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## Legislation

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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 500/2002**  
**of 21 March 2002**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 22 March 2002.

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

Done at Brussels, 21 March 2002.

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

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

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

## ANNEX

**to the Commission Regulation of 21 March 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value	
0702 00 00	052	179,8	
	204	158,6	
	212	174,9	
	624	212,2	
	999	181,4	
0707 00 05	052	162,7	
	204	27,7	
	624	119,8	
	999	103,4	
0709 90 70	052	136,3	
	204	57,9	
	999	97,1	
0805 10 10, 0805 10 30, 0805 10 50	052	61,5	
	204	50,4	
	212	45,7	
	220	45,5	
	421	29,6	
	448	26,7	
	624	84,3	
	999	49,1	
	0805 50 10	052	43,7
600		48,4	
999		46,0	
0808 10 20, 0808 10 50, 0808 10 90	060	41,6	
	388	106,9	
	400	126,8	
	404	98,0	
	508	77,7	
	512	86,3	
	524	75,1	
	528	94,1	
	720	114,2	
	728	131,3	
	999	95,2	
	0808 20 50	388	81,0
		400	122,8
512		72,7	
528		67,9	
999		86,1	

<sup>(1)</sup> Country nomenclature as fixed by Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 501/2002  
of 21 March 2002**

**fixing the maximum export refund for white sugar for the 32nd partial invitation to tender issued  
within the framework of the standing invitation to tender provided for in Regulation (EC) No  
1430/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector <sup>(1)</sup>, and in particular Article 27(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1430/2001 of 13 July 2001 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar <sup>(2)</sup> for the 2001/2002 marketing year, requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1430/2001 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

(3) Following an examination of the tenders submitted in response to the 32nd partial invitation to tender, the provisions set out in Article 1 should be adopted.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 32nd partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1430/2001 the maximum amount of the export refund is fixed at 44,105 EUR/100 kg.

*Article 2*

This Regulation shall enter into force on 22 March 2002.

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

Done at Brussels, 21 March 2002.

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

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<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.  
<sup>(2)</sup> OJ L 192, 14.7.2001, p. 3.

**COMMISSION REGULATION (EC) No 502/2002  
of 21 March 2002**

**fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 <sup>(2)</sup>, and in particular Article 1(2) and Article 3(1) thereof,

Whereas:

- (1) Regulation (EC) No 1422/95 stipulates that the cif import price for molasses, hereinafter referred to as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 785/68 <sup>(3)</sup>. That price should be fixed for the standard quality defined in Article 1 of the above Regulation.
- (2) The representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality. The standard quality for molasses is defined in Regulation (EEC) No 785/68.
- (3) When the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States. Under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends.
- (4) The information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

quantity that is not representative of the market. Offer prices which can be regarded as not representative of actual market trends must also be disregarded.

- (5) If information on molasses of the standard quality is to be comparable, prices must, depending on the quality of the molasses offered, be increased or reduced in the light of the results achieved by applying Article 6 of Regulation (EEC) No 785/68.
- (6) A representative price may be left unchanged by way of exception for a limited period if the offer price which served as a basis for the previous calculation of the representative price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the representative price.
- (7) Where there is a difference between the trigger price for the product in question and the representative price, additional import duties should be fixed under the conditions set out in Article 3 of Regulation (EC) No 1422/95. Should the import duties be suspended pursuant to Article 5 of Regulation (EC) No 1422/95, specific amounts for these duties should be fixed.
- (8) Application of these provisions will have the effect of fixing the representative prices and the additional import duties for the products in question as set out in the Annex to this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and the additional duties applying to imports of the products referred to in Article 1 of Regulation (EC) No 1422/95 are fixed in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 22 March 2002.

<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.

<sup>(2)</sup> OJ L 141, 24.6.1995, p. 12.

<sup>(3)</sup> OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 21 March 2002.

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

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ANNEX

**to the Commission Regulation of 21 March 2002 fixing the representative prices and additional import duties to imports of molasses in the sugar sector**

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 <sup>(2)</sup>
1703 10 00 <sup>(1)</sup>	8,60	—	0
1703 90 00 <sup>(1)</sup>	13,39	—	0

<sup>(1)</sup> For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

<sup>(2)</sup> This amount replaces, in accordance with Article 5 of Regulation (EC) No 1422/95, the rate of the Common Customs Tariff duty fixed for these products.

**COMMISSION REGULATION (EC) No 503/2002**

**of 21 March 2002**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector <sup>(1)</sup>, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

(1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Regulation (EC) No 1260/2001 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 28 of that Regulation. The same Article provides that the economic aspect of the proposed exports should also be taken into account.

(3) The refund on raw sugar must be fixed in respect of the standard quality. The latter is defined in Annex I, point II, to Regulation (EC) No 1260/2001. Furthermore, this refund should be fixed in accordance with Article 28(4) of Regulation (EC) No 1260/2001. Candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector <sup>(2)</sup>. The refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

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

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

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

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

(8) Regulation (EC) No 1260/2001 does not make provision to continue the compensation system for storage costs from 1 July 2001. This should accordingly be taken into account when fixing the refunds granted when the export occurs after 30 September 2001.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

*Article 2*

<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.

<sup>(2)</sup> OJ L 214, 8.9.1995, p. 16.

This Regulation shall enter into force on 22 March 2002.

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

Done at Brussels, 21 March 2002.

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

ANNEX

**to the Commission Regulation of 21 March 2002 fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	38,33 <sup>(1)</sup>
1701 11 90 9910	A00	EUR/100 kg	37,79 <sup>(1)</sup>
1701 11 90 9950	A00	EUR/100 kg	<sup>(2)</sup>
1701 12 90 9100	A00	EUR/100 kg	38,33 <sup>(1)</sup>
1701 12 90 9910	A00	EUR/100 kg	37,79 <sup>(1)</sup>
1701 12 90 9950	A00	EUR/100 kg	<sup>(2)</sup>
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4167
1701 99 10 9100	A00	EUR/100 kg	41,67
1701 99 10 9910	A00	EUR/100 kg	41,08
1701 99 10 9950	A00	EUR/100 kg	41,08
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4167

<sup>(1)</sup> Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 28(4) of Council Regulation (EC) No 1260/2001.

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

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

The numeric destination codes are set out in Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

**COMMISSION REGULATION (EC) No 504/2002**  
**of 21 March 2002**  
**fixing the maximum export refund on barley in connection with the invitation to tender issued in**  
**Regulation (EC) No 1558/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 602/2001 <sup>(4)</sup>, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of barley to all third countries except for the United States of America and Canada was opened pursuant to Commission Regulation (EC) No 1558/2001 <sup>(5)</sup>.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 15 to 21 March 2002, pursuant to the invitation to tender issued in Regulation (EC) No 1558/2001, the maximum refund on exportation of barley shall be EUR 0,00/t.

*Article 2*

This Regulation shall enter into force on 22 March 2002.

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

Done at Brussels, 21 March 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

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

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

<sup>(5)</sup> OJ L 205, 31.7.2001, p. 33.

**COMMISSION REGULATION (EC) No 505/2002**  
**of 21 March 2002**  
**amending Regulation (EC) No 1370/95 laying down detailed rules for implementing the system of**  
**export licences in the pigmeat sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat <sup>(1)</sup>, as last amended by Regulation (EC) No 1365/2000 <sup>(2)</sup>, and in particular Article 8(2) and Article 13(12) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1370/95 <sup>(3)</sup>, as last amended by Regulation (EC) No 2898/2000 <sup>(4)</sup>, lays down detailed rules for implementing the system of export licences in the pigmeat sector.
- (2) It is necessary to adapt the product codes laid down in Annex I to Regulation (EC) No 1370/95 to the recent amendments of Commission Regulation (EEC) No 3846/87 of 17 December 1987 establishing an agricultural

product nomenclature for export refunds <sup>(5)</sup>, as last amended by Regulation (EC) No 488/2002 <sup>(6)</sup>.

- (3) The Management Committee for Pigmeat has not delivered an opinion within the time limit set by its Chair,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 1370/95 is replaced by the Annex to this Regulation.

*Article 2*

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

It shall apply to export licences applied for as from 8 April 2002.

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

Done at Brussels, 21 March 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 282, 1.11.1975, p. 1.

<sup>(2)</sup> OJ L 156, 29.6.2000, p. 5.

<sup>(3)</sup> OJ L 133, 17.6.1995, p. 9.

<sup>(4)</sup> OJ L 336, 30.12.2000, p. 32.

<sup>(5)</sup> OJ L 366, 24.12.1987, p. 1.

<sup>(6)</sup> OJ L 76, 19.3.2002, p. 11.

## ANNEX

## 'ANNEX I

Product code of the agricultural product nomenclature for export refunds <sup>(1)</sup>	Category	Rate of the security (EUR/100 kg) Net weight
0203 11 10 9000 0203 21 10 9000	1	5
0203 12 11 9100 0203 12 19 9100 0203 19 11 9100 0203 19 13 9100 0203 19 55 9110 0203 22 11 9100 0203 22 19 9100 0203 29 11 9100 0203 29 13 9100 0203 29 55 9110	2	5
0203 19 15 9100 0203 19 55 9310 0203 29 15 9100	3	4
0210 11 31 9110 0210 11 31 9910	4	15
0210 12 19 9100	5	5
0210 19 81 9100	6	20
0210 19 81 9300	7	15
1601 00 91 9120	8	5
1601 00 99 9110	9	5
1602 41 10 9110	10	10
1602 42 10 9110	11	10
1602 41 10 9130	12	5
1602 42 10 9130		
1602 49 19 9130		

<sup>(1)</sup> Commission Regulation (EEC) No 3846/87 Section 6 (OJ L 366, 24.12.1987, p. 1).

**COMMISSION REGULATION (EC) No 506/2002**  
**of 21 March 2002**  
**derogating temporarily from Regulation (EC) No 1370/95 laying down detailed rules for implementing the system of export licences in the pigmeat sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat <sup>(1)</sup>, as last amended by Regulation (EC) No 1365/2000 <sup>(2)</sup>, and in particular Article 8(2), Article 13(12) and Article 22 thereof,

Whereas:

- (1) Article 3(3) of Commission Regulation (EC) No 1370/95 <sup>(3)</sup>, as last amended by Regulation (EC) No 505/2002 <sup>(4)</sup>, provides that export licences are to be issued on the Wednesday following the week in which licence applications are lodged, provided that no special measures are taken by the Commission in the meanwhile.
- (2) Given the dates of public holidays in 2002 and the consequent irregular publication of the *Official Journal of the European Communities*, the period for consideration is too short to ensure effective market management and it should therefore be extended temporarily.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

*Article 1*

Notwithstanding Article 3(3) of Regulation (EC) No 1370/95, licences for which applications are lodged during the following periods shall be issued on the dates indicated, provided that none of the special measures referred to in paragraph 4 of that Article are taken before the dates concerned:

- from 25 to 29 March 2002, to be issued on 4 April 2002,
- from 13 May to 17 May 2002, to be issued on 23 May 2002,
- from 16 to 20 December 2002, to be issued on 31 December 2002,
- from 23 to 27 December 2002, to be issued on 6 January 2003.

*Article 2*

This Regulation shall enter into force on the third 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, 21 March 2002.

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

<sup>(1)</sup> OJ L 282, 1.11.1975, p. 1.

<sup>(2)</sup> OJ L 156, 29.6.2000, p. 5.

<sup>(3)</sup> OJ L 133, 17.6.1995, p. 9.

<sup>(4)</sup> See page 9 of this Official Journal.

**COMMISSION REGULATION (EC) No 507/2002**  
**of 21 March 2002**  
**amending Regulation (EC) No 2331/97 on special conditions for granting export refunds on certain**  
**pigmeat products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organisation of the market in pigmeat <sup>(1)</sup>, as last amended by Regulation (EC) No 1365/2000 <sup>(2)</sup>, and in particular Article 13(12) and Article 22 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2331/97 <sup>(3)</sup>, as last amended by Regulation (EC) No 2882/2000 <sup>(4)</sup>, lays down quality criteria to be met for the granting of export refunds on certain pigmeat products.
- (2) Commission Regulation (EEC) No 3846/87 of 17 December 1987 establishing an agricultural product nomenclature for export refunds <sup>(5)</sup>, as last amended by Regulation (EC) No 488/2002 <sup>(6)</sup>, lists the pigmeat products on which export refunds may be granted.

(3) The product codes listed in Annex I to Regulation (EC) No 2331/97 must be brought into line with recent amendments to Regulation (EEC) No 3846/87 and quality criteria must be set for products covered by CN codes 1602 41 10, 1602 42 10 and 1602 49 19.

(4) The Management Committee for pigmeat has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The entries relating to CN codes 1602 41 10, 1602 42 10 and 1602 49 19 in Annex I to Regulation (EC) No 2331/97 are hereby replaced by those set out in the Annex hereto.

*Article 2*

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

It shall apply to export licences applied as from 8 April 2002.

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

Done at Brussels, 21 March 2002.

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

<sup>(1)</sup> OJ L 282, 1.11.1975, p. 1.

<sup>(2)</sup> OJ L 156, 29.6.2000, p. 5.

<sup>(3)</sup> OJ L 323, 26.11.1997, p. 19.

<sup>(4)</sup> OJ L 333, 29.12.2000, p. 72.

<sup>(5)</sup> OJ L 366, 24.12.1987, p. 1.

<sup>(6)</sup> OJ L 76, 19.3.2002, p. 11.

## ANNEX

CN code	Description of goods	Product code	Conditions
ex 1602	Other prepared or preserved meat, meat offal or blood:		
	– Of swine:		
ex 1602 41	-- Hams and cuts thereof:		
ex 1602 41 10	--- Of domestic swine:		
	---- Cooked, containing by weight 80 % or more of meat and fat:		
	----- In immediate packings with a net weight of 1 kg or more	1602 41 10 9110	Water/protein ratio in meat maximum 4,3
	----- In immediate packings with a net weight of less than 1 kg	1602 41 10 9130	Water/protein ratio in meat maximum 4,3
ex 1602 42	-- Shoulders and cuts thereof:		
ex 1602 42 10	--- Of domestic swine:		
	---- Cooked, containing by weight 80 % or more of meat and fat:		
	----- In immediate packings with a net weight of 1 kg or more	1602 42 10 9110	Water/protein ratio in meat maximum 4,5
	----- In immediate packings with a net weight of less than 1 kg	1602 42 10 9130	Water/protein ratio in meat maximum 4,5
ex 1602 49	-- Other, including mixtures:		
	--- Of domestic swine:		
	---- Containing by weight 80 % or more of meat or meat offal, of any kind, including fats of any kind or origin:		
ex 1602 49 19	----- Other:		
	----- Cooked, containing by weight 80 % or more of meat and fat:		
	----- Not containing the meat or offal of poultry:		
	----- Containing a product composed of clearly recognisable pieces of muscular meat which, due to their size are not identifiable as having been obtained from hams, shoulders, loins or collars, together with small particles of visible fat and small quantities of jelly deposits	1602 49 19 9130	Water/protein ratio in meat maximum 4,5

**COMMISSION REGULATION (EC) No 508/2002**  
**of 21 March 2002**  
**on fixing advance payments in respect of the production levies in the sugar sector for the 2001/02 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector <sup>(1)</sup>, and in particular Article 15(8) thereof,

Whereas:

- (1) Article 6 of Commission Regulation (EC) No 314/2002 of 20 February 2002 laying down detailed rules for the application of the quota system in the sugar sector <sup>(2)</sup>, provides for the fixing before 1 April and the collection before the following 1 June, of the unit amounts to be paid by sugar producers, isoglucose producers and inulin syrup producers as advance payments of the production levies for the current marketing year. The estimate of the basic production levy and of the B levy, referred to in Article 7 of Regulation (EC) No 314/2002, gives an amount which is more than 60 % of the maximum amounts indicated in Article 15(3), (4) and (5) of Regulation (EC) No 1260/2001. In accordance with Article 7 of Regulation (EC) No 314/2002, the unit amounts for sugar and inulin syrup should therefore be fixed at 50 % of the maximum amounts concerned and for isoglucose the unit amount of the advance payment should therefore be fixed at 40 % of the unit amount of the basic production levy estimated for sugar.
- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

The unit amounts referred to in Article 6(1)(b) of Regulation (EC) No 314/2002 in respect of the 2001/02 marketing year are hereby fixed as follows:

- (a) the advance payment of the basic production levy for A sugar and B sugar shall be EUR 0,632 per 100 kilograms of white sugar;
- (b) the advance payment of the B levy for B sugar shall be EUR 11,848 per 100 kilograms of white sugar;
- (c) the advance payment of the basic production levy for A isoglucose and B isoglucose shall be EUR 0,506 per 100 kilograms of dry matter;
- (d) the advance payment of the basic production levy for A inulin syrup and B inulin syrup shall be EUR 0,632 per 100 kilograms of dry matter equivalent sugar/isoglucose;
- (e) the advance payment of the B levy for B inulin syrup shall be EUR 11,848 per 100 kilograms of dry matter equivalent sugar/isoglucose.

*Article 2*

This Regulation shall enter into force on the third 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, 21 March 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.

<sup>(2)</sup> OJ L 50, 21.2.2002, p. 40.

**COMMISSION REGULATION (EC) No 509/2002**  
**of 21 March 2002**  
**amending Annex II to Council Regulation (EC) No 1255/1999 on the common organisation of the**  
**market in milk and milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EC) No 1670/2000 <sup>(2)</sup>, and in particular Article 31(14) thereof,

Whereas:

- (1) Article 31 of Regulation (EC) No 1255/1999 provides for the granting of refunds for certain products covered by that Regulation when they are exported in the form of the products listed in Annex II thereto.
- (2) Commission Regulation (EC) No 2031/2001 of 6 August 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff <sup>(3)</sup> amends the Combined Nomenclature for certain products.
- (3) Annex II to Regulation (EC) No 1255/1999 should consequently be amended.
- (4) The amendments should apply from the date of application of Regulation (EC) No 2031/2001.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Annex II to Regulation (EC) No 1255/1999, the line:

‘1905 30 – Sweet biscuits; waffles and wafers’

is replaced by the following:

‘– Sweet biscuits; waffles and wafers:

1905 31 – – Sweet biscuits

1905 32 – – Waffles and wafers’

*Article 2*

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

It shall apply from 1 January 2002.

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

Done at Brussels, 21 March 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 10.

<sup>(3)</sup> OJ L 279, 23.10.2001, p. 1.

**COMMISSION REGULATION (EC) No 510/2002  
of 21 March 2002**

**correcting Regulations (EC) No 75/2002, (EC) No 93/2002, (EC) No 107/2002, (EC) No 111/2002  
and (EC) No 112/2002 establishing the standard import values for determining the entry price of  
certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EC) No 453/2002 <sup>(2)</sup>, and in particular Article 4(1) thereof,

Whereas:

- (1) Commission Regulations (EC) No 75/2002 <sup>(3)</sup>, (EC) No 93/2002 <sup>(4)</sup>, (EC) No 107/2002 <sup>(5)</sup>, (EC) No 111/2002 <sup>(6)</sup> and (EC) No 112/2002 <sup>(7)</sup> establish the standard import values for determining the entry price of tomatoes.
- (2) An error has been discovered in the Annexes to those Regulations. The Regulations in question should therefore be corrected.
- (3) Article 4(3) of Regulation (EC) No 3223/94 provides that, where no standard import value is in force for a product for a given origin, the average of standard import values in force for that product is to apply. As a result, that average should be recalculated if one of its component standard import values is corrected.

- (4) Application of the corrected standard import value must be requested by the party concerned so that they are not placed retroactively at a disadvantage,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values applicable to tomatoes listed in the Annexes to Regulations (EC) No 75/2002, (EC) No 93/2002, (EC) No 107/2002, (EC) No 111/2002 and (EC) No 112/2002 are replaced by the standard import values listed in the table in the Annex hereto.

*Article 2*

At the request of the party concerned, the customs office where the import was recorded shall refund part of the customs duties for the tomatoes originating in the third countries concerned and released for free circulation during the period of application of the corrected Regulations. Refund applications must be lodged no later than the last day of the third month following that in which this Regulation enters into force and must be accompanied by the declaration of release for free circulation for the import concerned.

*Article 3*

This Regulation shall enter into force on 22 March 2002.

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

Done at Brussels, 21 March 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ L 72, 14.3.2002, p. 9.

<sup>(3)</sup> OJ L 16, 18.1.2002, p. 1.

<sup>(4)</sup> OJ L 17, 19.1.2002, p. 18.

<sup>(5)</sup> OJ L 19, 22.1.2002, p. 1.

<sup>(6)</sup> OJ L 20, 23.1.2002, p. 2.

<sup>(7)</sup> OJ L 21, 24.1.2002, p. 1.

## ANNEX

<i>(EUR/100 kg)</i>			
Regulation	CN code	Country code	Standard import value
(EC) No 75/2002	0702 00 00	052	116,2
		204	111,3
		212	110,5
		624	74,0
		999	103,0
(EC) No 93/2002	0702 00 00	052	98,6
		204	108,5
		212	110,5
		624	74,0
		999	97,9
(EC) No 107/2002	0702 00 00	052	121,9
		204	102,1
		212	121,5
		624	74,0
		999	104,9
(EC) No 111/2002	0702 00 00	052	65,8
		204	96,0
		212	121,5
		999	94,4
(EC) No 112/2002	0702 00 00	052	111,8
		204	93,2
		212	121,5
		999	108,8

## COMMISSION REGULATION (EC) No 511/2002

of 21 March 2002

## fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice <sup>(3)</sup>, as last amended by Regulation (EC) No 411/2002 <sup>(4)</sup>, and in particular Article 13(3) thereof,

Whereas:

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

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

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

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

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

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

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

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

(9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

## Article 1

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

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

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

<sup>(3)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(4)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(5)</sup> OJ L 147, 30.6.1995, p. 55.

<sup>(6)</sup> OJ L 312, 23.12.1995, p. 25.

*Article 2*

This Regulation shall enter into force on 22 March 2002.

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

Done at Brussels, 21 March 2002.

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

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## ANNEX

## to the Commission Regulation of 21 March 2002 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 <sup>(1)</sup>	C01	EUR/t	30,10	1104 23 10 9100	A00	EUR/t	32,25
1102 20 10 9400 <sup>(1)</sup>	C01	EUR/t	25,80	1104 23 10 9300	A00	EUR/t	24,73
1102 20 90 9200 <sup>(1)</sup>	C01	EUR/t	25,80	1104 29 11 9000	A00	EUR/t	0,00
1102 90 10 9100	C01	EUR/t	0,00	1104 29 51 9000	A00	EUR/t	0,00
1102 90 10 9900	C01	EUR/t	0,00	1104 29 55 9000	A00	EUR/t	0,00
1102 90 30 9100	C01	EUR/t	0,00	1104 30 10 9000	A00	EUR/t	0,00
1103 19 40 9100	A00	EUR/t	0,00	1104 30 90 9000	A00	EUR/t	5,38
1103 13 10 9100 <sup>(1)</sup>	A00	EUR/t	38,70	1107 10 11 9000	A00	EUR/t	0,00
1103 13 10 9300 <sup>(1)</sup>	A00	EUR/t	30,10	1107 10 91 9000	A00	EUR/t	0,00
1103 13 10 9500 <sup>(1)</sup>	A00	EUR/t	25,80	1108 11 00 9200	A00	EUR/t	0,00
1103 13 90 9100 <sup>(1)</sup>	A00	EUR/t	25,80	1108 11 00 9300	A00	EUR/t	0,00
1103 19 10 9000	A00	EUR/t	18,55	1108 12 00 9200	A00	EUR/t	34,40
1103 19 30 9100	A00	EUR/t	0,00	1108 12 00 9300	A00	EUR/t	34,40
1103 20 60 9000	A00	EUR/t	0,00	1108 13 00 9200	A00	EUR/t	34,40
1103 20 20 9000	A00	EUR/t	0,00	1108 13 00 9300	A00	EUR/t	34,40
1104 19 69 9100	A00	EUR/t	0,00	1108 19 10 9200	A00	EUR/t	66,88
1104 12 90 9100	A00	EUR/t	0,00	1108 19 10 9300	A00	EUR/t	66,88
1104 12 90 9300	A00	EUR/t	0,00	1109 00 00 9100	A00	EUR/t	0,00
1104 19 10 9000	A00	EUR/t	0,00	1702 30 51 9000 <sup>(2)</sup>	A00	EUR/t	33,70
1104 19 50 9110	A00	EUR/t	34,40	1702 30 59 9000 <sup>(2)</sup>	A00	EUR/t	25,80
1104 19 50 9130	A00	EUR/t	27,95	1702 30 91 9000	A00	EUR/t	33,70
1104 29 01 9100	A00	EUR/t	0,00	1702 30 99 9000	A00	EUR/t	25,80
1104 29 03 9100	A00	EUR/t	0,00	1702 40 90 9000	A00	EUR/t	25,80
1104 29 05 9100	A00	EUR/t	0,00	1702 90 50 9100	A00	EUR/t	33,70
1104 29 05 9300	A00	EUR/t	0,00	1702 90 50 9900	A00	EUR/t	25,80
1104 22 20 9100	A00	EUR/t	0,00	1702 90 75 9000	A00	EUR/t	35,31
1104 22 30 9100	A00	EUR/t	0,00	1702 90 79 9000	A00	EUR/t	24,51
				2106 90 55 9000	A00	EUR/t	25,80

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

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

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

The numeric destination codes are set out in Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

C01: All destinations except Poland.

**COMMISSION REGULATION (EC) No 512/2002**  
**of 21 March 2002**  
**fixing the export refunds on cereal-based compound feedingstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) However, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported.
- (6) The refund must be fixed once a month; whereas it may be altered in the intervening period.
- (7) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 22 March 2002.

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

Done at Brussels, 21 March 2002.

*For the Commission*  
 Franz FISCHLER  
 Member of the Commission

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

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

<sup>(3)</sup> OJ L 147, 30.6.1995, p. 51.

## ANNEX

**to the Commission Regulation of 21 March 2002 fixing the export refunds on cereal-based compound feeding-stuffs**

Product codes benefiting from export refund:

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

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	A00	EUR/t	21,50
Cereal products excluding maize and maize products	A00	EUR/t	0,00

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

**COMMISSION REGULATION (EC) No 513/2002**  
**of 21 March 2002**  
**fixing the corrective amount applicable to the refund on cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>, and in particular Article 13 (8) thereof,

Whereas:

- (1) Article 13 (8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 602/2001 <sup>(4)</sup>, allows for the fixing of a corrective amount for the products listed in Article 1(1) (c) of Regulation (EEC) No 1766/92; that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) The world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination.
- (4) The corrective amount must be fixed at the same time as the refund and according to the same procedure; it may be altered in the period between fixings.
- (5) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 1(1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance except for malt shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 April 2002.

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

Done at Brussels, 21 March 2002.

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

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

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

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

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

## ANNEX

## to the Commission Regulation of 21 March 2002 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9	6th period 10
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C01	—	-0,93	-0,93	0,00	-0,93	—	—
1002 00 00 9000	C03	-30,00	-30,00	-30,00	-30,00	-30,00	—	—
	A05	0,00	0,00	0,00	0,00	0,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	—	-0,93	-0,93	0,00	-0,93	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	-0,93	-0,93	0,00	-0,93	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	-0,93	-1,86	-2,79	-3,72	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	C01	0	-1,27	-1,27	0,00	-1,27	—	—
1101 00 15 9130	C01	0	-1,19	-1,19	0,00	-1,19	—	—
1101 00 15 9150	C01	0	-1,10	-1,10	0,00	-1,10	—	—
1101 00 15 9170	C01	0	-1,01	-1,01	0,00	-1,01	—	—
1101 00 15 9180	C01	0	-0,95	-0,95	0,00	-0,95	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9700	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	-1,40	-1,40	0,00	-1,40	—	—
1103 11 10 9400	A00	0	-1,25	-1,25	0,00	-1,25	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	-1,27	-1,27	0,00	-1,27	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

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

The numeric destination codes are set out in Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

The other destinations are as follows:

C01 All destinations except for Poland,

C03 Poland, Czech Republic, Slovak Republic, Hungary, Estonia, Latvia, Lithuania, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Slovenia, former Republic of Yugoslavia with the exception of Slovenia, Croatia and Bosnia and Herzegovina, Albania, Romania, Bulgaria, Armenia, Georgia, Azerbaijan, Moldova, Ukraine, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, Turkmenistan, Morocco, Algeria, Tunisia, Libya, Egypt, Malta, Cyprus and Turkey,

A05 other non-member countries.

**COMMISSION REGULATION (EC) No 514/2002**  
**of 21 March 2002**  
**fixing the corrective amount applicable to the refund on malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>, and in particular Article 13(8),

Whereas:

- (1) Article 13(8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 602/2001 <sup>(4)</sup>, allows for the fixing of a corrective amount for the malt referred to

in Article 1(1)(c) of Regulation (EEC) No 1766/92. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 13(4) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 April 2002.

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

Done at Brussels, 21 March 2002.

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

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

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

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

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

## ANNEX

## to the Commission Regulation of 21 March 2002 fixing the corrective amount applicable to the refund on malt

*(EUR/t)*

Product code	Destination	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	-1,18	-1,18	0	-1,18	-2,36
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	-1,18	-1,18	0	-1,18	-2,36
1107 20 00 9000	A00	0	-1,39	-1,39	0	-1,39	-2,77

*(EUR/t)*

Product code	Destination	6th period 10	7th period 11	8th period 12	9th period 1	10th period 2	11th period 3
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	-3,54	-4,72	-5,91	-7,09	-8,27	-9,45
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	-3,54	-4,72	-5,91	-7,09	-8,27	-9,45
1107 20 00 9000	A00	-4,16	-5,54	-6,93	-8,31	-9,70	-11,09

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

The numeric destination codes are set out in Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

**COMMISSION REGULATION (EC) No 515/2002**  
**of 21 March 2002**  
**fixing the maximum export refund on rye in connection with the invitation to tender issued in**  
**Regulation (EC) No 1005/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals<sup>(3)</sup>, as last amended by Regulation (EC) No 602/2001<sup>(4)</sup>, and in particular Article 7 thereof,

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 15 to 21 March 2002, pursuant to the invitation to tender issued in Regulation (EC) No 1005/2001, the maximum refund on exportation of rye shall be EUR 37,75/t.

*Article 2*

This Regulation shall enter into force on 22 March 2002.

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

Done at Brussels, 21 March 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

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

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

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

**COMMISSION REGULATION (EC) No 516/2002  
of 21 March 2002**

**fixing the maximum export refund on common wheat in connection with the invitation to tender  
issued in Regulation (EC) No 943/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 602/2001 <sup>(4)</sup>, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund on exportation of common wheat to all third countries with the exclusion of Poland was opened pursuant to Commission Regulation (EC) No 943/2001 <sup>(5)</sup>.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 15 to 21 March 2002, pursuant to the invitation to tender issued in Regulation (EC) No 943/2001, the maximum refund on exportation of common wheat shall be EUR 0,00/t.

*Article 2*

This Regulation shall enter into force on 22 March 2002.

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

Done at Brussels, 21 March 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

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

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

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

**COMMISSION REGULATION (EC) No 517/2002  
of 21 March 2002**

**determining the extent to which applications lodged in March 2002 for licences for certain eggs and poultrymeat products under the regime provided for by the Interim Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, the Czech Republic, Slovakia, Romania and Bulgaria can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1899/97, of 29 September 1997, setting rules of application in the poultrymeat and egg sectors for the arrangements covered by the Europe Agreements with central and east European countries provided for by Council Regulations (EC) No 1727/2000, (EC) No 2290/2000, (EC) No 2433/2000, (EC) No 2434/2000, (EC) No 2435/2000 and (EC) No 2851/2000 and repealing Regulations (EEC) No 2699/93 and (EC) No 1559/94 <sup>(1)</sup>, as amended by Regulation (EC) No 1043/2001 <sup>(2)</sup> and in particular Article 4(5) thereof,

Whereas:

The applications for import licences lodged for the second quarter of 2002 are, in the case of some products, for quantities less than or equal to the quantities available and can

therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for import licences for the period 1 April to 30 June 2002 submitted under Regulation (EC) No 1899/97 shall be met as referred to in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 April 2002.

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

Done at Brussels, 21 March 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 267, 30.9.1997, p. 67.

<sup>(2)</sup> OJ L 145, 31.5.2001, p. 24.

## ANNEX

Group No	Percentage of acceptance of import licences submitted for the period 1 April to 30 June 2002
10	—
11	—
17	100,00
18	—
25	100,00
26	—
27	100,00
34	—
35	—
36	—
40	—

**COMMISSION REGULATION (EC) No 518/2002  
of 21 March 2002**

**determining the extent to which applications lodged in March 2002 for import licences for certain poultrymeat products under the regime provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1431/94 of 22 June 1994, laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products <sup>(1)</sup>, as last amended by Regulation (EC) No 1043/2001 <sup>(2)</sup>, and in particular Article 4(4) thereof,

Whereas:

The applications for import licences lodged for the period 1 April to 30 June 2002 are greater than the quantities available

and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Applications for import licences for the period 1 April to 30 June 2002 submitted under Regulation (EC) No 1431/94 shall be met as referred to in the Annex to this Regulation.
2. Applications for import licences for the period 1 July to 30 September 2002 may be lodged pursuant to Regulation (EC) No 1431/94 for the total quantity as referred to in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 April 2002.

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

Done at Brussels, 21 March 2002.

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

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<sup>(1)</sup> OJ L 156, 23.6.1994, p. 9.

<sup>(2)</sup> OJ L 145, 31.5.2001, p. 24.

## ANNEX

Group No	Percentage of acceptance of import certificates submitted for the period 1 April to 30 June 2002	Total quantity available for the period 1 July to 30 September 2002 (t)
1	1,64	1 775,00
2	1,65	1 275,00
3	1,93	825,00
4	2,86	450,00
5	2,88	175,00

**COMMISSION REGULATION (EC) No 519/2002  
of 21 March 2002**

**determining the extent to which applications lodged in March 2002 for import licences for certain egg sector products and poultrymeat pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 can be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1474/95 <sup>(1)</sup> opening and providing for the administration of the tariff quotas in the egg sector and for egg albumin, as last amended by Regulation (EC) No 1043/2001 <sup>(2)</sup>, and in particular Article 5(5) thereof,

Having regard to Commission Regulation (EC) No 1251/96 of 28 June 1996 opening and providing for the administration of tariff quotas in the poultrymeat sector and albumin <sup>(3)</sup>, as last amended by Regulation (EC) No 1043/2001 and in particular Article 5(5) thereof,

Whereas:

The applications for import licences lodged for the second quarter of 2002 are, in the case of certain products, for quantities less than or equal to the quantities available and can

therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for import licences for the period 1 April to 30 June 2002 submitted pursuant to Regulations (EC) No 1474/95 and (EC) No 1251/96 shall be met as referred to in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 April 2002.

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

Done at Brussels, 21 March 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 145, 29.6.1995, p. 19.

<sup>(2)</sup> OJ L 145, 31.5.2001, p. 24.

<sup>(3)</sup> OJ L 161, 29.6.1996, p. 136.

## ANNEX

Group	Percentage of acceptance of import licences submitted for the period 1 April to 30 June 2002
E1	100,00
E2	100,00
E3	100,00
P1	100,00
P2	100,00
P3	6,54
P4	18,82

**COMMISSION REGULATION (EC) No 520/2002  
of 21 March 2002**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(3)</sup>, as last amended by Regulation (EC) No 1987/2001 <sup>(4)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds <sup>(5)</sup>, as last amended by Regulation (EC) No 1563/2001 <sup>(6)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. Whereas it is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. Whereas the fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

- (5) Now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC <sup>(7)</sup>, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.
- (6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000 provides that a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1722/93 <sup>(8)</sup>, as last amended by Commission Regulation (EC) No 1786/2001 <sup>(9)</sup>, for the basic product in question, used during the assumed period of manufacture of the goods.
- (7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark stipulates that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.
- (8) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 22 March 2002.

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

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

<sup>(3)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(4)</sup> OJ L 271, 12.10.2001, p. 5.

<sup>(5)</sup> OJ L 177, 15.7.2000, p. 1.

<sup>(6)</sup> OJ L 208, 1.8.2001, p. 8.

<sup>(7)</sup> OJ L 275, 29.9.1987, p. 36.

<sup>(8)</sup> OJ L 159, 1.7.1993, p. 112.

<sup>(9)</sup> OJ L 242, 12.9.2001, p. 3.

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

Done at Brussels, 21 March 2002.

*For the Commission*  
Erkki LIIKANEN  
*Member of the Commission*

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## ANNEX

**to the Commission Regulation of 21 March 2002 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty**

CN code	Description of products <sup>(1)</sup>	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies <sup>(2)</sup> – – where goods falling within subheading 2208 <sup>(3)</sup> are exported – – in other cases	— — — —	— — — —
1002 00 00	Rye	1,855	1,855
1003 00 90	Barley – where goods falling within subheading 2208 <sup>(3)</sup> are exported – in other cases	— —	— —
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of: – starch: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies <sup>(2)</sup> – – where goods falling within subheading 2208 <sup>(3)</sup> are exported – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 <sup>(4)</sup> : – – where Article 4(5) of Regulation (EC) No 1520/2000 applies <sup>(2)</sup> – – where goods falling within subheading 2208 <sup>(3)</sup> are exported – – in other cases – where goods falling within subheading 2208 <sup>(3)</sup> are exported – other (including unprocessed)  Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where Article 4(5) of Regulation (EC) No 1520/2000 applies <sup>(2)</sup> – – where goods falling within subheading 2208 <sup>(3)</sup> are exported – in other cases	2,150 0,251 2,150  1,613 0,188 1,613 0,251 2,150  2,150 0,251 2,150	2,150 0,251 2,150  1,613 0,188 1,613 0,251 2,150  2,150 0,251 2,150

(EUR/100 kg)

(EUR/100 kg)

CN code	Description of products <sup>(1)</sup>	Rate of refund per 100 kg of basic product	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly-milled rice: – round grain	19,300	19,300
	– medium grain	19,300	19,300
	– long grain	19,300	19,300
1006 40 00	Broken rice	4,400	4,400
1007 00 90	Sorghum	—	—

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

<sup>(2)</sup> The goods concerned fall under CN code 3505 10 50.

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

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

**COMMISSION REGULATION (EC) No 521/2002  
of 21 March 2002**

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(1)</sup>, as last amended by Regulation (EC) No 411/2002 <sup>(2)</sup>, and in particular the second subparagraph of Article 13(3) and (15) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (3) Commission Regulation (EEC) No 1361/76 <sup>(3)</sup> lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.
- (4) Export possibilities exist for a quantity of 16 351 tonnes of rice to certain destinations. The procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 <sup>(4)</sup>, as last amended by Regulation (EC) No 2298/2001 <sup>(5)</sup> should be used. Account should be taken of this when the refunds are fixed.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

With the exception of the quantity of 16 351 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

*Article 3*

This Regulation shall enter into force on 22 March 2002.

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(3)</sup> OJ L 154, 15.6.1976, p. 11.

<sup>(4)</sup> OJ L 117, 24.5.1995, p. 2.

<sup>(5)</sup> OJ L 308, 27.11.2001, p. 16.

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

Done at Brussels, 21 March 2002.

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

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## ANNEX

**to the Commission Regulation of 21 March 2002 fixing the export refunds on rice and broken rice and suspending the issue of export licences**

Product code	Destination	Unit of measurement	Amount of refunds (1)	Product code	Destination	Unit of measurement	Amount of refunds (1)
1006 20 11 9000	R01	EUR/t	159,00	1006 30 65 9100	R01	EUR/t	199,00
1006 20 13 9000	R01	EUR/t	159,00		R02	EUR/t	193,00
1006 20 15 9000	R01	EUR/t	159,00		R03	EUR/t	198,00
1006 20 17 9000	—	EUR/t	—		064	EUR/t	167,00
1006 20 92 9000	R01	EUR/t	159,00		A97	EUR/t	193,00
1006 20 94 9000	R01	EUR/t	159,00		021 and 023	EUR/t	193,00
1006 20 96 9000	R01	EUR/t	159,00	1006 30 65 9900	R01	EUR/t	199,00
1006 20 98 9000	—	EUR/t	—		064	EUR/t	167,00
1006 30 21 9000	R01	EUR/t	159,00		A97	EUR/t	193,00
1006 30 23 9000	R01	EUR/t	159,00	1006 30 67 9100	021 and 023	EUR/t	193,00
1006 30 25 9000	R01	EUR/t	159,00		064	EUR/t	167,00
1006 30 27 9000	—	EUR/t	—		A97	EUR/t	193,00
1006 30 42 9000	R01	EUR/t	159,00	1006 30 67 9900	064	EUR/t	167,00
1006 30 44 9000	R01	EUR/t	159,00	1006 30 92 9100	R01	EUR/t	199,00
1006 30 46 9000	R01	EUR/t	159,00		R02	EUR/t	193,00
1006 30 48 9000	—	EUR/t	—		R03	EUR/t	198,00
1006 30 61 9100	R01	EUR/t	199,00		064	EUR/t	167,00
	R02	EUR/t	193,00		A97	EUR/t	193,00
	R03	EUR/t	198,00	1006 30 92 9900	021 and 023	EUR/t	193,00
	064	EUR/t	167,00		R01	EUR/t	199,00
	A97	EUR/t	193,00		A97	EUR/t	193,00
	021 and 023	EUR/t	193,00		064	EUR/t	167,00
1006 30 61 9900	R01	EUR/t	199,00	1006 30 94 9100	R01	EUR/t	199,00
	A97	EUR/t	193,00		R02	EUR/t	193,00
	064	EUR/t	167,00		R03	EUR/t	198,00
1006 30 63 9100	R01	EUR/t	199,00		064	EUR/t	167,00
	R02	EUR/t	193,00		A97	EUR/t	193,00
	R03	EUR/t	198,00	1006 30 96 9100	021 and 023	EUR/t	193,00
	064	EUR/t	167,00		R01	EUR/t	199,00
	A97	EUR/t	193,00		A97	EUR/t	193,00
	021 and 023	EUR/t	193,00		064	EUR/t	167,00
1006 30 63 9900	R01	EUR/t	199,00	1006 30 96 9900	021 and 023	EUR/t	193,00
	064	EUR/t	167,00		R01	EUR/t	199,00
	A97	EUR/t	193,00		A97	EUR/t	193,00
					064	EUR/t	167,00
				1006 30 98 9100	021 and 023	EUR/t	193,00
				1006 30 98 9900	—	EUR/t	—
				1006 40 00 9000	—	EUR/t	—

(1) The procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 applies to licences applied for under that Regulation for quantities according to the destination:  
 destination R01: 3 768 t,  
 all destinations R02 and R03: 2 762 t,  
 destinations 021 and 023: 1 113 t,  
 destination 064: 8 408 t,  
 destination A97: 300 t.

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

The numeric destination codes are set out in Commission Regulation (EC) No 2020/2001 (OJ L 273, 16.10.2001, p. 6).

The other destinations are defined as follows:

R01 Switzerland, Liechtenstein, communes of Livigno and Campione d'Italia.

R02 Morocco, Algeria, Tunisia, Malta, Egypt, Israel, Lebanon, Libya, Syria, Ex-Spanish Sahara, Cyprus, Jordan, Iraq, Iran, Yemen, Kuwait, United Arab Emirates, Oman, Bahrain, Qatar, Saudi Arabia, Eritrea, West Bank/Gaza Strip, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovenia, Slovakia, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Yugoslavia, Former Yugoslav Republic of Macedonia, Albania, Romania, Bulgaria, Georgia, Armenia, Azerbaijan, Moldova, Ukraine, Kazakstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan.

R03 Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Uruguay, Paraguay, Brazil, Venezuela, Canada, Mexico, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Cuba, Bermuda, South Africa, Australia, New Zealand, Hong Kong SAR, Singapore, A40, A11 except Suriname, Guyana, Madagascar.

## II

(Acts whose publication is not obligatory)

CONFERENCE OF THE REPRESENTATIVES  
OF THE GOVERNMENTS OF THE MEMBER STATES

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES,  
MEETING WITHIN THE COUNCIL,  
of 27 February 2002  
on the financial consequences of the expiry of the ECSC Treaty and on the research fund for coal  
and steel

(2002/234/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE  
MEMBER STATES OF THE EUROPEAN COMMUNITIES, MEETING  
WITHIN THE COUNCIL,

Whereas:

- (1) The Treaty establishing the European Coal and Steel Community (ECSC) expires on 23 July 2002 and the ownership of the ECSC funds will revert to the Member States.
- (2) The Member States have expressed their ultimate aim to be the transfer of the ECSC funds to the European Community (EC) and the creation of a common fund for research in the sectors related to the coal and steel industries. Reference is made to the Resolution of the European Council, meeting in Amsterdam on 16 June 1997 and to Resolutions adopted by the Council and the Representatives of the Governments of the Member States on 20 July 1998 and on 21 June 1999. The Member States continue to pursue this aim.
- (3) In order to ensure, temporarily and pending the transfer, an appropriate management of the assets and liabilities of the ECSC from 24 July 2002 the Commission should be given the task to manage these funds. A decrease of funds during this temporary management may not give rise to any additional liability for the Member States.
- (4) The Commission has proposed in the context of the transfer of the funds to the EC that it should manage the ECSC funds in accordance with special rules. In substance these rules should be applied also in respect of this Decision, thereby ensuring necessary consistency without affecting the intergovernmental nature of this Decision.

- (5) The European Parliament has been consulted on the special rules to be applied.
- (6) Considering that the successful management of the assets of the ECSC require the confidence of economic operators derived *inter alia* from long term predictability in respect of the legal situation.
- (7) Therefore, it is necessary to provide for temporary management of the ECSC funds in accordance with the provisions of this Decision,

HAVE DECIDED AS FOLLOWS:

Article 1

1. All assets and liabilities of the ECSC, as they exist on 23 July 2002, shall, as from 24 July 2002, be managed by the Commission on behalf of the Member States.
2. The net worth of these assets and liabilities, as they appear in the balance sheet of the ECSC of 23 July 2002, subject to any increase or decrease which may occur as a result of the liquidation operations, shall be considered as assets intended for research in the sectors related to the coal and steel industry, referred to as the 'ECSC in liquidation'. On completion of the liquidation they shall be referred to as the 'Assets of the Research Fund for Coal and Steel'.
3. The revenue from these assets, referred to as the 'Research Fund for Coal and Steel', shall be used exclusively for research in the sectors related to the coal and steel industry in accordance with the provisions of this Decision and of acts adopted on the basis hereof.

*Article 2*

The provisions in Annexes I, II and III form an integral part of this Decision.

*Article 3*

Except as otherwise provided in this Decision, the provisions of the Treaty establishing the European Community shall apply *mutatis mutandis* to the activities carried out in compliance with this Decision by the Commission.

*Article 4*

This Decision shall apply from 24 July 2002 and shall cease to apply on the date on which the assets and liabilities of the ECSC funds have been transferred to the European Community.

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 27 February 2002.

*The President*

F. J. CONDE DE SARO

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## ANNEX I

**Measures necessary for the implementation of this Decision***Point 1*

1. The Commission shall be entrusted with winding up the financial operations of the European Coal and Steel Community which are still in progress when the ECSC Treaty expires. Where an ECSC debtor defaults during the liquidation period, the resulting loss shall be charged first to the existing capital and then to the revenue of the current year. The Commission, before writing off any claim against an ECSC debtor in default, will exhaust all remedies including the call on guarantees (mortgages, cautions, bank guaranties or other). The Commission will reserve all possible actions in case that the debtor regains solvency.

2. The liquidation shall be conducted in accordance with the rules and procedures applying to these operations, with the Community institutions enjoying the existing powers and prerogatives provided for by the ECSC Treaty and secondary legislation in force on 23 July 2002.

*Point 2*

The assets shall be managed by the Commission in such a manner as to ensure a long-term return. The investment of the liquid assets should be aimed at the highest possible yield that is compatible with security.

*Point 3*

1. Each year a profit-and-loss account, balance sheet and financial report shall be drawn up to show, separately from the other financial operations of the remaining Communities, the liquidation operations provided for in point 1 and the investment transactions under point 2. These financial statements shall be annexed to the financial statements drawn up by the Commission annually under Article 275 of the EC Treaty and the Financial Regulation applicable to the general budget of the European Communities.

2. The powers of the European Parliament, the Council and the Court of Auditors concerning control and discharge, as set out in the Treaty establishing the European Community and the Financial Regulation applicable to the general budget of the European Communities, shall apply by analogy to the operations referred to in point 3.1.

*Point 4*

1. Net revenue from the investments provided for under point 2 shall constitute revenue in the general budget of the European Union. This revenue shall be earmarked for a specific purpose, namely financing research projects in the sectors related to the coal and steel industry not covered by the Research Framework Programme. It shall form the Research Fund for Coal and Steel and shall be managed by the Commission.

2. The revenue referred to in point 4.1 shall be distributed, 27,2 % being allocated to the coal-related research and 72,8 % to the steel-related research. Should it prove necessary, the Council, acting unanimously on a proposal from the Commission, shall modify the breakdown between coal-related research and steel-related research.

3. Unused revenue and appropriations deriving from this revenue still available on 31 December in any given year shall be carried over automatically to the following year. These appropriations may not be transferred to other budget items.

4. Budgetary appropriations corresponding to cancellations of commitments shall automatically lapse at the end of each financial year. Provisions for commitments released as a result of the cancellations shall be entered in the balance sheet and the profit-and-loss account provided for in point 3(1) and shall return initially to the assets of the ECSC in liquidation and subsequently, on completion of the liquidation, to the Assets of the Research Fund for Coal and Steel. Amounts recovered shall similarly be entered in the balance sheet and the profit-and-loss account.

*Point 5*

1. Net revenue available to finance research projects for year n+2 shall be recorded in the balance sheet of the ECSC in liquidation of year n and, on completion of the liquidation, in the balance sheet of the Assets of the Research Fund for Coal and Steel.

2. In order to minimise fluctuations in research funding due to movements on the financial markets, a smoothing shall be effected and a provision made for a contingency provision. Details of the calculations for smoothing and determining the size of the contingency provision are contained in the Schedule.

*Point 6*

Administrative expenditure resulting from liquidation, investment and management operations referred to in this Decision, corresponding to the expenditure laid down in Article 20 of the Treaty establishing a Single Council and a Single Commission of the European Communities of 8 April 1965, the amount of which was adjusted by the Council Decision of 21 November 1977, shall be met by the Commission from a lump sum payment of EUR 3,3 million per year pro rata temporis transferred to the general budget of the European Union from the capital reserve of the fund.

*Point 7*

The Commission shall determine the amount of the assets and liabilities of the ECSC in a balance sheet closed at 23 July 2002.

*Schedule to Annex I*

**Procedures to be followed to establish the amount of net revenue to be allocated to the Research Fund for Coal and Steel**

## 1. INTRODUCTION

Net revenue which may be used to finance research projects corresponds to the annual net result of the ECSC in liquidation and subsequently, when liquidation has been completed, to the annual net result of the Assets of the Research Fund for Coal and Steel. The method employed consists of establishing the funding for coal and steel research for year n+2 when producing the balance sheet for year n, taking into account half of the increase or decrease in the net result in relation to the last level of funding adopted for coal and steel research.

## 2. DEFINITION

n: reference year

$R_n$ : net result for year n

$P_n$ : contingency provision for year n

$D_{n+1}$ : allocation for research for year n+1 (established when the balance sheet for year n - 1 is produced)

$D_{n+2}$ : allocation for research for year n+2

## 3. ALGORITHMS USED

The algorithms used to establish the size of the contingency provision and the allocations for research for year n+2, which will appear in the balance sheet for year n, are as follows:

## 3.1. Size of contingency provision:

$$P_n = P_{n-1} + 0,5 * (R_n - D_{n+1})$$

## 3.2. Allocations for research for year n+2 (rounded up or down to the nearest hundred thousand euro. If the calculation gives a result exactly halfway, the allocation shall be rounded up to the nearest hundred thousand euro):

$$D_{n+2} = D_{n+1} + 0,5 * (R_n - D_{n+1})$$

Where appropriate, the amount needed for rounding up (or the amount left over from rounding down) will be taken from (or returned to) the contingency provision.

## ANNEX II

**Multiannual financial guidelines for managing the assets of the ECSC in liquidation and, on completion of the liquidation, the Assets of the Research Fund for Coal and Steel***Point 1*

The multiannual financial guidelines for managing the assets of the ECSC in liquidation and, on completion of the liquidation, the Assets of the Research Fund for Coal and Steel (hereinafter referred to as the 'financial guidelines') are set out in the Schedule.

*Point 2*

The financial guidelines shall be reviewed or supplemented, if appropriate, every five years, first period ending on 31 December 2007. To this end, and at the latest in the first six months of the last year of each five-year period, the Commission shall reassess the operation and effectiveness of the financial guidelines and shall propose any appropriate amendments.

If it sees fit, the Commission may carry out such reassessment and shall submit proposals for any appropriate amendments to the Council before the expiry of the five-year period.

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*Schedule to Annex II***Financial guidelines for managing the assets of the ECSC in liquidation and, on completion of the liquidation, the Assets of the Research Fund for Coal and Steel****1. USE OF FUNDS**

- (a) The assets of the ECSC in liquidation, including both its loan portfolio and its investments, shall be used as necessary to meet the remaining obligations of the ECSC, in terms of its outstanding borrowings, of its commitments resulting from previous operating budgets, and of any unforeseeable liability.
- (b) To the extent that the assets of the ECSC in liquidation are not needed to meet obligations as described in (a), they shall be invested so as to provide income to be used to fund the continuation of research in the sectors related to the coal and steel industry.
- (c) The Assets of the Research Fund for Coal and Steel shall be invested so as to provide income to be used to fund the continuation of research in the sectors related to the coal and steel industry.

**2. ALLOCATION OF ASSETS**

Pursuant to point 1, the Commission will allocate the assets between the following three categories:

- (a) reserves needed to provide an assurance to the creditors of the ECSC that all of its outstanding borrowings and the interest thereon will be paid in full on their due date, thus enabling the obligor to maintain its 'AAA' rating or its equivalent;
- (b) funds needed to guarantee the disbursement of all amounts legally engaged under the Operating Budget of the ECSC prior to the end of the ECSC Treaty;
- (c) to the extent that funds are no longer needed for the above purposes (due either to the reimbursement of borrowings or payment of interest without call on the reserves or the eventual cancellation of budgetary obligations) such funds will be allocated to investment categories.

**3. INVESTMENT CATEGORIES**

The assets referred to in point 2 are to be invested in such a way as to ensure that funds are available as and when needed, while still generating the highest return available, consistent with maintaining a high degree of security and stability over the long-term.

- (a) To obtain these objectives, investment in the following asset categories only shall be permitted:
  - (i) term deposits with authorised banks;
  - (ii) money market instruments, with a final maturity of less than one year, issued by authorised banks or by other categories of authorised issuers;
  - (iii) fixed and floating rate bonds, with a maturity not exceeding 10 years, provided that they are issued by any of the categories of authorised issuers;
  - (iv) equity shareholdings in authorised collective investment funds, provided that such investments are limited to funds whose aim is to respond to the performance of a financial index and only for the investments referred to in point 2(c).
- (b) The Commission may also make use of the following operations in respect of the asset categories set out in (a):
  - (i) repurchase and reverse repurchase agreements, provided the counterparts are authorised for such transactions, and provided that:
    - securities held under such contracts may not be re-sold to parties other than the contracting counterparty prior to the contractual deadline, and
    - the Commission remains in a position to re-purchase securities that it may have sold at the contractual deadline;
  - (ii) bond lending operations, but only under the conditions and procedures laid down by recognised clearing systems such as CLEARSTREAM and EUROCLEAR, or by leading financial institutions specialising in this type of operations, subject to prudential rules considered as being equivalent to Community rules.
- (c) 'Authorised' counterparts, as the term is used in these guidelines are those selected by the Commission under its rules and procedures referred to in point 7.

#### 4. INVESTMENT LIMITS

- (a) The investment shall be limited to the following amounts:
- (i) for bonds issued or guaranteed by Member States or institutions of the Union, EUR 250 million per Member State or institution;
  - (ii) for bonds issued or guaranteed by other sovereign or supranational borrowers, with a credit rating of not less than 'AA-' or its equivalent, EUR 100 million per issuer or guarantor;
  - (iii) for deposits with and/or monetary instruments of an authorised bank, the lower of either EUR 100 million per bank or 5 % of the bank's own funds;
  - (iv) for bonds of corporate issuers with a credit rating of not less than 'AAA' or its equivalent, EUR 50 million per issuer;
  - (v) for bonds of corporate issuers with a credit rating of not less than 'AA-' or its equivalent, EUR 25 million per issuer;
  - (vi) for holdings of collective investment funds with a credit rating of not less than 'AA-' or its equivalent, EUR 25 million for each such vehicle.
- (b) The investment in any single bond issue, subject to the limits given in (a) above, shall not be more than 20 % of the total amount of such issue.
- (c) The investment in any single counterparty, subject to the limits given in (a) above, and cumulated between instruments where necessary, shall not be more than 20 % of the total assets.
- (d) The ratings referred to in these guidelines shall be those applied by at least one of the major international credit rating agencies, as generally understood.

#### 5. TRANSFER TO THE BUDGET OF THE EUROPEAN UNION

The net revenue will be committed to the general budget of the European Union as dedicated revenue and will be transferred from the ECSC in liquidation and, on completion of the liquidation, the Assets of the Research Fund for Coal and Steel when necessary to meet the obligations from the budget line directed to research programmes for sectors related to the coal and steel industry.

#### 6. ACCOUNTING

The management of the funds shall be accounted for in the annual profit-and-loss account and the annual balance sheet prepared for the ECSC in liquidation and, on completion of the liquidation, the Assets of the Research Fund for Coal and Steel. These shall be based upon generally accepted accounting principles similar to those provided for the ECSC, and in particular Fourth Council Directive 78/660/EEC of 25 July 1978 on the annual accounts of certain types of companies <sup>(1)</sup> and Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions <sup>(2)</sup>. The accounts will be approved by the Commission and examined by the Court of Auditors. The Commission shall engage external firms to carry out an annual audit of its accounts.

#### 7. MANAGEMENT PROCEDURES

The Commission shall carry out, in relation to the ECSC in liquidation and, on completion of the liquidation, the Assets of the Research Fund for Coal and Steel, the abovementioned management operations in accordance with these guidelines and under its internal rules and procedures in force for the ECSC at the time of its dissolution or as modified thereafter.

A detailed report on management operations carried out under these guidelines shall be drawn up every three months and sent to the Member States.

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<sup>(1)</sup> OJ L 222, 14.8.1978, p. 11. Directive as last amended by Directive 2001/65/EC (OJ L 283, 27.10.2001, p. 28).

<sup>(2)</sup> OJ L 372, 31.12.1986, p. 1. Directive as last amended by Directive 2001/65/EC.

## ANNEX III

**Multiannual technical guidelines for the research programme of the Research Fund for Coal and Steel***Point 1*

The multiannual technical guidelines for the research programme of the Research Fund for Coal and Steel (hereinafter referred to as 'technical guidelines') are set out in the Schedule.

*Point 2*

The technical guidelines shall be reviewed or supplemented, if appropriate, every five years, first period ending on 31 December 2007. To this end, and at the latest in the first six months of the last year of each five-year period, the Commission shall reassess the operation and the effectiveness of the technical guidelines and shall propose any appropriate amendments.

If it sees fit, the Commission may carry out such reassessment and shall submit proposals for any appropriate amendments to the Council before the expiry of the five-year period.

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*Schedule to Annex III***Technical guidelines for the research programme of the Research Fund for Coal and Steel**

## 1. THE PROGRAMME

## 1.1. Objectives

As a continuation of the European Coal and Steel Community Coal and Steel Research and Technical Development Programmes ('ECSC RTD programmes') and within the framework of sustainable development, a Research Programme of the Research Fund for Coal and Steel (hereinafter referred to as 'the programme') shall be established. The objective of the programme is to support the competitiveness of the Community sectors related to the coal and steel industry. The programme shall be consistent with the scientific, technological and political objectives of the European Union, and shall complement the activities carried out in the Member States and within the existing Community research programmes, such as the framework programme of the European Community for research, technological development and demonstration activities (hereinafter referred to as 'the Research Framework Programme'). Coordination, complementarity and synergy between these programmes shall be encouraged, as shall the exchange of information between projects financed under this programme and those that are financed under the Research Framework Programme.

## 1.2. Main principles

The programme shall provide financial assistance for allowable projects, accompanying measures and other actions as defined in point 1.5 by promoting cooperation between undertakings, research centres and universities. The programme shall cover production processes, utilisation, conservation of resources, environmental improvements and safety at work in sectors related to the coal and steel industry.

The terms 'coal' and 'steel' are defined in Appendix A.

## 1.3. Scope

These guidelines describe the structure, management and implementation of the programme, its scientific and technical content and priorities as a complement to other existing research programmes and the participation rules.

These guidelines include the call for proposals for the programme described in point 3.1 and the scientific/technical and socio-economic priorities described in Appendices B and C, which may be amended by the Commission in accordance with the procedure described in point 2.1.

## 1.4. Participation

1.4.1. *Member States*

Undertakings, research institutes or natural persons established within the territory of a Member State may participate in the programme and apply for financial assistance, provided that they intend to carry out an RTD activity or can substantially contribute to such an activity.

1.4.2. *Applicant States*

Undertakings, research institutes or natural persons in applicant States shall be entitled to participate without receiving any financial contribution under the programme, unless otherwise provided under the relevant European Agreements and their additional Protocols, and in the decisions of the various Association Councils.

1.4.3. *Third countries*

Undertakings, research institutes or natural persons from third countries shall be entitled to participate on the basis of individual projects without receiving any financial contribution under the programme, provided that such participation is in the interest of the Community.

## 1.5. Allowable projects, accompanying measures and other actions

Research, pilot and demonstration projects, accompanying measures and support and preparatory actions may all be financed under the programme.

A *research project* is intended to cover investigative or experimental work with the aim of acquiring further knowledge to facilitate the attainment of specific practical objectives such as the creation or development of products, production processes or services.

A *pilot project* is characterised by the construction, operation and development of an installation or a significant part of an installation on an appropriate scale and using suitably large components with a view to examining the potential for putting theoretical or laboratory results into practice and/or increasing the reliability of the technical and economic data needed to progress to the demonstration stage, and in certain cases to the industrial and/or commercial stage.

A *demonstration project* is characterised by the construction and/or operation of an industrial-scale installation or a significant part of an industrial-scale installation with the aim of bringing together all the technical and economic data in order to proceed with the industrial and/or commercial exploitation of the technology at minimum risk.

*Accompanying measures* relate to the promotion of the use of knowledge gained, the clustering of projects, the dissemination of results and support for the training and mobility of researchers in connection with projects funded under the programme.

*Support and preparatory actions* are those appropriate to the sound and effective management of the programme, such as the periodic monitoring and assessment referred to in point 4, studies or the networking of related projects funded under the programme.

## 2. MANAGEMENT OF THE PROGRAMME

The programme shall be managed by the Commission. The following committee and groups shall be established to assist the Commission:

- (a) the Coal and Steel Committee described in point 2.1;
- (b) the Coal and Steel Advisory Groups described in point 2.2;
- (c) the Coal and Steel Technical Groups described in point 2.3.

### 2.1. The Coal and Steel Committee

2.1.1. The Commission shall be assisted by the Coal and Steel Committee (hereinafter referred to as 'the Committee'). Articles 4 and 7 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>(1)</sup> shall apply by analogy. The period laid down in Article 4(3) of that Decision shall be set at three months.

2.1.2. The Committee may examine any question raised by its Chairman, either on the latter's initiative or at the request of the representative of a Member State.

2.1.3. The Committee shall adopt its rules of procedure.

2.1.4. The following matters shall be adopted in accordance with the procedure referred to in point 2.1.1:

- (a) the allocation of funds to individual projects, in accordance with point 3.3(3);
- (b) the drawing-up of terms of reference for the monitoring and assessment of the programme referred to in point 4;
- (c) any amendment of Appendices B and C to these guidelines;
- (d) any other issue relating to the programme.

2.1.5. The Commission shall provide the Committee with information on the programme as a whole and on the progress and actual or anticipated impact of all funded RTD actions.

### 2.2. The Coal and Steel Advisory Groups

The Coal and Steel Advisory Groups (hereinafter referred to as 'the Advisory Groups') shall be independent technical advisory groups established to assist the Commission. For the coal and steel-related RTD aspects respectively, each Advisory Group shall advise on:

- (a) the overall development of the programme, priorities listed in appendices B and C, including any amendments, the information package as referred to in point 3.1 and future guidelines;
- (b) the consistency and the possible duplication with other RTD programmes at Community and national level;
- (c) the setting out of the guiding principles for monitoring RTD projects;
- (d) the work being undertaken on specific projects;

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

- (e) the definition of the short term priorities of the programme, in accordance with Appendices B and C;
- (f) the preparation of a manual for evaluating and selecting RTD actions, as referred to in point 3.3;
- (g) the evaluation of proposals for RTD actions and the priority to be given to those proposals, having regard to the funds available;
- (h) the number, competence and composition of the Technical Groups referred to in point 2.3;
- (i) other measures when requested to do so by the Commission.

Each Advisory Group shall be composed of members, as referred to in point 2.2.1 and point 2.2.2, appointed by the Commission to serve in a personal capacity for a period of five years. Appointments may be withdrawn. The Commission shall consider proposals for appointments received in the following ways: on a proposal by the Member States; on a proposal by the entities referred to in point 2.2.1 and point 2.2.2; in response to a call for applications for inclusion on a reserve list.

There should be at least one member from each Member State which is interested, and within each Advisory Group a balanced range of expertise and the broadest possible geographical representation must be ensured. Members must be active in the field concerned and be aware of the industrial priorities.

The meetings of the Advisory Groups shall be chaired by the Commission, which shall also provide the secretariat. If necessary, the Chairman may request members to vote; every member has the right to one vote. The Chairman may invite visiting experts to take part in meetings where appropriate.

If necessary (e.g. to provide advice on matters of relevance for both sectors), the two Advisory Groups shall convene in joint meetings.

#### 2.2.1. *The Coal Advisory Group*

The composition of the Coal Advisory Group shall be as follows:

Members	Maximum total
(a) From coal producers/national federations or related research centres	8
(b) From organisations representing coal producers at European level	2
(c) From coal users or related research centres	8
(d) From organisations representing coal users at European level	2
(e) From organisations representing workers	2
(f) From organisations representing equipment suppliers	2
	24

Members must have a wide background knowledge and individual expertise in one or more of the following areas: coal mining and utilisation, environment and social issues, including safety aspects.

#### 2.2.2. *The Steel Advisory Group*

The composition of the Steel Advisory Group shall be as follows:

Members	Maximum total
(a) From steel industries/national federations or related research centres	21
(b) From organisations representing producers at European level	2
(c) From organisations representing workers	2
(d) From organisations representing downstream processing industries or steel users	5
	30

Members must have a wide background knowledge and individual expertise in one or more of the following areas: raw materials; ironmaking; steelmaking; continuous casting; hot and/or cold rolling; steel finishing and/or surface treatment; development of steel grades and/or products; steel applications and properties; environmental and social issues, including safety aspects.

### 2.3. The Coal and Steel Technical Groups

The role of the Coal and Steel Technical Groups consists of assisting the Commission in the monitoring of research and pilot/demonstration projects. Members shall be appointed by the Commission and shall come from the sectors related to the coal and steel industry, research organisations or user industries where they should have responsibility for research strategy, management or production.

## 3. IMPLEMENTATION OF THE PROGRAMME

### 3.1. Call for proposals

An open and continuous call for proposals is launched by this Decision, with 15 September of each year being the cut-off date for the submission of proposals for evaluation, starting with the year 2002.

The Commission shall establish and make public, including on the Community Research and Development Information Service (CORDIS) or corresponding website, an information package providing proposers and interested parties with practical information on the programme, participation rules, methods of managing proposals and projects, application forms, rules for the submission of proposals, model contracts, allowable costs, the maximum financial contribution allowable and methods of payment.

Applications must be submitted to the Commission in accordance with the rules laid down in the information package, of which a paper copy can be obtained from the Commission on request.

### 3.2. Content of proposals

The proposals must relate to the scientific/technical and socio-economic priorities laid down in Appendices B and C.

Each proposal must include a detailed description of the proposed project and contain full information on objectives, partnerships (including the precise role of each partner), management structure, anticipated results, expected applications and an assessment of anticipated industrial, economic, social and environmental benefits.

The proposed total cost and its breakdown must be realistic and effective, and the project must be expected to produce a favourable cost/benefit ratio.

### 3.3. Evaluation and selection of proposals and monitoring of projects

The Commission shall ensure a confidential, fair and equitable evaluation of proposals. The Commission shall establish and publish a manual for the evaluation and selection of RTD actions as specified in point 2.2(f).

The evaluation and selection of proposals shall be carried out under the responsibility of the Commission as follows:

1. After receiving and recording the proposals and verifying their eligibility, the Commission shall evaluate them with the assistance of the relevant Advisory Group referred to in point 2.2(g), and, if necessary, independent experts;
2. The Commission shall draw up a list of the proposals adopted in order of merit;
3. The Commission shall decide on the choice of projects and the allocation of funds, assisted by the Committee, in accordance with the procedure referred to in point 2.1.1.

The Commission shall, assisted by the technical groups referred to in point 2.3, monitor research projects and activities.

### 3.4. Contracts

Projects based on selected proposals and measures and actions as specified under point 1.5 shall form the subject of a contract. Contracts shall be based on relevant model contracts drawn up by the Commission, taking account, as appropriate, of the nature of the activities concerned.

Contracts shall define the financial contribution allocated under the programme on the basis of the allowable costs, as well as the rules concerning cost reporting, the closure of accounts and audits.

### 3.5. Financial contribution

The programme shall be based on cost-sharing RTD contracts. The total financial contribution including any other additional public funding shall conform to the applicable rules on State aid.

Without prejudice to the previous paragraph, the maximum total financial contribution, expressed as a percentage of the allowable costs defined in point 3.6, shall be:

(a) for research projects:	up to 60 %
(b) for pilot and demonstration projects:	up to 40 %
(c) for accompanying measures, support and preparatory actions:	up to 100 %

### 3.6. Allowable costs

The allowable costs shall cover only actual costs incurred for the work carried out under the contract. Contractors, associated contractors and subcontractors cannot claim any budgeted or commercial rates. The allowable costs shall be broken down into the following four categories:

#### 3.6.1. *Equipment costs*

The costs of purchasing or hiring equipment directly related to the execution of the project shall be chargeable as direct costs. The allowable costs for the leasing of equipment shall not exceed any allowable costs for its purchase.

#### 3.6.2. *Staff costs*

The costs of actual hours devoted exclusively to the project by scientific, postgraduate or technical staff and the staff costs of manual workers directly employed by the contractor shall be chargeable. Any additional staff costs (e.g. scholarships) shall require the Commission's prior written approval. All working hours charged must be recorded and certified.

#### 3.6.3. *Operating costs*

Operating costs directly related to the execution of the project shall be limited solely to the cost of:

- (a) raw materials;
- (b) minor items of regular consumption;
- (c) the use of consumable items;
- (d) energy;
- (e) the maintenance or repair of equipment;
- (f) the transportation of equipment or products;
- (g) the alteration and transformation of existing equipment;
- (h) IT services;
- (i) the rental of equipment;
- (j) miscellaneous analyses;

- (k) special examinations and tests;
- (l) assistance from third parties;
- (m) travel and subsistence costs.

#### 3.6.4. Indirect Costs

All other expenses ('overhead costs' or 'overheads') which may arise in connection with the project and which are not specifically identified in the preceding categories shall be covered by a lump sum amounting to 30 % of the allowable staff costs as referred to in point 3.6.2.

#### 3.7. Technical reports

For research, pilot and demonstration projects, as described under point 1.5, a report must be drawn up every six months by the contractor(s). Such reports shall be used to describe the technical progress made. On completion of the work, a final report comprising an assessment of exploitation and impact shall be provided. This report shall be published by the Commission in full or in summarised form depending on the strategic relevance of the project. The decision shall be taken by the Commission after consultation, if necessary, of the relevant Advisory Group. Where appropriate, final reports on accompanying measures as well as support and preparatory actions shall be required and published.

#### 4. ANNUAL REVIEWS, MONITORING AND ASSESSMENT OF THE PROGRAMME

The Commission shall conduct an annual review of activities under the programme and the progress of the RTD work. The report containing that review shall be forwarded to the Committee.

The programme shall be the subject of a monitoring exercise, including an assessment of the expected benefits. A report on that exercise shall be issued by the end of 2006, and thereafter every five years. These reports shall be forwarded to the European Parliament, the Council, the Committee and the Advisory Groups.

An assessment of the programme shall be carried out on completion of the projects financed during every period of five years, with the first period ending in 2008. The benefits of the RTD to society and to the relevant sectors shall also be assessed. The assessment report shall be published.

The Commission shall draw up the terms of reference for the monitoring exercise and the assessment; the Commission shall be assisted by the Committee. Both the monitoring and assessment shall be carried out by panels of highly qualified experts appointed by the Commission.

#### 5. TRANSITIONAL CLAUSE

The Commission shall take the appropriate steps to ensure a smooth transition from the ECSC RTD programmes to the programme. ECSC contracts which are still running on expiry of the ECSC Treaty shall be managed by the Commission in accordance with their contractual obligations, with a view to harmonising the management of the ECSC contracts and the contracts under the programme.

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*Appendix A***Research programme of the Research Fund for Coal and Steel****Definition of the terms 'coal' and 'steel'**

## 1. COAL

- (a) Hard coal;
- (b) Hard coal briquette;
- (c) Coke and semi-coke derived from hard coal;
- (d) Lignite;
- (e) Lignite briquettes;
- (f) Coke and semi-coke derived from lignite.

The term 'hard coal' includes the high and medium-ranking 'A' coals (sub-bituminous coals) as defined in the 'International codification system of coal' of the UN Economic Commission for Europe. The term 'lignite' includes the low-ranking 'C' coals (or ortho-lignites) and the low-ranking 'B' coals (or meta-lignites) of the same classification. With regard to lignite, the programme shall apply solely to lignite used for electricity production or for combined heat/electricity production and not intended for the manufacture of briquettes or semi-coke.

## 2. IRON AND STEEL

- (a) Raw materials for iron and steel production, such as iron ore, sponge iron and ferrous scrap;
  - (b) Pig iron (including hot metal) and ferro-alloys;
  - (c) Crude and semi-finished products of iron, ordinary steel or special steel (including products for re-use and re-rolling), such as liquid steel cast by continuous casting or otherwise, and semi-finished products such as blooms, billets, bars, slabs and strips;
  - (d) Hot finished products of iron, ordinary steel or special steel (coated or uncoated products, excluding steel castings, forgings and powder metallurgy products), such as rails, sheet piling, structural shapes, bars, wire rods, plates and universal plates, strips and sheets, and tube rounds and squares;
  - (e) End products of iron, ordinary steel or special steel (coated or uncoated), such as cold-rolled strips and sheets and electrical sheets;
  - (f) Products of the first-stage processing of steel that can enhance the competitive position of the above iron and steel products, such as tubular products, drawn and polished products, cold-rolled and cold-formed products.
-

*Appendix B***Research programme of the Research Fund for Coal and Steel****Scientific/technical and socio-economic priorities****Coal RTD**

Research and technical development constitute a very important means of supporting Community energy objectives with regard to the supply of Community coal and its competitive and environmentally-friendly conversion and utilisation. Moreover, the growing international dimension of the coal market and the global scale of the problems confronting it means that the European Union has to take a leading role in meeting challenges relating to modern techniques, mine safety and environmental protection at worldwide level by ensuring the transfer of know-how required for further technological progress, improved working conditions (health and safety) and enhanced environmental protection. The priority areas are set out in points 1-4 below, the order of which does not represent priority as between these points.

**1. IMPROVING THE COMPETITIVE POSITION OF COMMUNITY COAL**

The objective is to reduce the total costs of mining production, improve the quality of the products and reduce the costs of using coal. Research projects encompass the entire coal production chain:

- modern techniques for surveying deposits;
- integrated mine planning;
- highly efficient, largely automated excavation and mining technologies corresponding to the geological characteristics of European hard coal deposits;
- appropriate support technologies;
- transport systems;
- power supply services, communication and information, transmission, monitoring and process control systems;
- coal preparation techniques, oriented to the needs of the consumer markets;
- coal conversion;
- coal combustion.

Research projects shall also aim to achieve scientific and technological progress with a view to gaining a better understanding of the behaviour and control of deposits in relation to rock pressure, gas emissions, the risk of explosion, ventilation and all other factors affecting mining operations. Research projects with these objectives must present the prospect of results applicable in the short or medium term to a substantial part of Community production.

Preference is given to projects that promote at least one of the following:

- (a) integration of individual techniques in systems and methods and the development of integrated mining methods;
- (b) substantial reduction of production costs;
- (c) benefits in terms of mine safety and the environment.

**2. HEALTH AND SAFETY IN MINES**

The required developments just mentioned must be accompanied by appropriate efforts in the field of mine safety, as well as in gas control, ventilation and air-conditioning. Furthermore, underground working conditions raise the need for specific improvements with regard to occupational health and safety.

**3. EFFICIENT PROTECTION OF THE ENVIRONMENT AND IMPROVEMENT OF THE USE OF COAL AS A CLEAN ENERGY SOURCE**

Research projects with this objective seek to minimise the impact of mining operations and the use of coal in the Community on the atmosphere, water and the surface within the framework of an integrated management strategy with respect to pollution. As the Community coal industry is undergoing constant restructuring, the research is also geared towards minimising the environmental impact of underground mines destined for closure.

Preference is given to projects that envisage:

- (a) a reduction in greenhouse gas emissions, in particular methane, from coal deposits;
- (b) the return to the mine of mining waste, fly ash and desulphurisation products, accompanied, where relevant, by other forms of waste;

- (c) the refurbishment of waste heaps and the industrial use of residues from coal production and consumption;
- (d) the protection of water tables and the purification of mine drainage water;
- (e) a reduction in the environmental impact of installations which mainly use Community coal and lignite;
- (f) the protection of surface installations against the effects of subsidence in the short and long term;
- (g) a reduction in emissions from coal utilisation.

#### 4. MANAGEMENT OF EXTERNAL DEPENDENCE ON ENERGY SUPPLY

Research projects with this objective relate to the prospects for long-term energy supply and concern the upgrading — in economic, energy-related and environmental terms — of coal deposits which cannot be extracted economically by conventional mining techniques. Projects may include studies, the definition of strategies, fundamental and applied research and the testing of innovative techniques which offer prospects for the upgrading of Community coal resources.

Preference is given to projects integrating complementary techniques such as the adsorption of methane or carbon dioxide, coal bed methane extraction and underground coal gasification, etc.

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## Appendix C

**Research programme of the Research Fund for Coal and Steel****Scientific/technical and socio-economic priorities****Steel RTD**

With the general aim of increasing competitiveness and contributing to sustainable development, the main emphasis of RTD is on the development of new or improved technologies to guarantee the economic, clean and safe production of steel and steel products characterised by steadily increasing performance, suitability to use, customer satisfaction, prolonged service life, easy recovery and recycling. The priority areas are set out in points 1-3 below, the order of which does not represent priority as between these points.

**1. NEW AND IMPROVED STEELMAKING AND FINISHING TECHNIQUES**

RTD must aim to improve steel production processes with a view to enhancing product quality and increasing productivity. Reducing emissions, energy consumption and the environmental impact as well as enhancing the use of raw materials and the conservation of resources should form an integral part of the improvements sought. Research projects should address the following areas:

- new and improved iron-ore reduction processes;
- ironmaking processes and operations;
- electric arc furnace processes;
- steelmaking processes;
- secondary metallurgy techniques;
- continuous casting and near net shape casting techniques with and without direct rolling;
- rolling, finishing and coating techniques;
- hot and cold-rolling techniques, pickling and finishing processes;
- process instrumentation, control and automation;
- maintenance and reliability of production lines.

**2. RTD AND THE UTILISATION OF STEEL**

RTD on the utilisation of steel is essential for meeting the future requirements of steel users and creating new market opportunities. Research projects should address the following areas:

- new steel grades for demanding applications;
- steel properties addressing mechanical properties at low and high temperatures such as strength and toughness, fatigue, wear, creep, corrosion and resistance against fracture;
- prolonging service life, in particular by improving the resistance of steels and steel structures to heat and corrosion;
- steel-containing composites and sandwich structures;
- predictive simulation models on microstructures and mechanical properties;
- structural safety and design methods, in particular with regard to resistance to fire and earthquakes;
- technologies relating to the forming, welding and joining of steel and other materials;
- standardisation of testing and evaluation methods.

**3. CONSERVATION OF RESOURCES AND IMPROVEMENT OF WORKING CONDITIONS**

In both steel production and steel utilisation, the conservation of resources, the preservation of the ecosystem and safety issues should form an integral part of the RTD work. Research projects should address the following areas:

- techniques for recycling obsolete steel from various sources and classification of steel scrap;
  - steel grades and design of assembled structures to facilitate the easy recovery of steel scrap and its reconversion into usable steels;
  - control and protection of the environment in and around the workplace;
  - restoration of steelwork sites;
  - improvement of working conditions and quality of life in the workplace;
  - ergonomic methods;
  - occupational health and safety;
  - reduction of exposure to occupational emissions.
-

**STATEMENTS****1. Statement by the Representatives of the Governments of the Member States meeting within the Council on the contributions to the Coal and Steel Research Fund by newly acceding countries:**

'During accession negotiations, necessary contributions to the Assets of the Research Fund for Coal and Steel, and, where appropriate, the ECSC in liquidation, shall be defined with due regard to past similar situations.'

**2. Statement by the Commission on point 1(2) of Annex I on the measures necessary for the implementation of this Decision:**

'The Commission will provide a vademecum listing the procedures in force on 23 July 2002 which will be applied to the liquidation of the ECSC.'

**3. Statement by the Commission on point 7 of the schedule to Annex II of the Decision, laying down financial guidelines for managing the assets of the ECSC in liquidation and, on completion of the liquidation, the assets of the Coal and Steel Research Fund:**

'The Commission will prepare a report each quarter, which will provide a synthesis of the management operations carried out during the quarter, and cumulatively the year in question, with reference to the market conditions encountered during such period and anticipated for the next period. Such reports will be transmitted to the Member States within three months of the end of such period.'

**4. Statement by the Commission on Appendix A to Annex III of the Decision, laying down the multiannual technical guidelines for the research programme of the Research Fund for Coal and Steel:**

'The Commission confirms that at the next revision of the multiannual technical guidelines for the research programme of the Research Fund for Coal and Steel, the question raised by Portugal on the revision of the definition of steel in Appendix A, will be re-examined.'

**5. Statement by the Representatives of the Governments of the Member States, meeting within the Council:**

'Austria and Spain have explained that this Decision requires the completion of certain national procedures.'

It is therefore understood that this Decision shall have effect in respect of Austria and Spain only once they have notified the President of the Council that their national procedures have been completed.'

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# COMMISSION

## COMMISSION DECISION

of 13 March 2002

### amending Decision 97/245/EC, Euratom laying down the arrangements for the transmission by Member States to the Commission of certain information under the Communities' own resources system

(notified under document number C(2002) 416)

(2002/235/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 94/728/EC, Euratom of 31 October 1994 on the system of the Communities' own resources <sup>(1)</sup>, and in particular Article 8(2) thereof,

Having regard to Council Regulation (EC, Euratom) No 1150/2000 of 22 May 2000 on the system of the Communities' own resources <sup>(2)</sup>, implementing Decision 94/728/EC, Euratom in particular Article 8(2) thereof,

Whereas:

- (1) In Regulation (EC, Euratom) No 1355/96 <sup>(3)</sup>, the Council adopted provisions designed to improve certain parts of the arrangements for Member States to report to the Commission about action they have taken to recover own resources, in particular where fraud and irregularities are involved.
- (2) On that basis, the Commission adopted Decision 97/245/EC, Euratom on 20 March 1997 laying down the arrangements for the transmission of information to the Commission by the Member States under the own resources system <sup>(4)</sup>.
- (3) For reasons of cost-effectiveness, the use of the available sources of information should be rationalised by concentrating in particular on information relating to

cases of fraud and irregularities that are representative in terms of impact.

- (4) Steps should be taken to capitalise on the experience acquired in the transmission of requests for write-offs and to improve the presentation of the form used to that end.
- (5) The measures provided for in this Decision are consistent with the opinion of the Advisory Committee on own resources provided for in Article 20 of Regulation (EC, Euratom) No 1150/2000,

HAS ADOPTED THIS DECISION:

#### Article 1

Annex VI of Decision 97/245/EC, Euratom is hereby replaced by the new Annex 6 attached to this Decision.

#### Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 March 2002.

For the Commission

Michaele SCHREYER

Member of the Commission

<sup>(1)</sup> OJ L 293, 12.11.1994, p. 9.

<sup>(2)</sup> OJ L 130, 31.5.2000, p. 1.

<sup>(3)</sup> OJ L 175, 13.7.1996, p. 3.

<sup>(4)</sup> OJ L 97, 12.4.1997, p. 12.

ANNEX

ANNEX VI

ANNUAL REPORT

20 . .

Council Regulation (EC, Euratom) No 1150/2000 <sup>(1)</sup>

Application of Article 17(3)

MEMBER STATE: .....

1. Inspections by Member States

Inspection activities	Number
Customs declarations accepted (customs arrangements or customs use concerned)	
Customs declaration checked after clearance, customs arrangements or customs use concerned (post-clearance inspections)	
Total number of staff in customs departments at national level <sup>(1)</sup>	
Total number of staff assigned to post-clearance checks at national level	

<sup>(1)</sup> Total number of customs staff (expressed in persons per year).

2. Questions of principle

List of the most important points relating to the establishment, entry in the accounts and making available of entitlements which have been encountered in the application of Regulation (EC, Euratom) No 1150/2000, including those raised in matters in dispute

.....

.....

.....

.....

(Where necessary, continue in an annex, referring to this item)

<sup>(1)</sup> Repealed and replaced Council Regulation (EEC, Euratom) No 1552/89.

**NOTIFICATION OF CASES OF WRITTEN-OFF TRADITIONAL OWN RESOURCES**

Council Regulation (EC, Euratom) No 1150/2000  
Application of Article 17(2)

20 ..

MEMBER STATE: .....

1. **Total number of cases notified by the Member State in this report <sup>(1)</sup>:** .....

Information under items 2 to 10 is to be given separately for each case of own resources written off where the amount of duty exceeds EUR 10 000.

2. **National reference number <sup>(2)</sup>:**

Form No: ..... / ..... / .....

3. **Information on the recovery procedure <sup>(3)</sup>**

Details of the debt			
Stage	Date	Amount	Comments
<b>Status of debt</b>			
Debt incurred			
Administrative authority responsible for entering the customs debt in the accounts			Name: Address:
Community legal basis for existence of the debt (Customs Code or specific regulations)			Article: Regulation:
Notification of debtor			
Entry in the B account			
Payment reminder, if sent			
Existence of jointly liable debtors <sup>(1)</sup> : YES / NO			If YES, how many?
<b>Appeal procedure <sup>(1)</sup>:</b> YES / NO			
Is it <sup>(2)</sup> :			
— an administrative appeal? <input type="checkbox"/>			
— a legal appeal? <input type="checkbox"/>			
Security lodged under Article 244 of the Community Customs Code <sup>(1)</sup> : YES / NO			If NO, state reasons:
<b>First action</b>			
Lodged			
Decision			
<b>Appeal</b>			
Lodged			
Decision			
<b>Payment facilities (instalments)</b>			
Requested			
Decision <sup>(1)</sup> : YES / NO			If NO, state reasons: If YES, describe the arrangements:
First partial payment			
Last partial payment			
Total amount of payments made by the debtor			

<sup>(1)</sup> Delete as appropriate.  
<sup>(2)</sup> Mark X in the appropriate box.

<sup>(1)</sup> Please use a separate form for each case. Where there are no cases, write 'None'.  
<sup>(2)</sup> Please use the following format: Member State / Year / Number (e.g.: UK/1997/1).  
<sup>(3)</sup> The recovery procedure may vary from one Member State to another. The table should be completed by reference to the relevant national procedure.

Enforced recovery procedure			
Stage	Date	Amount	Comments
<b>Enforcement order</b>			
Issued			
Served on debtor			
<b>Attachment</b>			
a) Debtor's assets			
b) Assets of jointly liable debtors			
Mutual assistance			
Stage	Date	Amount	Comments
Requested country/countries			Reference to country/countries requested
Requested (specify subject-matter)			
Reply			
Any particular problems raised by the request for administrative assistance			
Administrative decision to write off traditional own resources			
	Date	Amount	Comments
Amount of traditional own resources deemed irrecoverable			

4. **Establishment of the debt**

Was the debt established following a post-clearance inspection (1)?

YES  NO

5. **Security**

5.1. Was the established amount covered by a security (1)?

YES  NO

5.2. **Type of security or security waiver (1)**

Comprehensive  Flat-rate  Single-operation

Compulsory  Partial  100 %

Optional  Partial  100 %

Waiver

Grounds for waiver: .....

.....

.....

Amount of security: .....

Number of TIR carnets: .....

6. **Exact reasons why the amount in question is deemed irrecoverable**

.....

.....

.....

(1) Mark X in the appropriate box.

7. Amount of established entitlement (in national currency) by own resource type

- a) Customs duties and agricultural levies: .....
- b) Customs duties on agricultural produce: .....
- c) Anti-dumping duties: .....
- d) Sugar/isoglucose levies: .....
- e) Export customs duties: .....
- Total: .....
- Amount of entitlement deemed irrecoverable .....

8. If the case where an amount is being written off has already been reported to the Commission pursuant to Article 6(5) of Regulation (EC, Euratom) No 1150/2000 (Fraud and Irregularities Reports), please quote the number of the notification

- Fraud report No: .....
- Date sent: .....
- MA report No: .....
- Date received: .....

9. Establishment details: customs arrangements applied or customs status of the goods <sup>(1)</sup>

Temporary storage		Inward processing	
Free circulation		Outward processing	
Smuggling		Processing under customs control	
External transit under TIR carnet		Temporary admission	
External transit under T1		Export	
Customs warehouse		Other <sup>(1)</sup> : .....	

<sup>(1)</sup> Please specify.

Specific comments: .....

.....

.....

.....

.....

10. Other information <sup>(2)</sup>

.....

.....

.....

.....

.....

<sup>(1)</sup> Mark X in the appropriate box.

<sup>(2)</sup> Member States are asked to supply in detail any information which might help the Commission examine the case: references to Community decisions relating to non-repayment, non-remission or recovery under Article 239 of the Community Customs Code.'

**COMMISSION RECOMMENDATION**  
**of 11 March 2002**  
**on a common European format for curricula vitae (CVs)**

*(notified under document number C(2002) 516)*

**(Text with EEA relevance)**

(2002/236/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Articles 149, 150 and 211 thereof,

- (1) Whereas the Council Resolution of 3 December 1992 on transparency of qualifications <sup>(1)</sup> invites the Member States to take steps to increase the visibility of qualifications and competences through the introduction of a common format for the presentation of individual skills (portfolio), a part of which should be a common format for CVs.
- (2) Whereas the Presidency conclusions of the European Council held in Lisbon on 23 and 24 March 2000 requested that a common European format be developed for curricula vitae (CVs), to be used on a voluntary basis, in order to facilitate mobility by helping the assessment of knowledge acquired, both by education and training establishments and by employers <sup>(2)</sup>.
- (3) Whereas the Recommendation of the European Parliament and Council of 10 July 2001 on mobility within the Community for students, persons undergoing training, young volunteers, teachers and trainers <sup>(3)</sup> underlines the need for a common European format for CVs, to help individual citizens communicate their qualifications and competences in an efficient and transparent way.
- (4) Whereas the Communication from the Commission on Making a European Area of Lifelong Learning a Reality <sup>(4)</sup> underlines the role to be played by a common European format for CVs in promoting the transparency of qualifications and competences.
- (5) Whereas the Communication from the Commission to the Council entitled 'New European labour markets, open to all, with access for all' <sup>(5)</sup> requests the development of an electronic CV system, to be maintained by the European Employment Services ('EURES'), and a common European format for CVs.

- (6) Whereas the National Resource Centres for Vocational Guidance (NRCVG) should, as a part of their designated work on promoting vocational guidance and counselling at national and European level, assist in the dissemination of the CV format.
- (7) Whereas the EURES network, as part of its services to jobseekers, maintains an electronic CV (EURES CV-search) reflecting the same structure as the common European format for CVs,

HEREBY RECOMMENDS:

1. The common European format for curricula vitae (CVs) as set out in the Annex should be available for use by citizens on a voluntary basis when communicating details of their qualifications and competences to employers and to providers of education and training in their country of residence and/or abroad.
2. Member States should promote and disseminate the common European format for curricula vitae so that it is widely known and available to citizens.  
  
Public employment services, the social partners and non-governmental organisations are invited to make the common format available to their members, be they individuals, enterprises or other organisations, and to promote its acceptance as a useful tool.
3. The Commission will, by the end of 2004, carry out an evaluation of the common format for curricula vitae and of how the scheme has been implemented.

The Commission will, if the evaluation shows it to be necessary, recommend changes to the format.

Done at Brussels, 11 March 2002.

*For the Commission*

Viviane REDING

*Member of the Commission*

<sup>(1)</sup> OJ C 49, 19.2.1993, p. 1.

<sup>(2)</sup> OJ C 73, 23.3.2002.

<sup>(3)</sup> OJ L 215, 9.8.2001, p. 30.

<sup>(4)</sup> COM(2001) 678 final.

<sup>(5)</sup> COM(2001) 116 final.

## ANNEX

**Common European format for curricula vitae (CVs)**

## EXPLANATORY NOTE

1. The common European format for CVs is a resource for the systematic, chronological and flexible presentation of individuals' qualifications and competences.
2. It is available in an easily accessible electronic form, as well as in a paper version. The CV format includes categories for the presentation of:
  - (a) information on personal matters, language proficiency, work experience and educational and training attainments;
  - (b) additional competences held by the individual, emphasising technical, organisational, artistic and social skills;
  - (c) additional information which might be added to the CV in the form of one or more annex(es), and guidance on how to do so simply and clearly.
3. The common European format for CVs is backed by an electronic library of sample CVs, illustrating how individuals in different countries, with differing work and educational backgrounds, have used the model CV for different purposes.
4. There are electronic links to instruments and resources at Community and national level on how to present qualifications and competences (e.g. Diploma supplements, Certificate supplements, Europass, the European Credit Transfer System, the European Computer Driving Licence etc.). The CV format is therefore one element in a broader strategy with a view to improving the transparency of qualifications and competences.
5. The 'jobseeker's database' ('CV-job search') developed and managed by the European Employment Services (EURES) reflects the above principles and requirements.



EUROPEAN CV FORMAT



**\*NOTE**

*Replace the field <name of applicant> with your own name.*

**\*\* NOTE**

*All text in italics is for information purposes only and should be removed once the CV has been completed.*

**\*\*\* NOTE**

*All text in brackets ( ) should be replaced by the information requested, using the same text properties.*

**PERSONAL INFORMATION**

**Name** (Surname, other names)

**Address** (House number, street name, postcode, city, country)

**Telephone**

**Fax**

**E-mail**

**Nationality**

**Date of birth** (Day, month, year)

*The following websites contain information on how to present and document your qualifications and competences:*

*[europa.eu.int/comm/education](http://europa.eu.int/comm/education)  
[europa.eu.int/comm/dgs/employment\\_social](http://europa.eu.int/comm/dgs/employment_social)  
[/az\\_en.htm](#)  
[eurescv-search.com/](http://eurescv-search.com/)*

*For examples of completed CVs go to [www.trainingvillage/transparency/Cvsamples](http://www.trainingvillage/transparency/Cvsamples)*

**<name of applicant>**

*Curriculum Vitae*

EUROPEAN CV FORMAT

**WORK EXPERIENCE**

- Dates (from – to)
- Name and address of employer
  - Type of business or sector
  - Occupation or position held
- Main activities and responsibilities

**EDUCATION AND TRAINING**

- Dates (from – to)
- Name and type of organisation providing education or training
  - Principal subjects/occupational skills covered
  - Title of qualification awarded
  - Level in national classification (if appropriate)

&lt;name of applicant&gt;

*Curriculum Vitae*

(Add separate entries for each relevant post occupied, starting with the most recent.)

(Add separate entries for each relevant course you have completed, starting with the most recent.)

EUROPEAN CV FORMAT



<name of applicant>

*Curriculum Vitae*

**PERSONAL SKILLS AND COMPETENCES**

acquired in the course of life and career but not necessarily covered by formal certificates and diplomas.

**Mother tongue**

*Choose category/categories relevant to you*

**Other languages**

- Ability to read
- Ability to write
- Ability to speak

(List languages and indicate level: excellent, good, basic.)

**Artistic skills and competences**

Music, writing, design, etc.

(Describe these competences and indicate where they were acquired.)

**Social skills and competences**

Living and working with other people, in multicultural environments, in positions where communication is important and situations where teamwork is essential (for example culture and sports), etc.

(Describe these competences and indicate where they were acquired.)

**Organisational skills and competences**

For example coordination and administration of people, projects, budgets; at work, in voluntary work (for example culture and sports) and at home, etc.

(Describe these competences and indicate where they were acquired.)

**Technical skills and competences**

With computers, specific kinds of equipment, machinery, etc.

(Describe these competences and indicate where they were acquired.)

**Driving licence(s)**

**Other skills and competences**

Competences not mentioned above

(Describe these competences and indicate where they were acquired.)

EUROPEAN CV FORMAT



&lt;name of applicant&gt;

*Curriculum Vitae***ADDITIONAL  
INFORMATION**

(Include here any other information that may be relevant, for example contact persons, references, etc.)

**ANNEXES**

*Annexes should be added where appropriate. Examples of annexes are available at*

[www.trainingvillage/transparency](http://www.trainingvillage/transparency)