The Commission shall notify this information, and any subsequent amendments, to the coordinating authorities in the Member States who shall inform the customs authorities and other competent authorities thereof.

Once administrative cooperation has been established, and following any significant amendment of the information communicated by a third country concerned both within the framework of this administrative cooperation and as regards the names and addresses of the official correspondent and of the inspection bodies, the Commission shall publish a notice to this end in the *Official Journal of the European Communities* (C series).'

2. Annex III is replaced by the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 5 December 2001.

For the Commission


Franz FISCHLER

Member of the Commission

ANNEX

ANNEX III

Specimen mentioned in Article 4(3)

	Regulation (EC) No 1148/2001 No (Member State)
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COMMISSION REGULATION (EC) No 2380/2001
of 5 December 2001
concerning the 10 year authorisation of an additive in feedingstuffs
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾, as last amended by Directive 2001/46/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) Article 2(aaa) of Directive 70/524/EEC requires authorisations for coccidiostats to be linked to the person responsible for putting them into circulation.
- (2) Article 9 of Directive 70/524/EEC provides that a substance may be authorised if all conditions laid down in Article 3a of that Directive are met.
- (3) The assessment of the dossier submitted shows that the coccidiostat described in the Annex satisfies all the requirements of Article 3a of Directive 70/524/EEC, when used for the animal category and under the conditions described in the Annex to this Regulation: the substance should therefore be authorised under those conditions.
- (4) Article 9b of Directive 70/524/EEC provides that the authorisations of such substances shall be given for a period of 10 years from the date on which the final authorisation takes effect.
- (5) The assessment of the dossier shows that certain procedures may be required to protect workers from exposure to the additives. Such protection should however be

assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work ⁽³⁾.

- (6) The Scientific Committee for Animal Nutrition has delivered a favourable opinion with regard to the safety and with regard to the favourable effect on animal production of the coccidiostat under the conditions described in the said Annex.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS REGULATION:

Article 1

The additive belonging to the 'Coccidiostats and other medicinal substances' listed in the Annex to the present Regulation is authorised for use as additive in animal nutrition under the conditions laid down in that Annex.

Article 2

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

It shall apply from 15 December 2001.

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

Done at Brussels, 5 December 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 270, 14.12.1970, p. 1.

⁽²⁾ OJ L 234, 1.9.2001, p. 55.

⁽³⁾ OJ L 183, 29.6.1989, p. 1.

ANNEX

Registration number of additive	Name and registration number of person responsible for putting additive into circulation	Additive (trade name)	Composition, chemical formula and description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						mg of active substance/kg of complete feedingstuff			
'Coccidiostats and other medicinal substances									
E 770	Alpharma AS	Maduramicin ammonium alpha 1 g/100 g (Cygro 1 %)	<p>Additive composition:</p> <p>Maduramicin ammonium alpha: 1 g/100 g</p> <p>Benzyl alcohol: 5 g/100 g</p> <p>Corn cob grits qs 100 g</p> <p>Active substance:</p> <p>Maduramicin ammonium alpha, $C_{47}H_{83}O_{17}N$, CAS No: 84878-61-5 ammonium salt of a polyether monocarboxylic acid produced by <i>Actinomadura yumaensis</i> (ATCC 31585) (NRRL 12515).</p> <p>Related impurities:</p> <p>Maduramicin ammonium beta: < 10 %</p>	Turkeys	16 weeks	5	5	<p>Use prohibited at least five days before slaughter.</p> <p>Indicate in the instructions for use:</p> <p>"Dangerous for equines".</p> <p>"This feedingstuff contains an ionophore: simultaneous use with certain medicinal substances (e.g. tiamulin) can be contraindicated"</p>	15.12.2011'

COMMISSION REGULATION (EC) No 2381/2001
of 5 December 2001
fixing the import duties in the rice sector

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 1987/2001 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 2831/98 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.

- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1503/96 results in import duties being fixed as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 6 December 2001.

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

Done at Brussels, 5 December 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 271, 12.10.2001, p. 5.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties (€)				
	Third countries (except ACP and Bangladesh) (7)	ACP (1) (2) (3)	Bangladesh (4)	Basmati India and Pakistan (6)	Egypt (8)
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	246,36	81,89	118,84		184,77
1006 20 13	246,36	81,89	118,84		184,77
1006 20 15	246,36	81,89	118,84		184,77
1006 20 17	264,00	88,06	127,66	14,00	198,00
1006 20 92	246,36	81,89	118,84		184,77
1006 20 94	246,36	81,89	118,84		184,77
1006 20 96	246,36	81,89	118,84		184,77
1006 20 98	264,00	88,06	127,66	14,00	198,00
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

(1) The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 1706/98 (OJ L 215, 1.8.1998, p. 12) and amended Commission Regulation (EC) No 2603/97 (OJ L 351, 23.12.1997, p. 22).

(2) In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

(3) The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

(4) The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

(5) No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

(6) For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

(7) Duties fixed in the Common Customs Tariff.

(8) The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	264,00	416,00	246,36	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	258,68	254,65	314,54	293,73	—
(b) fob price (EUR/tonne)	—	—	—	280,84	260,03	—
(c) Sea freight (EUR/tonne)	—	—	—	33,70	33,70	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

II

(Acts whose publication is not obligatory)

EUROPEAN PARLIAMENT

**DECISION OF THE EUROPEAN PARLIAMENT
of 24 October 2001**

on the discharge in respect of the financial management of the sixth, seventh and eighth European Development Funds for the financial year 1999

(2001/858/EC)

THE EUROPEAN PARLIAMENT,

Having regard to the balance sheets and accounts of the sixth, seventh and eighth European Development Funds for the financial year 1999 (COM(2000) 357 — C5-0257/2000),

Having regard to the annual report of the Court of Auditors on the activities of the European Development Funds for 1999 together with the institutions' replies (C5-0618/2000) ⁽¹⁾,

Having regard to the Court of Auditors' Statement of Assurance on the European Development Funds (C5-0618/2000) ⁽²⁾,

Having regard to the Council's recommendations of 14 March 2001 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Funds for the financial year 1999 (6536/2001 — C5-0122/2001, 6537/2001 — C5-0123/2001, 6538/2001 — C5-0124/2001),

Having regard to the European Court of Auditors' Special Report No 5/2001 on the counterpart funds used in the framework of structural adjustment aid and budgetary support (seventh and eighth EDFs), together with the Commission's replies ⁽³⁾,

Having regard to its resolution of 4 April 2001 postponing the discharge for the financial year 1999 ⁽⁴⁾,

Having regard to Article 33 of the Internal Agreement between the representatives of the Governments of the Member States, meeting within the Council, on the financing and administration of the Community aid under the second Financial Protocol to the fourth ACP-EC Convention ⁽⁵⁾,

Having regard to Article 74 of the Financial Regulation of 16 June 1998 applicable to development finance cooperation under the fourth ACP-EC Convention ⁽⁶⁾,

Having regard to Rule 93 of and Annex to its Rules of Procedure,

Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A5-0109/2001),

Having regard to the second report of the Committee on Budgetary Control (A5-0337/2001),

⁽¹⁾ OJ C 342, 1.12.2000, p. 205.

⁽²⁾ OJ C 342, 1.12.2000, p. 212.

⁽³⁾ OJ C 257, 14.9.2001.

⁽⁴⁾ Texts adopted, item 8.

⁽⁵⁾ OJ L 156, 29.5.1998, p. 108.

⁽⁶⁾ OJ L 191, 7.7.1998, p. 53.

Whereas:

- A. In its Statement of Assurance on the European Development Funds, the Court of Auditors concludes that, with certain exceptions, the accounts for the financial year 1999 reliably reflect the revenue and expenditure for the financial year and the financial situation at the end of the year.
 - B. The Court of Auditors has examined the underlying transactions mainly on the basis of the documentation available at the Commission in Brussels.
 - C. The Court of Auditors finds that with certain exceptions these transactions underlying the financial statements are also, taken as a whole, legal and regular.
 - D. In its resolution of 4 April 2001 the European Parliament postponed the discharge in respect of implementation of the sixth, seventh and eighth European Development Funds for the financial year 1999 in order to examine in greater detail how the Commission and the European Anti-fraud Office (OLAF) were dealing with cases of fraud in connection with the Development Funds, and so as to be able to consider the report by the Commission's Internal audit service on monitoring procedures in connection with structural adjustment aid (budgetary support/counterpart funds),
1. Gives discharge to the Commission in respect of the implementation of the sixth, seventh and eighth European Development Funds for the financial year 1999.
 2. Presents its comments in the attached resolution.
 3. Instructs its President to forward this decision, and the resolution which forms an integral part of this decision, to the Council, the Commission, the Court of Justice, the Court of Auditors and the European Investment Bank and to have it published in the Official Journal (L series).

The Secretary-General

Julian PRIESTLEY

The President

Nicole FONTAINE

RESOLUTION**of the European Parliament containing the comments which form part of the decision giving discharge to the Commission in respect of the implementation of the sixth, seventh and eighth European Development Funds for the financial year 1999**

THE EUROPEAN PARLIAMENT,

Having regard to the balance sheets and accounts of the sixth, seventh and eighth European Development Funds for the financial year 1999 (COM(2000) 357 — C5-0257/2000),

Having regard to the annual report of the Court of Auditors on the activities of the European Development Funds for 1999 together with the institutions' replies (C5-0618/2000) ⁽¹⁾,

Having regard to the Court of Auditors' Statement of Assurance on the European Development Funds (C5-0618/2000) ⁽²⁾,

Having regard to the Council's recommendations of 14 March 2001 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Funds for the financial year 1999 (6536/2001 — C5-0122/2001, 6537/2001 — C5-0123/2001, 6538/2001 — C5-0124/2001),

Having regard to the European Court of Auditors Special Report No 5/2001 on the counterpart funds used in the framework of structural adjustment aid and budgetary support ⁽³⁾,

Having regard to its resolution of 4 April 2001 postponing the discharge for the financial year 1999 ⁽⁴⁾,

Having regard to Article 33 of the Internal Agreement between the representatives of the Governments of the Member States, meeting within the Council, on the financing and administration of the Community aid under the second Financial Protocol to the fourth ACP-EC Convention ⁽⁵⁾,

Having regard to Article 74 of the Financial Regulation of 16 June 1998 applicable to development finance cooperation under the fourth ACP-EC Convention ⁽⁶⁾,

Having regard to Rule 93 of and Annex V to its Rules of Procedure,

Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A5-0109/2001),

Having regard to the second report of the Committee on Budgetary Control (A5-0337/2001).

- A. Pursuant to Article 74 of the Financial Regulation of 16 June 1998, the Commission is required to take all appropriate steps to act on the observations appearing in the discharge decisions.
- B. Community development cooperation has poverty reduction as its central objective.
- C. The Community aid programme, taking into account the objective of complementarity with other donors, still needs to strengthen its support to social development, particularly basic health and basic education, as well as the productive capacities of the poor, i.e. access to land, technology, education, credits, etc.
- D. The Commission is a member of the OECD Development Assistance Committee (DAC) which aims to reduce by one half the proportion of people living in extreme poverty by 2015.
- E. The Commission in its statement with the Council on the European Community's development policy (DE 105, December 2000), recognised the value of the internationally agreed OECD DAC targets.

⁽¹⁾ OJ C 342, 1.12.2000, p. 205.

⁽²⁾ OJ C 342, 1.12.2000, p. 212.

⁽³⁾ OJ C 257, 14.9.2001.

⁽⁴⁾ Texts adopted, item 8.

⁽⁵⁾ OJ L 156, 29.5.1998, p. 108.

⁽⁶⁾ OJ L 191, 7.7.1998, p. 53.

- F. The Commission set out in its action plan presented in 2000 in response to Parliament's concerns over the discharge for the 1998 budget a commitment to make a conscious effort to increase actual disbursement levels and stated that 'the reporting on EC development cooperation must evolve towards DAC OECD standards and shift gradually from input to results'.
- G. The Commission has taken tangible steps within the framework of an action plan (creation of EuropeAid, strengthening of Commission Delegations) to satisfy the demands made in the European Parliament resolution of 6 July 2000 containing its comments accompanying the European Parliament decision giving discharge to the Commission in respect of the sixth, seventh and eighth European Development Funds for the financial year 1998 ⁽¹⁾.
- H. It is still too early to assess the effectiveness of these measures, which were to improve the performance of Commission services and Delegations.
- I. With the conclusion of the Cotonou Agreement on 23 June 2000 ⁽²⁾, the partnership between the ACP States and the EU has been put on a new footing, which should also entail reform of financial cooperation,
1. Believes that its opinion that financial cooperation hitherto under the sixth, seventh and eighth EDFs has long since reached its limits and that development cooperation is in urgent need of reform is vindicated.
 2. Recalls that at the end of 1999 the Court of Auditors identified an amount of almost EUR 10 billion in resources available but not committed, most of which the Commission claims had been promised to certain countries or regions without specific deadlines having been set and without the resources having been taken up; notes that in the year 2000, according to the Commission, commitments of approximately EUR 4 billion were made.
 3. Notes with concern that in the financial 1999 year the gap between commitments (EUR 2,69 billion) and payments actually made (EUR 1,27 billion) widened further and that this trend could still not be reversed in 2000.
 4. Notes with concern that the level of payments in 1999 (EUR 1,27 billion) was far below the level achieved back in 1992 (EUR 1,94 billion) and which has never been attained again since.
 5. Notes that in December 2000 an amount of EUR 1,6 billion was available for payments and was, for the most part, held temporarily in bank accounts or in securities.
 6. Notes that there are also disbursement problems with the 1999 debt relief initiative for heavily indebted poor countries (HIPC) and that in spring 2001 the Community had transferred no more than a good third of the EUR 1 billion pledged.
 7. Regards these figures as a reflection of the current crisis in development policy; notes that there are frequent and justifiable complaints about the lack of political will to make generous aid funds available but those funds actually available are not spent in full and often with considerable delay.
 8. Doubts that the greater flexibility in the disbursement and management of funds provided for in the Cotonou Agreement will alone suffice to reverse this trend; calls therefore on the Commission to submit further proposals.
 9. Considers that the Commission should improve the presentation of the balance sheets to ensure more consistency in the data compiled and of the financial statements in order to give a clear picture of the actual use of the appropriations, the implementation of macroeconomic aid and the type of aid by financial instrument.

⁽¹⁾ OJ L 234, 16.9.2000, p. 37.

⁽²⁾ OJ L 317, 15.12.2000, p. 3.

10. Regrets that the Commission has failed to forward to either the Court of Auditors or the European Parliament the analysis of financial management for the financial year 1999 provided for in Article 67(2) of the Financial Regulation of 16 June 1998.
11. Notes that the statistics presented in the Commission communication of 15 June 2000 ⁽¹⁾ and in the report of 9 June 2000 ⁽²⁾ by the ACP-EC Development Finance Cooperation Committee require clarification and raise various issues that should have been discussed in an analysis of financial management.
12. Cites as an illustration in this connection merely the question why Côte d'Ivoire, a comparatively small country, has for many years received by far the highest payments from the Development Fund.
13. Calls on the Commission to submit its own analysis of the financial management for the financial year 2000.
14. Notes with concern that the ACP States' share of contracts financed from the Development Fund is not even 25 % and that the lion's share of the contracts is awarded to firms and organisations from the Member States (and in particular France and Italy); calls on the Commission to bring forward proposals on how the ACP States' share can be increased to 40 % within the next five years; urges the Member States also to make appropriate efforts in this context.
15. Welcomes specifically the Court of Auditors' call for the supreme audit institutions in the ACP States to be involved in checking implementation of the EDF; shares the Court's view that this could make a major contribution to sound management of public affairs.
16. Calls on the Commission therefore to propose, pursuant to Article 95 of the Cotonou Agreement, a revision of that Agreement as soon as possible so that the joint institutions of the Agreement can be supplemented with a committee of the supreme audit institutions.
17. Calls on the Commission also to propose a corresponding amendment to the Financial Regulation of 16 June 1998.
18. Notes that the audits carried out or supervised by the Commission are not sufficiently followed up; calls therefore on the Commission to play a more active role both in organising and supervising the audits and in following up their recommendations.
19. Reaffirms its view ⁽³⁾ that reform of Community policy in the area of external aid should include the following elements:
 - a new definition of development aid policies and priorities, taking into account the aims of eradicating poverty established at international summit meetings,
 - improved coordination between the Commission and the Community's external policies, resulting in a clear outline of operational coordination and political coherence,
 - stricter application of Article 177 of the EC Treaty regarding the complementarity of development aid policies between the Member States on the one hand and the Commission on the other,
 - making the staff numbers and volume of financial resources available to the Commission adequate to realise development policy objectives effectively,
 - reorganisation of the management of aid both on the ground and in Brussels headquarters, envisaging: a simplification of procedures, the integration of the cooperation cycle, and a structure striking a balance between the Commission's external relations departments, in which one person would have political responsibility for development policy and its management would be more transparent.

⁽¹⁾ Balance sheets and accounts of the sixth, seventh and eighth European Development Funds for the financial year 1999, COM(2000) 357 final.

⁽²⁾ ACP-EC 2112/2/00 rev. 2 — ACP/81/010/00 rev. 2.

⁽³⁾ See recital G of the European Parliament resolution of 30 November 2000 on relations between the EU and developing countries (O) C 228, 13.8.2001, p. 213).

Budget support within the framework of structural adjustment aid

20. Notes the Court of Auditors' finding that rules on targeting the resources made available for budget aid did not help to prevent mismanagement and abuses; endorses therefore the proposal that the granting of further aid should be made conditional upon the submission and effective implementation of reform programmes to improve the quality of public financial management in the beneficiary countries.
21. Supports the seven recommendations made by the Court of Auditors ⁽¹⁾ on new arrangements for the monitoring and coordination of aid with other donors; calls on the Commission to implement these recommendations in full; welcomes the steps already taken in this direction and highlights the importance of the following aspects:
 - (a) ongoing assessment of implementation of the measures designed to reform the public administration;
 - (b) monitoring of the progress achieved in key sectors (health and education) with the aid of meaningful indicators (e.g. increase in the number of teachers or doctors);
 - (c) annual audit of accounting and sound management of resources on the basis of samples;
 - (d) clearly defined sanctions (reduction or suspension of payments) in cases where the agreed reform measures are not complied with.
22. Makes its approval of the proposed new arrangements conditional upon the relevant criteria and procedures being transparent and understandable not only for the public in the European Union but also in the beneficiary countries and upon unrestricted access to the evaluation and audit reports subsequently drawn up as this is the only way of ensuring effective monitoring of results.
23. Calls on the Commission to strengthen its Delegations in the beneficiary countries accordingly, to improve perceptibly the monitoring and audit capacity available for EuropeAid and, where necessary, to submit to the budgetary authority appropriate proposals for the deployment of additional resources and staff.
24. Points out that devolving greater responsibilities to the Commission Delegations provides an opportunity to create a system for the management of development projects that is adapted to local conditions and will permit the greatest possible involvement of the beneficiaries.
25. Asks the Commission not to make any further financial commitments to organisations which could themselves or whose staff could escape prosecution by claiming diplomatic immunity in the event of any offences against the criminal or labour law of the host country.
26. In view of the problems that have arisen in this discharge procedure, draws attention to Rule 3 of its Rules of Procedure, which entitles Members to inspect any files held by the European Parliament or a committee, excluding only Members' personal files and accounts, but not excluding confidential documents forwarded by the Commission.
27. Draws attention to the procedure laid down in Annex VII to its Rules of Procedure which applies to all confidential documents forwarded to the European Parliament and which entitles all committee members to examine these confidential documents.
28. Draws attention to Annex VI to its Rules of Procedure, under which the Committee on Budgetary Control is responsible for examining confidential documents concerning areas within its remit, having full regard for the provisions of Annex VII.
29. Instructs its President and the chairman of the Committee on Budgetary Control to ensure that in future documents forwarded by the Commission within the framework of discharge procedures can be examined by all Members in full compliance with the provisions of the Rules of Procedure.

⁽¹⁾ See paragraphs 62 to 68 of the European Court of Auditors Special Report No 5/2001.

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30. Reaffirms its view that the present situation, in which the European Parliament is called upon to take an annual discharge decision in respect of the EDF without having corresponding budgetary and legislative powers, is an anomaly; calls once again for EDF resources to be included in the development cooperation section of the general budget of the European Union.
-

DECISION OF THE EUROPEAN PARLIAMENT

of 24 October 2001

on the accounts of the sixth, seventh and eighth European Development Funds for the financial year 1999

(2001/859/EC)

THE EUROPEAN PARLIAMENT,

Having regard to the balance sheets and accounts of the sixth, seventh and eighth European Development Funds for the financial year 1999 (COM(2000) 357 — C5-0257/2000),

Having regard to Article 74 of the Financial Regulation of 16 June 1998 applicable to development finance cooperation under the fourth ACP-EC Convention ⁽¹⁾,

Having regard to Rule 93 of and Annex V to its Rules of Procedure,

Having regard to the Council recommendations of 14 March 2001 concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Funds for the financial year 1999 (6536/2001 — C5-0122/2001, 6537/2001 — C5-0123/2001, 6538/2001 — C5-0124/2001),

Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A5-0109/2001),

Having regard to the second report of the Committee on Budgetary Control (A5-0337/2001),

1. Notes that the financial situation of the sixth, seventh and eighth EDF as at 31 December 1999 was as follows:

(in million EUR)

Financial situation of the EDF as at 31 December 1999	Sixth EDF	Seventh EDF	Eighth EDF
Composition of balance remaining			
Total resources	7 883,0	11 609,0	13 171,0
of which: resources to be collected	—	- 3 540,0	- 11 400,0
Net resources collected	7 883,0	8 069,0	1 771,0
Payments	- 7 044,0	- 8 021,0	- 1 012,0
Balance remaining	839,0	48,0	759,0
Analysis of balance remaining			
Readily convertible assets	621,0	2,0	—
Liquid assets	1 023,0	—	—
Liaison accounts with seventh and eighth EDFs	- 805,0	46,0	759,0
Total	839,0	48,0	759,0

2. Instructs its President to forward this decision to the Council, the Commission, the Court of Justice, the Court of Auditors, the European Investment Bank and the other Community institutions, and to have it published in the Official Journal (L series).

The Secretary-General
Julian PRIESTLEY

The President
Nicole FONTAINE

⁽¹⁾ OJ L 191, 7.7.1998, p. 53.

COMMISSION

COMMISSION DECISION of 26 November 2001

adjusting the weightings applicable from 1 February, 1 March, 1 April, 1 May and 1 June 2001 to the remuneration of officials of the European Communities serving in third countries

(notified under document number C(2001) 3625)

(2001/860/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Staff Regulations of Officials of the European Communities and the Conditions of Employment of Other Servants of the Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (EC, ECSC, Euratom) No 1986/2001 ⁽²⁾, and in particular the second paragraph of Article 13 of Annex X thereto,

Whereas:

- (1) Pursuant to the first paragraph of Article 13 of Annex X to the Staff Regulations, Council Regulation (EC, ECSC, Euratom) No 1794/2001 ⁽³⁾ laid down the weightings to be applied from 1 January 2001 to the remuneration of officials serving in third countries, payable in the currency of their country of employment.
- (2) The Commission has made a number of adjustments to these weightings ⁽⁴⁾ in recent months, pursuant to the second paragraph of Article 13 of Annex X to the Staff Regulations.
- (3) Some of these weightings should be adjusted with effect from 1 February, 1 March, 1 April, 1 May and 1 June 2001, given that the statistics available to the Commission show that in certain third countries the variation in

the cost of living measured on the basis of the weighting and the corresponding exchange rate has exceeded 5 % since weightings were last laid down or adjusted,

DECIDES:

Sole Article

With effect from 1 February, 1 March, 1 April, 1 May and 1 June 2001 the weightings applicable to the remuneration of officials serving in third countries payable in the currency of their country of employment are adjusted as shown in the Annex.

The exchange rates for the calculation of such remuneration shall be those used for implementation of the general budget of the European Communities for the month preceding the dates referred to in the first paragraph.

Done at Brussels, 26 November 2001.

For the Commission

Christopher PATTEN

Member of the Commission

⁽¹⁾ OJ L 56, 4.3.1968, p. 1.

⁽²⁾ OJ L 271, 12.10.2001, p. 1.

⁽³⁾ OJ L 244, 14.9.2001, p. 1.

⁽⁴⁾ OJ L 144, 30.5.2001, p. 29.

ANNEX

Place of employment	Weightings February 2001
Angola	98,7
Turkey	90,7

Place of employment	Weightings March 2001
Albania	101,5
Angola	93,3
Cape Verde	73,4
Malawi	28,2
Romania	49,6
Sri Lanka	70,3
Turkey	96,4
Yugoslavia	47,3

Place of employment	Weightings April 2001
Angola	93,9
Cape Verde	79,5
Turkey	68,3

Place of employment	Weightings May 2001
Albania	96,9
Angola	108,7
Malawi	26,8
Turkey	70,3
Venezuela	117,3

Place of employment	Weightings June 2001
Angola	115,9
Brazil	81,1
Madagascar	75,9
Malawi	29,1
Romania	50,7
Suriname	76,9
Turkey	68,1
Yugoslavia	49,0
Zambia	75,0

COMMISSION DECISION**of 27 November 2001****recognising in principle the completeness of the dossiers submitted for detailed examination in view of the possible inclusion of Laminarin and Novaluron in Annex I to Council Directive 91/414/EEC concerning the placing of plant-protection products on the market**

(notified under document number C(2001) 3761)

(Text with EEA relevance)

(2001/861/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant-protection products on the market ⁽¹⁾, as last amended by Commission Directive 2001/49/EC ⁽²⁾, and in particular Article 6(3) thereof,

Whereas:

- (1) Directive 91/414/EEC provides for the development of a Community list of active substances authorised for incorporation in plant-protection products.
- (2) A dossier for the active substance Novaluron was submitted by Makhteshim Agan Ltd, United Kingdom, to the authorities of the United Kingdom on 29 March 2001 with an application to obtain its inclusion in Annex I to Directive 91/414/EEC. For the active substance Laminarin an application was submitted by Laboratoires Goëmar SA, France, to the authorities of Belgium on 29 March 2001.
- (3) The British and Belgian authorities have indicated to the Commission that, on preliminary examination, the dossiers for the active substances concerned appear to satisfy the data and information requirements of Annex II to Directive 91/414/EEC. The dossiers submitted appear also to satisfy the data and information requirements of Annex III to Directive 91/414/EEC in respect of one plant-protection product containing the active substance concerned. In accordance with Article 6(2) of Directive 91/414/EEC, the dossiers were subsequently forwarded by the respective applicants to the Commission and other Member States, and were referred to the Standing Committee on Plant Health.
- (4) By this Decision it should be formally confirmed at Community level that the dossiers are considered as satisfying in principle the data and information requirements provided for in Annex II and, for at least one plant-protection product containing the active substance concerned, the requirements of Annex III to Directive 91/414/EEC.
- (5) This Decision should not prejudice the right of the Commission to request the applicant to submit further data or information to the Member State designated as

rapporteur in respect of a given substance in order to clarify certain points in the dossier.

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

HAS ADOPTED THIS DECISION:

Article 1

The dossiers concerning the active substances identified in the Annex to this Decision, which were submitted to the Commission and the Member States with a view to obtaining the inclusion of those substances in Annex I to Directive 91/414/EEC, satisfy in principle the data and information requirements set out in Annex II to Directive 91/414/EEC.

The dossiers also satisfy the data and information requirements set out in Annex III to Directive 91/414/EEC in respect of one plant-protection product containing the active substance, taking into account the uses proposed.

Article 2

The rapporteur Member States shall pursue the detailed examination for the dossiers concerned and shall report the conclusions of their examinations accompanied by any recommendations on the inclusion or non-inclusion of the active substance concerned in Annex I of Directive 91/414/EEC and any conditions related thereto to the Commission as soon as possible and at the latest within a period of one year from the date of publication of this Decision in the *Official Journal of the European Communities*.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 27 November 2001.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 230, 19.8.1991, p. 1.
⁽²⁾ OJ L 176, 29.6.2001, p. 61.

ANNEX

ACTIVE SUBSTANCES CONCERNED BY THIS DECISION

No	Common name, CIPAC identification No	Notifier	Date of application	Rapporteur Member State
1	Novaluron CIPAC No 672	Makhteshim Agan Ltd United Kingdom	29 March 2001	United Kingdom
2	Laminarin CIPAC No 671	Laboratoires Goëmar SA, France	29 March 2001	Belgium

COMMISSION DECISION
of 30 November 2001
on a Community financial contribution to expenditure by France on establishing the Community vineyard register

(notified under document number C(2001) 3811)

(Only the French text is authentic)

(2001/862/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2392/86 of 24 July 1986 establishing a Community vineyard register ⁽¹⁾, as last amended by Regulation (EC) No 1631/98 ⁽²⁾, and in particular Article 9(3) thereof,

After consulting the EAGGF Committee,

Whereas:

- (1) Article 9(1) of Regulation (EEC) No 2392/86 states that the Community is to contribute 50 % of the actual cost of establishing the Community vineyard register in the Member States and of the investment in data-processing facilities needed to manage the register.
- (2) On the basis of Article 9(3) of that Regulation, advances have been paid to France. They are to be deducted from the total amount of the Community contribution.
- (3) Under Article 9(4) of that Regulation, Articles 8 and 9 of Council Regulation (EC) No 1258/1999 ⁽³⁾ apply to the Community contribution to establishing the vineyard register.
- (4) France has sent the Commission the documents needed to decide on the amount to be defrayed as expenditure incurred in establishing the register.
- (5) The Commission has carried out the checks provided for in Article 9(2) of Council Regulation (EEC) No 729/70 ⁽⁴⁾ and Regulation (EC) No 1258/1999.

(6) In the light of the checks carried out, some of the expenditure declared by France does not meet the statutory requirements and therefore may not be funded by the Community.

(7) A breakdown of the amounts to be defrayed and the amounts to be excluded for failure to comply with Community rules was sent to France on 25 October 2001,

HAS ADOPTED THIS DECISION:

Article 1

The Community contribution to the expenditure incurred by France in establishing the Community vineyard register shall be as set out in the table annexed to this Decision.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 30 November 2001.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 208, 31.7.1986, p. 1.

⁽²⁾ OJ L 210, 28.7.1998, p. 14.

⁽³⁾ OJ L 160, 26.6.1999, p. 103.

⁽⁴⁾ OJ L 94, 28.4.1970, p. 13.

ANNEX

Year	Eligible expenditure (FRF)	Conversion rate (O) for first working day	Eligible expenditure (EUR)	Part-financing at 50 % (EUR)
(1)	(2)	(3)	(4)	(5)
1987	4 566 692,00	6,87587	664 162,06	332 081,03
1988	7 476 224,00	6,97917	1 071 219,64	535 609,82
1989	9 495 491,00	7,09235	1 338 835,65	669 417,82
1990	16 189 264,00	6,92436	2 338 015,93	1 169 007,97
1991	17 155 125,00	6,95237	2 467 521,87	1 233 760,93
1992	24 551 548,00	6,95582	3 529 641,08	1 764 820,54
1993	17 542 078,00	6,67240	2 629 050,72	1 314 525,36
1994	25 855 144,00	6,58462	3 926 591,66	1 963 295,83
1995	22 221 218,00	6,57675	3 378 753,64	1 689 376,82
1996	13 160 460,00	6,44240	2 042 788,40	1 021 394,20
Total	158 213 214		23 386 580	11 693 290
			Advances	9 397 100
			Balance to be paid	2 296 190

COMMISSION DECISION
of 5 December 2001
concerning certain protection measures relating to Classical Swine Fever in Spain

(notified under document number C(2001) 4250)

(Text with EEA relevance)

(2001/863/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) An outbreak of Classical Swine Fever has occurred in Cataluña in Spain.
- (2) In view of the trade in live pigs, this outbreak is liable to endanger the herds of other Member States.
- (3) Spain has taken measures within the framework of Council Directive 2001/89/EC of 23 October 2001, on Community measures for the control of Classical Swine Fever ⁽³⁾.
- (4) Pending the meeting of the Standing Veterinary Committee and in collaboration with the Member State concerned the Commission should take interim protection measures.
- (5) Since it is possible to identify geographically areas which present a particular risk, the restrictions on trade can apply on a regional basis.
- (6) This Decision shall be reviewed at the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. Spain shall not dispatch pigs unless the pigs:
 - (a) come from an area outside the areas described in the Annex, and

- (b) have been resident on the holding of origin for at least 30 days prior to loading, or since birth if less than 30 days of age, and
- (c) come from a holding where no live pigs have been introduced during the 30 day period immediately prior to the dispatch of the pigs in question, and
- (d) are transported directly to the holding or slaughterhouse of destination in officially sealed vehicles, without passing through an assembly centre. Transit through the area described in the Annex may only occur via major roads or railways, without any stopping of the vehicle.

2. Movements of pigs coming from areas outside the areas described in the Annex shall only be allowed following three days advance notification dispatched by the competent veterinary authority to the central and local veterinary authorities of the place of destination and any Member State of transit.

Article 2

1. Spain shall not dispatch porcine semen unless the semen originates from boars kept at a collection centre referred to in Article 3(a) of Council Directive 90/429/EEC ⁽⁴⁾ and situated outside the areas described in the Annex.

2. Spain shall not dispatch ova and embryos of swine unless the ova and embryos originate from swine kept at a holding situated outside the areas described in the Annex.

Article 3

1. The health certificate provided for in Council Directive 64/432/EEC ⁽⁵⁾ accompanying pigs sent from Spain must be completed by the following:

‘Animals in accordance with Commission Decision 2001/863/EC of 5 December 2001 concerning certain protection measures relating to Classical Swine Fever in Spain.’

2. The health certificate provided for in Council Directive 90/429/EEC accompanying boar semen sent from Spain must be completed by the following:

‘Semen in accordance with Commission Decision 2001/863/EC of 5 December 2001 concerning certain protection measures relating to Classical Swine Fever in Spain.’

⁽¹⁾ OJ L 224, 18.8.1990, p. 29.

⁽²⁾ OJ L 62, 15.3.1993, p. 49.

⁽³⁾ OJ L 316, 1.12.2001, p. 5.

⁽⁴⁾ OJ L 224, 18.8.1990, p. 62.

⁽⁵⁾ OJ L 121, 29.7.1964, p. 1977/64.

3. The health certificate provided for in Commission Decision 95/483/EC ⁽¹⁾ accompanying embryos and ova of swine sent from Spain must be completed by the following:

'Embryos/ova ⁽²⁾ in accordance with Commission Decision 2001/863/EC of 5 December 2001 concerning certain protection measures relating to Classical Swine Fever in Spain.'

Article 4

Spain shall ensure that vehicles which have been used for the transport of pigs are cleaned and disinfected after each operation and the transporter shall furnish proof of such disinfection.

Article 5

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 6

This Decision shall be reviewed before 20 December 2001. It is applicable until 31 December 2001.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 5 December 2001.

For the Commission

David BYRNE

Member of the Commission

ANNEX

Cataluña

⁽¹⁾ OJ L 275, 18.11.1995, p. 30.

⁽²⁾ Delete as appropriate.

CORRIGENDA**Corrigendum to Commission Decision 2001/182/EC of 8 March 2001 repealing Decision 93/351/EEC determining analysis methods, sampling plans and maximum limits for mercury in fishery products**

(Official Journal of the European Communities L 77 of 16 March 2001)

Page 22, recital 1:

for: '... (EC) No 466/2000 ...'

read: '... (EC) No 466/2001 ...'

Page 22, footnote 4:

for: 'OJ L 144, 16.6.1993, p. 236.'

read: 'OJ L 144, 16.6.1993, p. 23.'

Corrigendum annulling the corrigendum to Commission Decision 2001/351/EC determining analysis methods, sampling plans and maximum limits for mercury in fishery products

The corrigendum to Commission Decision 2001/351/EC which was published in *Official Journal of the European Communities* L 313 of 30 November 2001, on page 60, is hereby declared void.
