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Legislation

Contents

I Acts whose publication is obligatory

★ Decision No 1145/2002/EC of the European Parliament and of the Council of 10 June 2002 on Community incentive measures in the field of employment ⁽¹⁾	1
Statement by the Commission	6
★ Council Regulation (EC) No 1146/2002 of 25 June 2002 amending Regulation (EC) No 3050/95 temporarily suspending the autonomous Common Customs Tariff duties on a number of products intended for the construction, maintenance and repair of aircraft	7
★ Council Regulation (EC) No 1147/2002 of 25 June 2002 temporarily suspending the autonomous Common Customs Tariff duties on certain goods imported with airworthiness certificates	8
★ Council Regulation (EC) No 1148/2002 of 26 June 2002 amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products	11
★ Council Regulation (EC) No 1149/2002 of 27 June 2002 opening an autonomous quota for imports of high-quality beef	13
★ Council Regulation (EC) No 1150/2002 of 27 June 2002 opening an autonomous quota for imports of high-quality beef	14
★ Council Regulation (EC) No 1151/2002 of 27 June 2002 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Estonia	15
Commission Regulation (EC) No 1152/2002 of 28 June 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables	25

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⁽¹⁾ Text with EEA relevance

(Continued overleaf)

EN

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

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

Commission Regulation (EC) No 1153/2002 of 28 June 2002 fixing the representative prices and additional import duties for certain products in the sugar sector	27
Commission Regulation (EC) No 1154/2002 of 28 June 2002 altering the export refunds on white sugar and raw sugar exported in the natural state	29
Commission Regulation (EC) No 1155/2002 of 28 June 2002 fixing the export refunds on syrups and certain other sugar products exported in the natural state	31
Commission Regulation (EC) No 1156/2002 of 28 June 2002 fixing the production refund on white sugar used in the chemical industry	34
Commission Regulation (EC) No 1157/2002 of 28 June 2002 fixing the import duties in the cereals sector	35
Commission Regulation (EC) No 1158/2002 of 28 June 2002 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid	38
Commission Regulation (EC) No 1159/2002 of 28 June 2002 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 100th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97	40
Commission Regulation (EC) No 1160/2002 of 28 June 2002 fixing the maximum purchasing price for butter for the 53rd invitation to tender carried out under the standing invitation to tender governed by Regulation (EC) No 2771/1999	42
Commission Regulation (EC) No 1161/2002 of 28 June 2002 fixing the maximum aid for concentrated butter for the 272nd special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90	43
★ Commission Regulation (EC) No 1162/2002 of 28 June 2002 amending Regulation (EEC) No 94/92 laying down detailed rules for implementing the arrangements for imports from third countries provided for in Council Regulation (EEC) No 2092/91 ⁽¹⁾	44
★ Commission Regulation (EC) No 1163/2002 of 28 June 2002 amending Regulation (EC) No 1501/95 as regards the conditions for the payment of export refunds on cereal products	46
★ Commission Regulation (EC) No 1164/2002 of 28 June 2002 amending Regulation (EC) No 1646/2001 as regards the setting of the amount of the adjustment aid and additional basic aid for the sugar refining industry for the 2002/2003 to 2005/2006 marketing years	48
★ Commission Regulation (EC) No 1165/2002 of 28 June 2002 amending Regulation (EC) No 2535/2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas	49
★ Commission Regulation (EC) No 1166/2002 of 28 June 2002 amending Regulation (EC) No 174/1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of milk and milk products	51

Commission Regulation (EC) No 1167/2002 of 28 June 2002 fixing the maximum buying-in price for skimmed-milk powder for the first invitation to tender carried out under the standing invitation to tender governed by Regulation (EC) No 214/2001	52
* Commission Regulation (EC) No 1168/2002 of 28 June 2002 amending Regulation (EC) No 2533/2001 laying down detailed rules for the application in 2002 of the tariff quotas for beef and veal products originating in Croatia, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia	53
Commission Regulation (EC) No 1169/2002 of 28 June 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	55
Commission Regulation (EC) No 1170/2002 of 28 June 2002 fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty	59
Commission Regulation (EC) No 1171/2002 of 28 June 2002 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty	61
Commission Regulation (EC) No 1172/2002 of 28 June 2002 fixing the import duties in the rice sector	63
Commission Regulation (EC) No 1173/2002 of 28 June 2002 concerning tenders submitted in response to the invitation to tender for the export to certain third countries of wholly milled long grain rice issued in Regulation (EC) No 2010/2001	66
Commission Regulation (EC) No 1174/2002 of 28 June 2002 fixing the maximum subsidy on exports of husked long grain rice to Réunion pursuant to the invitation to tender referred to in Regulation (EC) No 2011/2001	67
Commission Regulation (EC) No 1175/2002 of 28 June 2002 determining the world market price for unginned cotton	68
* Commission Regulation (EC) No 1176/2002 of 28 June 2002 laying down detailed rules for exports of certain fruit and vegetables and processed fruit and vegetable products to Estonia and amending Regulations (EC) Nos 1961/2001 and 1429/95	69

II Acts whose publication is not obligatory

Commission

2002/523/EC:

* Commission Decision of 28 June 2002 excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) (notified under document number C(2002) 2263)	73
--	-----------

2002/524/EC:

* Commission Decision of 26 June 2002 excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) (notified under document number C(2002) 2281)	77
--	-----------

2002/525/EC:

- * **Commission Decision of 27 June 2002 amending Annex II of Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles ⁽¹⁾ (notified under document number C(2002) 2238) 81**

2002/526/EC:

- * **Commission Decision of 28 June 2002 repealing Decision 94/141/EC approving the plan presented by France for the eradication of classical swine fever in feral pigs in the northern Vosges ⁽¹⁾ (notified under document number C(2002) 2380) 85**

2002/527/EC:

- * **Commission Decision of 27 June 2002 amending Decision 97/252/EC drawing up provisional lists of third country establishments from which the Member States authorise imports of milk and milk products for human consumption, with respect to the former Yugoslav Republic of Macedonia ⁽¹⁾ (notified under document number C(2002) 2301) 86**

Corrigenda

- * **Corrigendum to Council Regulation (EC) No 1207/2001 of 11 June 2001 on procedures to facilitate the issue of movement certificates EUR.1, the making out of invoice declarations and forms EUR.2 and the issue of certain approved exporter authorisations under the provisions governing preferential trade between the European Community and certain countries and repealing Regulation (EEC) No 3351/83 (OJ L 165 of 21.6.2001) 88**

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

DECISION No 1145/2002/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 10 June 2002
on Community incentive measures in the field of employment
(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 129 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Having regard to the opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽⁴⁾, in the light of the joint text approved by the Conciliation Committee on 3 April 2002,

Whereas:

(1) Article 3 of the Treaty sets out that the activities of the Community shall include the promotion of coordination between employment policies of the Member States with a view to enhancing their effectiveness by developing a coordinated strategy for employment.

(2) The Extraordinary European Council Meeting on Employment in Luxembourg on 20 and 21 November 1997 launched an overall strategy for employment, the European Employment Strategy, encompassing the coordination of Member States' employment policies on the basis of commonly-agreed employment guidelines (the Luxembourg process), the continuation and development of a coordinated macroeconomic policy and of an efficient internal market, with a view to laying the foundations for sustainable growth, new dynamism and a climate of confidence conducive to boosting employment. This strategy also involves the harnessing in a more systematic way of all Community policies in support of employment, both framework policies and support policies.

(3) The European Council of Lisbon of 23 and 24 March 2000 has agreed on a new strategic goal for the Union to build a competitive and dynamic knowledge-based economy capable of sustaining economic growth with more and better jobs and greater social cohesion and so to regain the conditions for full employment. To this end, it has set a new range of targets and benchmarks and introduced them in a new open method of coordination at all levels coupled with a stronger guiding and coordination role for the European Council, to ensure more coherent strategic direction and effective monitoring of progress. Moreover, it requested that the mid-term review of the Luxembourg process should give a new impetus by enriching the employment guidelines with more concrete targets establishing closer links with other relevant policy areas.

(4) A specific strength of the European Employment Strategy is that Member States cooperate on employment policy, while retaining the right to take decisions appropriate to their individual circumstances. Another strength is that they learn from the experiences of each other, including the ways in which they involve the social partners, and local and regional authorities.

(5) The European Council has determined on several occasions that comparable and reliable statistics and indicators in the field of employment and the labour market should be defined and collected.

(6) Council Decision 2000/98/EC of 24 January 2000 establishing the Employment Committee ⁽⁵⁾ aims at promoting coordination between the Member States on employment and labour market policies.

(7) Council Decision 98/171/EC of 23 February 1998 on Community activities concerning analysis, research and cooperation in the field of employment and the labour market ⁽⁶⁾ which provided for such activities ceased to apply on 31 December 2000.

⁽¹⁾ OJ C 337 E of 28.11.2000, p. 242.

⁽²⁾ OJ C 139, 11.5.2001, p. 30.

⁽³⁾ OJ C 144, 16.5.2001, p. 30.

⁽⁴⁾ Opinion of the European Parliament of 14 February 2001 (OJ C 276, 1.10.2001, p. 53), Council Common Position of 25 June 2001 (OJ C 301, 26.10.2001, p. 14) and Decision of the European Parliament of 23 October 2001 (not yet published in the Official Journal). Decision of the European Parliament of 25 April 2002 and Council Decision of 7 May 2002.

⁽⁵⁾ OJ L 29, 4.2.2000, p. 21.

⁽⁶⁾ OJ L 63, 4.3.1998, p. 26.

- (8) This Decision should provide for the continuation and development of the activities launched on the basis of Decision 98/171/EC. In implementing activities under this Decision, the Commission should take full account of the results of the programme carried out under Decision 98/171/EC.
- (9) The measures necessary for the implementation of this Decision should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾.
- (10) This Decision lays down, for the entire duration of the activities, a financial framework constituting the prime reference within the meaning of point 33 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission, on budgetary discipline and improvement of the budgetary procedure ⁽²⁾ for the budgetary authority during the annual budgetary procedure,
- (d) to foster cooperation between Member States in analysis, research and monitoring of labour market policy;
- (e) to identify best practices and promote exchanges and transfers of information and experience;
- (f) to develop the approach and contents of the European Employment Strategy, including ways of cooperating with the social partners and relevant local and regional authorities, and
- (g) to implement an active information policy responding to the public's need for transparency and recognising the importance of ensuring that European citizens can be fully informed on all aspects of the European Employment strategy. This is achieved in particular by specific information measures to increase the general awareness of the European Employment Strategy and by making the Employment Package including the national action plans on employment, and their evaluations as presented in the Joint Employment Report, accessible to the general public, notably through the use of internet facilities.

HAVE DECIDED AS FOLLOWS:

Article 1

Establishment of Community activities

Community activities concerning analysis, research and cooperation among the Member States in the field of employment and the labour market shall be carried out in the period from 1 January 2002 to 31 December 2006.

Article 2

Principles

1. The activities referred to in this Decision are those directly linked to the implementation of Title VIII of the Treaty.
2. The activities shall contribute to achieving the new strategic goal set by the European Council at Lisbon of enabling the Community to re-establish the conditions for full employment.

Article 3

Objectives

1. The objectives of these activities are:
 - (a) to underpin a coordinated approach to employment policy in the Community within the overall aim of raising the employment rate set out by the European Council at Lisbon;
 - (b) to contribute to the development of the coordinated strategy for employment through the analysis, monitoring and support of actions carried out in the Member States, with due regard for the latter's responsibilities in this field;
 - (c) to develop, follow up and evaluate the European Employment Strategy with a strong forward-looking emphasis;

2. The analysis in the context of these activities shall to the maximum possible extent be gender specific.

Article 4

Community measures

1. Bearing in mind the principles set out in Article 2 and with a view to achieving the objectives referred to in Article 3, the Community measures shall cover the following activities:
 - (a) analysis and evaluation of employment trends and framework policy conditions; prospective analysis on policy areas of importance to the Commission and Member States for the assessment of policy options and the impact of Community policies; forward analysis and research of new policy issues arising in the development of the coordinated strategy for employment;
 - (b) providing support for Member States' efforts in evaluating in a consistent and coordinated manner their National Action Plans for Employment, including the way in which the social partners and relevant regional and local authorities have been and may be involved in their implementation. A special evaluation exercise shall be completed at the end of the first period of application of the annual employment policy guidelines agreed in accordance with the Luxembourg process;
 - (c) a quantitative and qualitative evaluation of the effects of the European Employment Strategy in general, including assessment of the effectiveness of the methodology used, and analysis of the consistency between the European Employment Strategy and general economic policy, as well as other policy areas;

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

⁽²⁾ OJ C 172, 18.6.1999, p. 1.

- (d) bringing together and exchanging experience in the Member States, including the peer review process, in terms of both the pillars and individual guidelines, as defined in the annual Employment Policy Guidelines for the Member States. Increasing this cooperation will help Member States in developing their employment policies in the light of the lessons learned;
- (e) monitoring of the European Employment Strategy in the Member States, in particular through the European Employment Observatory;
- (f) technical and scientific work needed to underpin the development of common quantitative and qualitative indicators, improving and completing statistics, benchmarking performances and the exchange of information on best practices;
- (g) supporting the input of presidencies of the Council of the European Union in order to create a special focus on priority elements of the European Employment Strategy and on special events of high international importance or of general interest to the Community and the Member States.

2. Under the activities referred to in paragraph 1, particular attention will be given to people experiencing a combination of disadvantages which inhibit their prospects of participating actively on the labour market. In addition, efforts shall be made to mainstream the principle of gender equality, in particular with regard to equal opportunities for men and women in employment and labour markets and to reconciling working life and family life.

3. In implementing the measures referred to in paragraph 1, the Commission shall take into account the statistical data, studies and project reports available from international organisations such as the Organisation for Economic Cooperation and Development (OECD) and the International Labour Organisation (ILO).

4. The activities referred to in paragraph 1 shall be based on the objective of ensuring that there is a high level of awareness of the European Employment Strategy at all geographic levels of the European Union so that the general public and interest groups, such as social partners, local and regional authorities and other key local actors, including the mutual and non-profit sector, are aware of their potential to enhance the economic and social prospects of their localities, and encouraged and facilitated in making contributions to that end.

The activities aimed at promoting cooperation, best practice and innovative approaches, improving knowledge, developing an exchange of information and evaluating the experience in implementing the National Action Plans at all levels, will include:

- (a) studies on all innovative approaches and measures relating to the implementation of the Employment strategy including at local and regional level;
- (b) the exchange of experiences to promote best practices including at local and regional level;

- (c) studies on measures to encourage local and regional partners in the implementation of the European Employment Strategy;
- (d) dissemination of the results of the abovementioned studies on the implementation of the European Employment Strategy including at local and regional levels.

Article 5

Outputs

The output of the activities referred to in Article 4 shall be used or published according to the type of activity involved, including:

1. the Employment in Europe report and other publications, working documents, reports to be submitted to the Council, the Commission and the Employment Committee; including reports on the evaluation of the Luxembourg process referred to in Article 4(1)(b);
2. national seminars in preparation for the National Action Plans for Employment, seminars on employment policy or the organisation of important international events on priority topics or topics of general importance;
3. the use of Internet facilities for the dissemination of results (web publishing, Internet chats and seminars) and as a tool to foster cooperation and the exchange of information.

Article 6

Consistency and complementarity

The Commission shall take all necessary steps to ensure consistency and the absence of duplication between the measures implemented under this Decision and those of other related and relevant Community programmes and initiatives. In this regard a high priority will be accorded to assessing both positive and negative outcomes of all measures assisted under such related programmes and initiatives and ensuring that lessons learned in one sphere progressively inform activities which are being undertaken in others. To this end the Commission shall ensure the internal links with relevant Community programmes and initiatives and the decentralised agencies.

Article 7

Participation of third countries

1. The activities which may be open to participation by the countries of the European Economic Area, the associated countries of Central and Eastern Europe, Cyprus, Malta and Turkey, and Mediterranean countries which are partners of the European Union shall be defined in the context of the European Union's relations with those countries.

2. The cost of the participation referred to in paragraph 1 shall be borne either by the countries concerned or under the Community budget headings covering implementation of the cooperation, association or partnership agreements with those countries in the area concerned.

Article 8

Implementing measures

1. The measures necessary for the implementation of this Decision relating to the matters referred to below shall be adopted in accordance with the management procedure referred to in Article 9(2):

- (a) the general guidelines for the implementation of the activities and the annual plan of work;
- (b) the breakdown of funding between measures;
- (c) the Commission proposals for selection criteria for financial support;
- (d) the criteria for assessing activities receiving such support, and the procedure for disseminating and transferring the results.

2. The measures necessary for the implementation of this Decision relating to all other matters shall be adopted in accordance with the advisory procedure referred to in Article 9(3).

Article 9

Committee

1. The Commission shall be assisted by a Committee.
2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at two months.

3. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
4. The Committee shall adopt its rules of procedure.

Article 10

Cooperation with other Committees

To ensure the consistency and complementarity of these activities with other measures referred to in Article 6, the Commission shall keep the Committee referred to in Article 9 regularly informed about other relevant Community action. Where appropriate, the Commission shall establish regular and structured cooperation between this Committee and the committees established for other relevant policies, instruments and actions.

Article 11

Links to be established

Without prejudice to Articles 8, 9 and 10, the Commission shall establish the necessary links with the Employment Committee, in order to ensure that that Committee is regularly and appropriately informed about the implementation of the activities referred to in this Decision.

Furthermore, the Commission shall, within the framework of the activities referred to in this Decision, establish the necessary links with the European Parliament and the social partners and regularly exchange views with them. To that end, the Commission shall make the relevant information available to the European Parliament and the social partners. The Commission shall inform the Employment Committee and the Committee referred to in Article 9 of the views of the European Parliament and the social partners.

Article 12

Financing

1. The financial framework for implementing the Community activities referred to in this Decision for the period 1 January 2002 to 31 December 2006 shall be EUR 55 million.

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

3. The Commission may have recourse to technical and/or administrative assistance, to the mutual benefit of the Commission and of the beneficiaries, as well as to support expenditure.

Article 13

Evaluation and reporting

1. The Commission shall identify performance indicators for the actions, monitor achievement of interim results, and carry out independent evaluations in the third year (mid-term) and early during the last year (ex-post) of the activities. The evaluations shall assess in particular the impact achieved and the efficiency of the use of resources, and provide decision-oriented recommendations for adjustments and the eventual extension of the activities.

2. The Commission shall make the results of the actions undertaken and evaluation reports publicly available.

3. In the light of the evaluations, the Commission may propose an extension of the activities.

4. The Commission shall submit an interim report on the results of the activities to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions by 31 December 2004 at the latest, and a final report by 31 December 2007 at the latest. It shall incorporate into these reports information on Community financing within the framework of the activities and on consistency and complementarity with other relevant programmes, actions and initiatives, as well as the relevant evaluation results.

*Article 14***Entry into force**

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

Done at Luxembourg, 10 June 2002.

For the European Parliament

The President

P. COX

For the Council

The President

J. PIQUÉ I CAMPS

STATEMENT BY THE COMMISSION

The Commission recalls the importance of the European Social Fund in underpinning the European Employment Strategy. It underlines, *inter alia*, the importance of innovative measures supported under Article 6 of the European Social Fund Regulation ⁽¹⁾ in order to reinforce the implementation of the European Employment Strategy at local level. It equally recalls in this respect its commitment to ensure appropriate dissemination of the results of the activities of the Fund, including Article 6, with a view to providing appropriate input to the European Employment Strategy.

Therefore, when implementing the Decision on employment incentive measures, the Commission will ensure the necessary synergies with dissemination activities of the European Social Fund.

The Commission will fully inform the European Parliament of the priorities chosen in the framework of Article 6 of the European Social Fund and, in particular, of the local initiatives.

⁽¹⁾ Regulation (EC) No 1784/1999 of the European Parliament and of the Council of 12 July 1999 on the European Social Fund (OJ L 213, 13.8.1999, p.5).

COUNCIL REGULATION (EC) No 1146/2002
of 25 June 2002

**amending Regulation (EC) No 3050/95 temporarily suspending the autonomous Common Customs
Tariff duties on a number of products intended for the construction, maintenance and repair of
aircraft**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 26 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) By Regulation (EC) No 3050/95 ⁽¹⁾ Common Customs Tariff duties for a number of products intended for the construction, maintenance and repair of aircraft were suspended in full. However, import duties for these products are only suspended when they are subject to an end-use control in accordance with the provisions of Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽²⁾ (hereinafter referred to as the 'Customs Code') and of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, that is to say, when they are used for aircraft only.
- (2) Similar tariff suspensions combined with the same end-use provisions of the Customs Code were introduced in Section II, B, of the Preliminary Provisions of the Combined Nomenclature in connection with the GATT aircraft agreement. The end-use for these products was the manufacture, repair, maintenance, rebuilding, modification or conversion, not only of civil aircraft, but also of ground flying trainers for civil use.
- (3) In view of the above it is appropriate to amend Regulation (EC) No 3050/95 in order to align its end-use provision with the provisions of the Combined Nomenclature

and to extend the autonomous tariff suspension introduced by Regulation (EC) No 3050/95 to ground flying trainers for civil use. The extension will also simplify the administration and control of the end-use for the economic operators and the customs authorities.

- (4) Having regard to the economic importance of this Regulation, it is necessary to invoke the ground of urgency provided for in point I(3) of the Protocol annexed to the Treaty on European Union and to the Treaties establishing the European Communities on the role of national parliaments in the European Union,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EC) No 3050/95, the first sentence shall be replaced by the following:

'The autonomous Common Customs Tariff duties for the products listed in the Annex shall be totally suspended, provided that those products are intended for the construction, maintenance and repair of aircraft of an unladen weight exceeding 2 000 kilograms and of ground flying trainers for civil use.'

Article 2

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

It shall apply from 1 July 2002.

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

Done at Luxembourg, 25 June 2002.

For the Council

The President

J. MATAS I PALOU

⁽¹⁾ OJ L 320, 30.12.1995, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by European Parliament and Council Regulation (EC) No 2700/2000 (OJ L 311, 12.12.2000, p. 17).

⁽³⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 444/2002 (OJ L 68, 12.3.2002, p. 11).

COUNCIL REGULATION (EC) No 1147/2002**of 25 June 2002****temporarily suspending the autonomous Common Customs Tariff duties on certain goods imported with airworthiness certificates**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 26 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Customs procedures for duty-free imports of parts, components and other goods used for the manufacture, repair, maintenance, rebuilding, modification or conversion of aircraft should be simplified.
- (2) In order to achieve that aim, it is appropriate to suspend autonomous customs duties on imports of such goods imported with airworthiness certificates issued by a party authorised by aviation authorities within the Community or in a third country.
- (3) In view of the fact that the prices for parts and components used in the aircraft sector are usually at least three times higher than the prices for similar goods used for other purposes, the risk that the goods imported duty free might be used in other industrial areas is very small.
- (4) Suspension would alleviate the administrative burden for the economic operators in the aircraft sector since it would reduce the need for these companies to use suspensive customs regimes such as favourable tariff treatment for goods by reason of their end-use, inward processing relief or customs warehousing. Furthermore, it would enable small and medium-sized enterprises, which have hitherto been unable to use suspensive customs regimes, to become more competitive with regard to the bigger operators in this area.
- (5) Since airworthiness certificates do not always accompany the goods during transport, a procedure should be laid down under which customs authorities would be able to identify the certificates during on-spot checks after the product has been released for free circulation.
- (6) In view of the complexity of the rules in the aviation sector, customs authorities should be able, at the expense of the importer, to call upon the expertise of a representative of the national aviation authorities where they have good reason to believe that airworthiness certificates have been falsified and where the matter cannot be resolved otherwise. However, before taking such action, customs authorities should weigh the costs entailed against the import volume and the amount of duty at risk, so as to avoid a situation where it transpires that no infringement has been committed, but the benefit to the

importer of the duty suspension has been nullified by the cost of procuring the expert opinion.

- (7) The Commission should prepare a report on the basis of the information received from Member States on their experience in applying this Regulation.
- (8) Having regard to the economic importance of this Regulation, it is necessary to invoke the ground of urgency provided for in point I(3) of the Protocol annexed to the Treaty on European Union and to the Treaties establishing the European Communities on the role of national parliaments in the European Union,

HAS ADOPTED THIS REGULATION:

Article 1

The autonomous Common Customs Tariff duties shall be suspended for parts, components and other goods of a kind to be incorporated in or used for civil aircraft and falling within Chapters 25 to 97 of the Common Customs Tariff and in respect of which an airworthiness certificate has been issued by a party authorised by aviation authorities within the Community or in a third country.

Article 2

1. The suspension laid down in Article 1 shall be conditional on submission of the original airworthiness certificate to the customs authorities when the goods are declared for release into free circulation.

Where the original airworthiness certificate cannot be submitted at the time when the goods are released for free circulation, suspension shall be conditional on the inclusion of a declaration, signed by the seller of the goods in question, on the commercial invoice or a document annexed thereto. A model of the required declaration is set out in Section A of the Annex.

2. In field 44 of the Single Administrative Document (SAD) the text set out in Section B of the Annex shall be inserted by the importer.

3. Where goods are released for free circulation under simplified procedures in accordance with Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾, the importer shall insert in the SAD (field 44) or in any authorised document replacing the SAD the text set out in Section B of the Annex.

⁽¹⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by European Parliament and Council Regulation (EC) No 2700/2000 (OJ L 311, 12.12.2000, p. 17).

In such cases suspension shall be conditional on the submission of the documents referred to in paragraph 1 in accordance with the terms of the authorisation of the simplified procedure at the time when the supplementary declaration is submitted to the competent customs office.

Article 3

Where the customs authorities have good reason to suspect that airworthiness certificates have been falsified and where the matter cannot be resolved otherwise, they may request an expert opinion from a representative of the national aviation authorities at the expense of the importer.

In such cases, customs authorities shall take into account the import volume and the amount of duty at risk, in order to prevent the importer from benefiting from the fact that the duty

suspension is being nullified by the cost of procuring the expert opinion, if the investigation shows that the rules for the issuing of those certificates have not been infringed.

Article 4

No later than three years after the entry into force of this Regulation the Commission shall submit to the Council a report on the application of the Regulation based on the information received from Member States.

Article 5

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

It shall apply from 1 July 2002.

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

Done at Luxembourg, 25 June 2002.

For the Council

The President

J. MATAS I PALOU

ANNEX

A. Declaration on the commercial invoice or a document annexed to such invoice (Article 2(1)):

For the following goods of [this invoice]/[invoice No of] ⁽¹⁾ the following airworthiness certificates (see column 2) have been issued by the company shown in column 3 authorised by the aviation authority shown in column 4 of the country shown in column 5.

Position No on the invoice	No of the airworthiness certificate	Issuer of the certificate	Name of the authorising aviation authority	Name of the country
(1)	(2)	(3)	(4)	(5)

B. Text to be inserted in field 44 of the Single Administrative Document (Article 2(2) and (3)):

'Import with airworthiness certificate'.

⁽¹⁾ When the declaration is annexed on a separate page, the number and date of the invoice should be inserted.

COUNCIL REGULATION (EC) No 1148/2002**of 26 June 2002****amending Regulation (EC) No 2505/96 opening and providing for the administration of autonomous Community tariff quotas for certain agricultural and industrial products**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 26 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) By virtue of Regulation (EC) No 2505/96 ⁽¹⁾, the Council opened Community tariff quotas for certain agricultural and industrial products. Community demand for the products in question should be met under the most favourable conditions. Community tariff quotas should therefore be opened at reduced or zero rates of duty for appropriate volumes, and increased or extended in the case of certain existing tariff quotas, while avoiding any disturbance to the markets for these products.
- (2) Regulation (EC) No 2505/96 should therefore be amended.
- (3) Having regard to the economic importance of this Regulation, it is necessary to invoke the ground of urgency provided for in point I(3) of the Protocol annexed to the Treaty on European Union and to the Treaties establishing the European Communities on the role of national parliaments in the European Union,

HAS ADOPTED THIS REGULATION:

Article 1

For the quota period from 1 January to 30 June 2002, Annex I to Regulation (EC) No 2505/96 shall be amended as follows:

- order number 09.2935: the amount of the tariff quota shall be altered to 80 000 tonnes.

Article 2

For the quota period from 1 January to 31 December 2002, Annex I to Regulation (EC) No 2505/96 shall be amended as follows:

- order number 09.2799: the amount of the tariff quota shall be altered to 50 000 tonnes,
- order number 09.2950: the amount of the tariff quota shall be altered to 6 500 tonnes.

Article 3

With effect from 1 July 2002, the tariff quotas listed in the Annex to this Regulation shall be added to Annex I to Regulation (EC) No 2505/96.

*Article 4*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Luxembourg, 26 June 2002.

*For the Council**The President*

C. VILLALOBOS

⁽¹⁾ OJ L 345, 31.12.1996, p. 1. Regulation as last amended by Regulation (EC) No 2559/2001 (OJ L 344, 28.12.2001, p. 5).

ANNEX

Order No	CN code	TARIC code	Description	Amount of quota	Quota duty (%)	Quota period
09.2882	ex 2908 90 00	20	2,4-Dichloro-3-ethyl-6-nitrophenol, powdered	43 tonnes	0	1.7.2002 to 31.12.2002
09.2890	ex 4819 40 00	10	Sack of paper, printed, having dimensions of 139 mm × 303 mm (± 5 mm), for use in the packaging of microwave-popcorn (*)	33 000 000 units	0	1.7.2002 to 31.12.2002
09.2902	ex 8540 11 15	91	Flat screen colour cathode-ray tube with a screen width/height ratio of 4/3, a diagonal measurement of the screen of 59 cm or more but not exceeding 61 cm and a curvature radius of 50 m or more	13 000 units	7	1.7.2002 to 31.12.2002
09.2904	ex 8540 11 19	95	Flat screen colour cathode-ray tube with a screen width/height ratio of 4/3, a diagonal measurement of the screen of 79 cm or more but not exceeding 81 cm and a curvature radius of 50 m or more	3 600 units	0	1.7.2002 to 31.12.2002
09.2995	ex 8536 90 85 ex 8538 90 99	95 93	Keypads, — comprising a layer of silicone and polycarbonate keytops or — wholly of silicone or wholly of polycarbonate, including printed keys, for the manufacture or repair of mobile radio-telephones of subheading 8525 20 91 (*)	10 000 000 units	0	1.7.2002 to 31.12.2002
09.2998	ex 2924 29 95	80	5'-Chloro-3-hydroxy-2',4'-dimethoxy-2-naphthanilide	20 tonnes	0	1.7.2002 to 31.12.2002

(*) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

COUNCIL REGULATION (EC) No 1149/2002
of 27 June 2002
opening an autonomous quota for imports of high-quality beef

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In view of the Community's interest in developing harmonious trade relations with third countries, provision should be made for opening, as an autonomous measure, a Community import tariff quota of 1 000 tonnes of high-quality fresh, chilled or frozen beef.
- (2) In spite of the difficulties experienced in 2001, the beef market is now on the way to becoming more stable. Demand of consumers in the Community is increasing, especially for high-quality beef. An additional reduced-tariff-quota for high-quality beef would satisfy at the same time the consumer interests as well as supplier interests. It would not have a significant impact on the total volume of beef imports into the Community.
- (3) All operators concerned in the Community should be offered equal and continuous access to that quota. It is also necessary to insure appropriate monitoring. To this end, the utilisation of the quota should be based on the presentation of a certificate of authenticity guaranteeing the type and origin of the products.
- (4) Under Article 32 of Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, tariff quotas for the products covered by this Regulation are to be administered

by the Commission in accordance with detailed rules adopted under the procedure laid down in Article 43 of the said Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. An annual Community import tariff quota of 1 000 tonnes, expressed in product weight, of high-quality fresh, chilled or frozen beef falling within positions 0201 30 00 and 0202 30 90 of the Common Customs Tariff is opened.
2. The applicable duty for the quota shall be 20 % *ad valorem*.
3. The quota year shall run from 1 July to 30 June.

Article 2

Detailed rules for the application of this Regulation, adopted in accordance with the procedure laid down in Article 43 of Regulation (EC) No 1254/1999, shall include provisions making the utilisation of the quota referred to in Article 1 subject to the presentation of a certificate of authenticity guaranteeing the type and origin of the products.

Article 3

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

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

Done at Luxembourg, 27 June 2002.

For the Council

The President

M. ARIAS CAÑETE

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation last amended by Commission Regulation (EC) No 2345/2001 (OJ L 315, 1.12.2001, p. 29).

COUNCIL REGULATION (EC) No 1150/2002
of 27 June 2002
opening an autonomous quota for imports of high-quality beef

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) In view of the Community's interest in developing harmonious trade relations with third countries and the major economic and social difficulties currently facing some supplier countries, provision should be made for opening, as an autonomous measure and on a temporary basis, a Community import tariff quota of 10 000 tonnes of high-quality fresh, chilled or frozen beef.
- (2) The beef market is now on the way to becoming more stable. Demand of consumers in the Community is increasing, especially for high-quality beef. An additional reduced-tariff-quota for high-quality beef would satisfy at the same time the consumer interests as well as supplier interests.
- (3) Equal and continuous access to the quota should be offered to all operators concerned in the Community and appropriate monitoring of the quota should be ensured. To this end, the utilisation of the quota should be based on the presentation of a certificate of authenticity guaranteeing the type and origin of the products.
- (4) Under Article 32 of Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, tariff quotas for the products covered by the present Regulation are to be admi-

nistered by the Commission in accordance with detailed rules adopted under the procedure laid down in Article 43 of the said Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. An annual Community import tariff quota of 10 000 tonnes, expressed in product weight, of high-quality fresh, chilled or frozen beef falling within positions 0201 30 00, 0202 30 90, 0206 10 95 and 0206 29 91 of the Common Customs Tariff is opened for the period from 1 July 2002 to 30 June 2003.

2. The applicable duty for the quota shall be 20 % *ad valorem*.

Article 2

Detailed rules for the application of this Regulation, adopted in accordance with the procedure laid down in Article 43 of Regulation (EC) No 1254/1999, shall include provisions making the utilisation of the quota referred to in Article 1 subject to the presentation of a certificate of authenticity guaranteeing the type and origin of the products.

Article 3

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

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

Done at Luxembourg, 27 June 2002.

For the Council
The President
M. ARIAS CAÑETE

⁽¹⁾ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Commission Regulation (EC) No 2345/2001 (OJ L 315, 1.12.2001, p. 29).

COUNCIL REGULATION (EC) No 1151/2002

of 27 June 2002

establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Estonia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part ⁽¹⁾, hereinafter referred to as the 'Europe Agreement', provides for certain concessions for certain agricultural products originating in Estonia.

(2) The first improvements to the preferential arrangements of the Europe Agreement were provided for in the Protocol adjusting trade aspects of the Europe Agreement to take account of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the outcome of the Uruguay Round negotiations on agriculture, including improvements to the existing preferential arrangements ⁽²⁾. The Council approved the abovementioned Protocol on behalf of the Community by Decision 1999/86/EC ⁽³⁾.

(3) Improvements to the preferential arrangements of the Europe Agreement were also provided for, in the form of an autonomous and transitional measure pending a second adjustment of the relevant provisions of the Europe Agreement, as a result of a first round of negotiations to liberalise the agricultural trade. The improvements entered into force as from 1 July 2000 by virtue of Council Regulation (EC) No 1349/2000 of 19 June 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Estonia ⁽⁴⁾. The second adjustment of the relevant provisions in the Europe Agreement — which will take the form of another Additional Protocol thereto — has not yet entered into force.

(4) A new Additional Protocol to the Europe Agreement on trade liberalisation for agricultural products has been negotiated.

(5) A swift implementation of the adjustments forms an essential part of the results of the negotiations for the conclusion of a new Additional Protocol to the Europe Agreement. It is therefore appropriate to provide for the adjustment, as an autonomous and transitional measure, of the agricultural concessions provided for in the Europe Agreement.

(6) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁵⁾.

(7) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽⁶⁾ codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations. Tariff quotas under this Regulation should therefore be administered in accordance with those rules.

(8) As a result of the aforementioned negotiations, Regulation (EC) No 1349/2000 has effectively lost its substance and should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

1. The arrangements for import into the Community applicable to certain agricultural products originating in Estonia as set out in Annex C(a) and Annex C(b) to this Regulation shall replace those set out in Annex Va to the Europe Agreement.

2. On the entry into force of the Additional Protocol adjusting the Europe Agreement to take into account the outcome of the negotiations between the Parties on new mutual agricultural concessions, the concessions provided for in that Protocol shall replace those referred to in Annex C(a) and Annex C(b) to this Regulation.

⁽¹⁾ OJ L 68, 9.3.1998, p. 3.

⁽²⁾ OJ L 29, 3.2.1999, p. 11.

⁽³⁾ OJ L 29, 3.2.1999, p. 9.

⁽⁴⁾ OJ L 155, 28.6.2000, p. 1. Regulation as last amended by Regulation (EC) No 2677/2000 (OJ L 308, 8.12.2000, p. 7).

⁽⁵⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁶⁾ OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 444/2002 (OJ L 68, 12.3.2002, p. 11).

3. The Commission shall adopt detailed rules for the application of this Regulation in accordance with the procedure laid down in Article 3(2).

Article 2

Tariff quotas with an order number above 09.5100 shall be administered by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

1. The Commission shall be assisted by the Management Committee for Cereals instituted by Article 23 of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals⁽¹⁾ or, where appropriate, by the committee instituted by the relevant provisions of the other Regulations on the common organisation of agricultural markets.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its rules of procedure.

Article 4

Regulation (EC) No 1349/2000 is hereby repealed.

Article 5

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

It shall apply from 1 July 2002.

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

Done at Luxembourg, 27 June 2002.

For the Council

The President

M. ARIAS CAÑETE

⁽¹⁾ OJ L 181, 1.7.1992, p. 21. Regulation as last amended by Regulation (EC) No 1666/2000 (OJ L 193, 29.7.2000, p. 1).

ANNEX C(a)

The following products originating in Estonia shall benefit from a preferential zero-duty within unlimited quantities (applicable duty 0 % of most-favoured nation duty) when imported into the Community

CN Code (1)	CN Code (1)	CN Code (1)	CN Code (1)	CN Code (1)
0101 10 90	0709 90 90	0812 90 50	1511 90 19	2005 10 00
0101 90 19	0710 10 00	0812 90 60	1511 90 91	2005 20 20
0101 90 30	0710 21 00	0812 90 99	1511 90 99	2005 20 80
0101 90 90	0710 22 00	0813 10 00	1512	2005 40 00
0104	0710 29 00	0813 20 00	1513	2005 51 00
0106 19 10	0710 30 00	0813 30 00	1514	2005 59 00
0106 39 10	0710 80 51	0813 40 10	1515	2005 60 00
0204	0710 80 59	0813 40 30	1516 10 10	2005 90 10
0205	0710 80 61	0813 40 95	1516 20 91	2005 90 50
0206 80 91	0710 80 69	0813 50 15	1516 20 95	2005 90 60
0206 90 91	0710 80 70	0813 50 19	1516 20 96	2005 90 70
0207 13 91	0710 80 80	0813 50 91	1516 20 98	2005 90 75
0207 14 91	0710 80 85	0813 50 99	1517 10 90	2005 90 80
0207 26 91	0710 80 95	0901 12 00	1517 90 99	2006 00 99
0207 27 91	0710 90 00	0901 21 00	1518 00 31	2007 10 91
0207 35 91	0711 40 00	0901 22 00	1518 00 39	2007 10 99
0207 36 89	0711 59 00	0901 90 90	1522 00 91	2007 99 10
0208	0711 90 10	0902 10 00	1601 00 10	2007 99 91
0210 91 00	0711 90 50	0904 12 00	1602 10 00	2007 99 98
0210 92 00	0711 90 80	0904 20 10	1602 20 19	2008 11 92
0210 93 00	0711 90 90	0904 20 90	1602 20 90	2008 11 94
0210 99 10	0712 20 00	0907 00 00	1602 31	2008 11 96
0210 99 21	0712 31 00	0910 40 13	1602 32 19	2008 11 98
0210 99 29	0712 32 00	0910 40 19	1602 32 30	2008 19 19
0210 99 31	0712 33 00	0910 40 90	1602 32 90	2008 19 93
0210 99 39	0712 39 00	0910 91 90	1602 39 29	2008 19 95
0210 99 59	0712 90 05	0910 99 99	1602 39 40	2008 19 99
0210 99 60	0712 90 30	1001 90 10	1602 39 80	2008 40 11
0210 99 79	0712 90 50	1008 10 00	1602 41 90	2008 40 21
0210 99 80	0712 90 90	1008 20 00	1602 42 90	2008 40 29
0407 00 90	0713 50 00	1008 90 90	1602 49 90	2008 40 39
0409 00 00	0713 90 10	1102 90 90	1602 50 31	2008 40 51
0410 00 00	0713 90 90	1103 19 90	1602 50 39	2008 40 59
0601	0802 11 90	1103 20 90	1602 50 80	2008 40 71
0602	0802 12 90	1105 10 00	1602 90 10	2008 40 91
0603	0802 21 00	1105 20 00	1602 90 31	2008 40 99
0604	0802 22 00	1106 10 00	1602 90 41	2008 50 11
0701 10 00	0802 31 00	1106 30	1602 90 69	2008 60 11
0701 90 10	0802 32 00	1107	1602 90 72	2008 60 31
0701 90 50	0802 40	1108 20 00	1602 90 74	2008 60 39
0701 90 90	0802 90 50	1208 10 00	1602 90 76	2008 60 51
0703 10	0802 90 85	1209	1602 90 78	2008 60 59
0703 90 00	0806 20 11	1210	1602 90 98	2008 60 61
0704 20 00	0806 20 12	1211 90 30	1603 00 10	2008 60 71
0704 90 90	0806 20 91	1212 10 10	1703	2008 60 79
0705 19 00	0806 20 92	1212 10 99	1704 90 10	2008 60 91
0705 21 00	0806 20 98	1214 90 10	2001 10 00	2008 80 11
0705 29 00	0808 20 90	1302 19 05	2001 90 20	2008 80 31
0706	0809 40 90	1501 00 90	2001 90 50	2008 80 39
0708 10 00	0810 40 30	1502 00 90	2001 90 70	2008 80 50
0708 90 00	0810 40 50	1503 00 19	2001 90 75	2008 80 70
0709 20 00	0810 40 90	1503 00 90	2001 90 85	2008 80 91
0709 30 00	0810 60 00	1504 10 10	2001 90 93	2008 80 99
0709 40 00	0810 90 95	1504 10 99	2001 90 96	2008 92 14
0709 52 00	0811 90 39	1504 20 10	2003 20 00	2008 92 34
0709 59	0811 90 50	1504 30 10	2003 90 00	2008 92 38
0709 60 10	0811 90 70	1507	2004 10 10	2008 92 59
0709 60 99	0811 90 75	1508 10 90	2004 10 99	2008 92 74
0709 70 00	0811 90 80	1508 90 10	2004 90 30	2008 92 78
0709 90 10	0811 90 95	1508 90 90	2004 90 50	2008 92 93
0709 90 20	0812 10 00	1511 10 90	2004 90 91	2008 92 96
0709 90 50	0812 90 40	1511 90 11	2004 90 98	2008 92 98

CN Code ⁽¹⁾	CN Code ⁽¹⁾	CN Code ⁽¹⁾	CN Code ⁽¹⁾	CN Code ⁽¹⁾
2008 99 28	2009 50 10	2009 80 38	2009 90 19	2308 00 90
2008 99 37	2009 50 90	2009 80 50	2009 90 29	2309 10 51
2008 99 40	2009 71 10	2009 80 63	2009 90 39	2309 10 90
2008 99 45	2009 71 91	2009 80 69	2009 90 51	2309 90 10
2008 99 49	2009 71 99	2009 80 71	2009 90 59	2309 90 31
2008 99 55	2009 79 19	2009 80 79	2009 90 96	2309 90 41
2008 99 68	2009 79 30	2009 80 89	2009 90 98	2309 90 51
2008 99 72	2009 79 93	2009 80 95	2204 30 10	2309 90 91
2008 99 78	2009 79 99	2009 80 96	2302 50 00	2905 45 00
2008 99 99	2009 80 19	2009 80 99	2306 90 19	

⁽¹⁾ As defined in 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 (OJ L 279, 23.10.2001, p. 1).

ANNEX C(b)

Imports into the Community of the following products originating in Estonia shall be subject to the concessions set out below (MFN = most — favoured nation duty)

Order No	CN code	Description (1)	Applicable duty (% of MFN) (2)	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.4598	0102 90 05	Live bovine animals of domestic species of a live weight not exceeding 80 kg	20	178 000 heads	0	(3)
09.4537	0102 90 21 0102 90 29 0102 90 41 0102 90 49	Live bovine animals of domestic species of a live weight exceeding 80 kg but not exceeding 300 kg	20	153 000 heads	0	(3)
09.4563	ex 0102 90	Heifers and cows, not for slaughter, of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau	6 % <i>ad valorem</i>	7 000 heads	0	(4)
09.4851	0201 0202 1602 50 10	Meat of bovine, animals, fresh or chilled Meat of bovine animals, frozen Uncooked; mixtures of cooked meat or offal and uncooked meat or offal of other prepared or preserved meat of bovine animals	free	1 100	350	
09.4583	ex 0203	Meat of domestic swine, fresh, chilled or frozen, excluding CN codes 0203 11 90, 0203 12 90, 0203 19 90, 0203 21 90, 0203 22 90, 0203 29 90	free	2 000	375	(5)
09.4852	0206 10 95 0206 29 91	Thick skirt and thin skirt of bovine animals, fresh, chilled or frozen	free	100	30	
09.6649	ex 0207	Meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen, excluding CN codes 0207 13 91, 0207 14 91, 0207 26 91, 0207 27 91, 0207 34 10, 0207 34 90, 0207 35 91, 0207 36 81, 0207 36 85, 0207 36 89	free	1 005	250	
09.4853	0210 19	Meat of swine, salted or in brine, dried or smoked, other	free	100	30	
09.4578	0401	Milk and cream, not concentrated, nor containing added sugar or other sweetening matter	free	800	150	
09.4546	0402 10 19 0402 21 19	Skimmed milk powder Whole milk powder	free	14 000	0	
09.4579	0403 10 11 0403 10 13 0403 10 19	Yoghurt, not flavoured nor containing added fruit, nuts or cocoa: Not containing added sugar or other sweetening matter, with a fat content, by weight: Not exceeding 3 % Exceeding 3 % but not exceeding 6 % Exceeding 6 %	free	800	240	

Order No	CN code	Description (1)	Applicable duty (% of MFN) (2)	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
	0403 10 31 0403 10 33 0403 10 39	Other, of a fat content, by weight: Not exceeding 3 % Exceeding 3 % but not exceeding 6 % Exceeding 6 %				
09.4580	0403 90 59 0403 90 61 0403 90 63 0403 90 69	Sour cream, of a fat content, by weight exceeding 6 % Sour cream, of a fat content, by weight not exceeding 3 % Sour cream, of a fat content, by weight exceeding 3 % but not 6 % Sour cream, of a fat content, by weight exceeding 6 %	free	1 120	210	
09.4547	0405 10 11 0405 10 19	Butter	free	4 800	900	
09.4582	0406 10	Fresh (unripened or uncured) cheese, including whey cheese, and curd	free	1 120	210	
09.4581	0406 20 0406 30 0406 40 0406 90	Other cheese	free	4 000	1 200	
09.6650	0407 00 11 0407 00 19 0407 00 30	Poultry eggs	free	600	180	
09.6651	ex 0408	Birds' eggs, not in shell, and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter, excluding CN codes 0408 11 20, 0408 19 20, 0408 91 20, 0408 99 20	free	205	40	(8)
09.6603	0703 20 00	Garlic	free	60	5	
09.6454	0704 10 00 0704 90 10	Cauliflowers and headed broccoli White cabbages and red cabbages	free	270	10	
	0707 00 05 0707 00 90	Cucumbers, fresh or chilled Gherkins	free	unlimited		(7)
	0709 10 00	Fresh or chilled globe artichokes	free	unlimited		(7)
	0709 90 70	Fresh or chilled courgettes	free	unlimited		(7)
09.6605	0808 10	Apples, fresh	free	400	75	(7)
	0808 20 50	Fresh pears (excl. perry pears, in bulk, from 1 August to 31 December)	free	unlimited		(7)
	0809 20 05	Fresh sour cherries (<i>Prunus cerasus</i>)	free	unlimited		(7)
	0809 20 95	Fresh cherries (excl. sour cherries)	free	unlimited		(7)
	ex 0809 40 05	Fresh plums, from 1 July to 30 September	free	unlimited		(7)

Order No	CN code	Description (1)	Applicable duty (% of MFN) (2)	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
	0810 10 00	Strawberries, fresh	free	unlimited		(6)
09.6609	0810 30	Black-, white- or redcurrants and gooseberries	free	130	30	(6)
09.6467	0811 10 11	Strawberries, frozen, containing added sugar or other sweetening matter with a sugar content exceeding 13 % by weight	free	240	45	(6)
	0811 10 19	Strawberries, frozen, containing added sugar or other sweetening matter with a sugar content not exceeding 13 % by weight	free	unlimited		(6)
	0811 10 90	Strawberries, frozen, other	free	unlimited		(6)
09.6611	0811 20 11	Raspberries, blackberries, mulberries, loganberries, black-, white- or redcurrants and gooseberries, frozen, with a sugar content exceeding 13 % by weight	free	640	120	
	0811 20 19	Raspberries, blackberries, mulberries, loganberries, black-, white- or redcurrants and gooseberries, frozen, with a sugar content not exceeding 13 % by weight	free	unlimited		(6)
	0811 20 31	Other frozen raspberries	free	unlimited		(6)
	0811 20 39	Other frozen blackcurrants	free	unlimited		(6)
	0811 20 51	Other frozen redcurrants	free	unlimited		(6)
	0811 20 59	Other frozen blackberries and mulberries	free	unlimited		(6)
	0811 20 90	Other	free	unlimited		(6)
09.6641	ex 1001	Wheat and meslin, excluding CN code 1001 90 10	free	4 400	1 300	
09.6642	1002	Rye	free	1 500	500	
09.6643	1003 00 10 ex 1003 00 90	Barley, seed Barley, excluding barley for production of malt	free	6 500	2 000	
	ex 1003 00 90	Barley for production of malt	free	unlimited		
09.4588	1004 00	Oats	free	4 800	900	
09.6644	1101	Wheat or meslin flour	free	2 000	600	
09.6645	ex 1102	Cereals flours other than of wheat or meslin, excluding CN code 1102 90 90	free	2 000	600	

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.6646	ex 1103	Cereal groats, meal and pellets, excluding CN-codes 1103 19 90 and 1103 20 90	free	100	30	
09.6647	1108 13	Potato starch	free	100	30	
09.4584	ex 1601 00 ex 1602 41 ex 1602 42 ex 1602 49	Sausages and similar products, of meat offal or blood, excluding CN code 1601 00 10 Other prepared or preserved meat, meat offal or blood: of swine: Hams and cuts thereof, excluding CN code 1602 41 90 Other prepared or preserved meat, meat offal or blood: of swine: Shoulders and cuts thereof, excluding CN code 1602 42 90 Other prepared or preserved meat, meat offal or blood: of swine: Other, including mixtures, excluding CN code 1602 49 90	free	960	180	
09.6652	1602 32 11 1602 39 21	Other prepared or preserved meat, meat offal or blood: of poultry of heading No 0105: of fowls of the species <i>Gallus domesticus</i> , uncooked Other prepared or preserved meat, meat offal or blood: of poultry of heading No 0105: other than of fowls of the species <i>Gallus domesticus</i> , uncooked	free	160	30	
09.6470	2207 10 00	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol. or higher	free	71	3	
09.6648	ex 2309	Preparations of the kind used in animal feeding, excluding CN code 2309 10 51, 2309 10 90, 2309 90 10, 2309 90 20, 2309 90 31, 2309 90 41, 2309 90 51, 2309 90 91	free	200	50	

⁽¹⁾ Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

⁽²⁾ In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

⁽³⁾ The quota for this product is opened for the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania. In case imports into the Community of live bovine domestic animals may exceed 500 000 heads for any given year, the Community may take the management measures needed to protect its market, notwithstanding any other rights given under the Agreement.

⁽⁴⁾ The quota for this product is opened for the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania.

⁽⁵⁾ Excluding tenderloin presented alone.

⁽⁶⁾ Subject to minimum import price arrangements contained in the Appendix to this Annex.

⁽⁷⁾ The reduction applies only to the *ad valorem* part of the duty.

⁽⁸⁾ In dried egg equivalent (100 kg liquid egg = 25,7 kg of dried eggs)

Appendix to Annex C(b)

Minimum import price arrangement for certain soft fruit for processing

1. Minimum import prices are fixed as follows for the following products for processing originating in Estonia:

CN code	Description	Minimum import price (euro/t net)
ex 0810 10	Strawberries, fresh, intended for processing	514
ex 0810 30 10	Blackcurrants, fresh, intended for processing	385
ex 0810 30 30	Redcurrants, fresh, intended for processing	233
ex 0811 10 11	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content exceeding 13 % by weight: whole fruit	750
ex 0811 10 11	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content exceeding 13 % by weight: other	576
ex 0811 10 19	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: whole fruit	750
ex 0811 10 19	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: other	576
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: whole fruit	750
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: other	576
ex 0811 20 19	Frozen raspberries, containing additional sugar or other sweetening matter not exceeding 13 % by weight: whole fruit	995
ex 0811 20 19	Frozen raspberries, containing additional sugar or other sweetening matter not exceeding 13 % by weight: other	796
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: whole fruit	995
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: other	796
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: without stalk	628
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: other	448
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: without stalk	390
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: other	295

2. The minimum import prices, as set out in point 1, will be respected on a consignment by consignment basis. Where a customs declaration value is lower than the minimum import price, a countervailing duty will be charged equal to the difference between the minimum import price and the customs declaration value.

3. If the import prices of a given product covered by this Appendix show a trend suggesting that the prices could go below the level of the minimum import prices in the immediate future, the Commission of the European Communities will inform the Estonian authorities in order to enable them to correct the situation.
4. At the request of either the Community or Estonia, the Association Council shall examine the functioning of the system or the revision of the level of the minimum import prices. If appropriate, the Association Council shall take the necessary decisions.
5. To encourage and promote the development of trade and for the mutual benefit of all parties concerned, a consultation meeting may be organised three months before the beginning of each marketing year in the Community. This consultation meeting will take place between the Commission of the European Communities and the interested European producers' organisations for the products concerned, of the one part, and the authorities', producers' and exporters' organisations of all the associated exporting countries, of the other part.

During this consultation meeting, the market situation for soft fruit including, in particular, forecasts for production, stock situation, price evolution and possible market development, as well as possibilities to adapt supply to demand, will be discussed.

COMMISSION REGULATION (EC) No 1152/2002
of 28 June 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 ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 29 June 2002.

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

Done at Brussels, 28 June 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 28 June 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	58,6
	070	52,8
	999	55,7
0707 00 05	052	106,6
	220	143,3
	999	125,0
0709 90 70	052	80,9
	999	80,9
0805 50 10	388	61,0
	528	44,5
	999	52,8
0808 10 20, 0808 10 50, 0808 10 90	388	86,1
	400	114,6
	404	94,4
	508	83,7
	512	86,6
	524	57,8
	528	74,7
	720	152,8
	804	95,1
	999	94,0
	0809 10 00	052
999		197,8
0809 20 95	052	357,5
	060	216,2
	064	270,8
	066	210,0
	068	156,6
	400	202,9
	999	235,7
0809 40 05	624	234,4
	999	234,4

⁽¹⁾ 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 1153/2002

of 28 June 2002

fixing the representative prices and additional import duties for certain products 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 ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed rules for the import of products in the sugar sector other than molasses ⁽³⁾, as last amended by Regulation (EC) No 624/98 ⁽⁴⁾, and in particular the second subparagraph of Article 1(2) and Article 3(1) thereof,

Whereas:

(1) Regulation (EC) No 1423/95 stipulates that the cif import price for raw sugar and white sugar, hereinafter known as the 'representative price', should be set in accordance with Commission Regulation (EEC) No 784/68 ⁽⁵⁾, as amended by Regulation (EC) No 260/96 ⁽⁶⁾. That price should be fixed for the standard qualities defined in Annex I, point I and II, to Regulation (EC) No 1260/2001.

(2) When the representative prices are being fixed, the Commission must take account of all available information on offers on the world market, on quotations on the exchanges which are important for world trade in sugar, on prices recorded on important third-country markets, and on sales concluded in international trade of which it has knowledge either directly or through the agency of the Member States. However, pursuant to Regulation (EEC) No 784/68, the Commission must disregard information if the goods concerned are not of sound and fair marketable quality or if the price quoted in an offer relates to a small quantity which is not representative of the market. Offer prices which can be assumed not to be representative of actual market trends must also be disregarded.

(3) If information on sugar of the standard quality is to be comparable, the price increases or reductions fixed pursuant to Article 5(1)(a) of Regulation (EEC) No 784/68 must be added to or deducted from the offers taken into consideration in the case of white sugar. In the case of raw sugar, the corrective factors provided for in Article 5(1)(b) must be applied.

(4) The representative price is modified only if the variation in the elements used to calculate it would entail an increase or a reduction of not less than 1,20 EUR/100 kilograms in relation to the representative price previously fixed.

(5) 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 1423/95.

(6) It follows from applying these provisions that the representative prices and additional import duties for the products in question should be as set out in the Annex hereto.

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

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties applicable to the import of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2002.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 141, 24.6.1995, p. 16.

⁽⁴⁾ OJ L 85, 20.3.1998, p. 5.

⁽⁵⁾ OJ L 145, 27.6.1968, p. 10.

⁽⁶⁾ OJ L 34, 13.2.1996, p. 16.

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

Done at Brussels, 28 June 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

ANNEX

to the Commission Regulation of 28 June 2002 fixing representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 ⁽¹⁾	15,32	8,92
1701 11 90 ⁽¹⁾	15,32	15,22
1701 12 10 ⁽¹⁾	15,32	8,69
1701 12 90 ⁽¹⁾	15,32	14,70
1701 91 00 ⁽²⁾	22,51	14,65
1701 99 10 ⁽²⁾	22,51	9,46
1701 99 90 ⁽²⁾	22,51	9,46
1702 90 99 ⁽³⁾	0,23	0,41

⁽¹⁾ For the standard quality as defined in Annex I, point II to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

⁽²⁾ For the standard quality as defined in Annex I, point I to Council Regulation (EC) No 1260/2001 (OJ L 178, 30.6.2001, p. 1).

⁽³⁾ By 1 % sucrose content.

COMMISSION REGULATION (EC) No 1154/2002**of 28 June 2002****altering the export refunds on white sugar and raw sugar exported in the natural 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 ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular the third subparagraph of Article 27(5) thereof,

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1069/2002 ⁽³⁾, as amended by Regulation (EC) No 1123/2002 ⁽⁴⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 1069/2002 to the information

known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

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, as fixed in the Annex to Regulation (EC) No 1069/2002 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2002.

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

Done at Brussels, 28 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 163, 21.6.2002, p. 5.

⁽⁴⁾ OJ L 169, 28.6.2002, p. 5.

ANNEX

to the Commission Regulation of 28 June 2002 altering 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	42,04 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	42,04 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	42,04 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	42,04 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4570
1701 99 10 9100	A00	EUR/100 kg	45,70
1701 99 10 9910	A00	EUR/100 kg	45,70
1701 99 10 9950	A00	EUR/100 kg	45,70
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4570

⁽¹⁾ 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.

⁽²⁾ 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 1155/2002

of 28 June 2002

fixing the export refunds on syrups and certain other sugar products exported in the natural 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 ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, 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)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Article 3 of 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 ⁽³⁾, provides that the export refund on 100 kilograms of the products listed in Article 1(1)(d) of Regulation (EC) No 1260/2001 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.

(3) Article 30(3) of Regulation (EC) No 1260/2001 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one hundredth of the production refund applicable, pursuant to Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽⁴⁾ to the products listed in the Annex to the last mentioned Regulation;

(4) According to the terms of Article 30(1) of Regulation (EC) No 1260/2001, the basic amount of the refund on

the other products listed in Article 1(1)(d) of the said Regulation exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward-processing arrangements.

(5) According to the terms of Article 30(4) of Regulation (EC) No 1260/2001, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.

(6) Article 27 of Regulation (EC) No 1260/2001 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 1260/2001 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article 1(1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.

(7) The refunds referred to above must be fixed every month; they may be altered in the intervening period.

(8) Application of these quotas results in fixing refunds for the products in question at the levels given 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,

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 214, 8.9.1995, p. 16.

⁽⁴⁾ OJ L 178, 30.6.2001, p. 63.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d)(f)(g) and (h) of Regulation (EC) No 1260/2001, exported in the natural state, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2002.

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

Done at Brussels, 28 June 2002.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 28 June 2002 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	A00	EUR/100 kg dry matter	45,70 ⁽²⁾
1702 60 10 9000	A00	EUR/100 kg dry matter	45,70 ⁽²⁾
1702 60 80 9100	A00	EUR/100 kg dry matter	86,83 ⁽⁴⁾
1702 60 95 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4570 ⁽¹⁾
1702 90 30 9000	A00	EUR/100 kg dry matter	45,70 ⁽²⁾
1702 90 60 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4570 ⁽¹⁾
1702 90 71 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4570 ⁽¹⁾
1702 90 99 9900	A00	EUR/1 % sucrose × net 100 kg of product	0,4570 ⁽¹⁾ ⁽³⁾
2106 90 30 9000	A00	EUR/100 kg dry matter	45,70 ⁽²⁾
2106 90 59 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4570 ⁽¹⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.

⁽²⁾ Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.

⁽³⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

⁽⁴⁾ Applicable only to products defined under Article 6 of Regulation (EC) No 2135/95.

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 1156/2002
of 28 June 2002
fixing the production refund on white sugar used in the chemical industry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular Article 7(5) thereof,

Whereas:

- (1) Pursuant to Article 7(3) of Regulation (EC) No 1260/2001, production refunds may be granted on the products listed in Article 1(1)(a) and (f) of that Regulation, on syrups listed in Article 1(1)(d) thereof and on chemically pure fructose covered by CN code 1702 50 00 as an intermediate product, that are in one of the situations referred to in Article 23(2) of the Treaty and are used in the manufacture of certain products of the chemical industry.
- (2) Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽³⁾ lays down the rules for determining the production refunds and specifies the chemical products the basic products used in the manufacture of which attract a production refund. Articles 5, 6 and 7 of Regulation (EC) No 1265/2001 provide that the production refund applying to raw sugar, sucrose syrups and unprocessed isoglucose is to be derived from the refund fixed for white sugar in accordance with a method of calculation specific to each basic product.
- (3) Article 9 of Regulation (EC) No 1265/2001 provides that the production refund on white sugar is to be fixed at

monthly intervals commencing on the first day of each month. It may be adjusted in the intervening period where there is a significant change in the prices for sugar on the Community and/or world markets. The application of those provisions results in the production refund fixed in Article 1 of this Regulation for the period shown.

- (4) As a result of the amendment to the definition of white sugar and raw sugar in Article 1(2)(a) and (b) of Regulation (EC) No 1260/2001, flavoured or coloured sugars or sugars containing any other added substances are no longer deemed to meet those definitions and should thus be regarded as 'other sugar'. However, in accordance with Article 1 of Regulation (EC) No 1265/2001, they attract the production refund as basic products. A method should accordingly be laid down for calculating the production refund on these products by reference to their sucrose content.
- (5) 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 production refund on white sugar referred to in Article 4 of Regulation (EC) No 1265/2001 shall be equal to EUR 40,369/100 kg net.

Article 2

This Regulation shall enter into force on 1 July 2002.

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

Done at Brussels, 28 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 178, 30.6.2001, p. 63.

COMMISSION REGULATION (EC) No 1157/2002
of 28 June 2002
fixing the import duties in the cereals sector

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 597/2002 ⁽⁴⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 1 July 2002.

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

Done at Brussels, 28 June 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 91, 6.4.2002, p. 9.

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality ⁽¹⁾	0,00
1001 90 91	Common wheat seed	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	0,00
	medium quality	2,23
	low quality	18,80
1002 00 00	Rye	27,95
1003 00 10	Barley, seed	27,95
1003 00 90	Barley, other ⁽⁴⁾	27,95
1005 10 90	Maize seed other than hybrid	54,99
1005 90 00	Maize other than seed ⁽⁵⁾	54,99
1007 00 90	Grain sorghum other than hybrids for sowing	38,04

⁽¹⁾ In the case of durum wheat not meeting the minimum quality requirements for durum wheat of medium quality, referred to in Annex I to Regulation (EC) No 1249/96, the duty applicable is that fixed for low-quality common wheat.

⁽²⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic coasts of the Iberian peninsula.

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 14 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

⁽⁴⁾ The importer may benefit from a flat-rate reduction of EUR 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

⁽⁵⁾ The importer may benefit from a flat-rate reduction of EUR 24 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 14 June to 27 June 2002)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	117,68	119,28	111,49	87,30	182,60 (**)	172,60 (**)	102,89 (**)
Gulf premium (EUR/t)	—	23,59	14,81	12,90	—	—	—
Great Lakes premium (EUR/t)	22,69	—	—	—	—	—	—

(*) A discount of 10 EUR/t (Article 4(1) of Regulation (EC) No 1249/96).

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico–Rotterdam: 11,93 EUR/t; Great Lakes–Rotterdam: 26,20 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

COMMISSION REGULATION (EC) No 1158/2002**of 28 June 2002****fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid**

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⁽¹⁾, as last amended by Commission Regulation (EC) No 1666/2000⁽²⁾, and in particular the third subparagraph of Article 13(2) thereof,Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice⁽³⁾, as last amended by Commission Regulation (EC) No 411/2002⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section.
- (2) In order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid ac-

tions, the level of the refunds granted for these actions should be determined.

- (3) The general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.
- (4) The specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95.
- (5) 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 Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 July 2002.

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

Done at Brussels, 28 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ L 181, 1.7.1992, p. 21.⁽²⁾ OJ L 193, 29.7.2000, p. 1.⁽³⁾ OJ L 329, 30.12.1995, p. 18.⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.⁽⁵⁾ OJ L 288, 25.10.1974, p. 1.

ANNEX

to the Commission Regulation of 28 June 2002 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(EUR/t)

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	0,00
1002 00 00 9000	0,00
1003 00 90 9000	0,00
1005 90 00 9000	26,00
1006 30 92 9100	90,00
1006 30 92 9900	90,00
1006 30 94 9100	90,00
1006 30 94 9900	90,00
1006 30 96 9100	90,00
1006 30 96 9900	90,00
1006 30 98 9100	90,00
1006 30 98 9900	90,00
1006 30 65 9900	90,00
1007 00 90 9000	26,00
1101 00 15 9100	0,00
1101 00 15 9130	0,00
1102 10 00 9500	0,00
1102 20 10 9200	40,56
1102 20 10 9400	34,76
1103 11 10 9200	0,00
1103 13 10 9100	52,15
1104 12 90 9100	0,00

NB: The product codes are defined in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1), amended.

**COMMISSION REGULATION (EC) No 1159/2002
of 28 June 2002**

fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 100th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

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 ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The intervention agencies are, pursuant to Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽³⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁴⁾, to sell by invitation to tender certain quantities of butter that they hold and to grant aid for cream, butter and concentrated butter. Article 18 of that Regulation stipulates that in the light of the tenders received in response to each individual invitation to tender a minimum selling price shall be fixed for butter and maximum aid shall be fixed for cream, butter and concentrated butter. It is further stipulated that the price or aid may vary

according to the intended use of the butter, its fat content and the incorporation procedure, and that a decision may also be taken to make no award in response to the tenders submitted. The amount(s) of the processing securities must be fixed accordingly.

- (2) 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

The minimum selling prices and the maximum aid and processing securities applying for the 100th individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 June 2002.

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

Done at Brussels, 28 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 28 June 2002 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 100th individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

Formula			A		B	
Incorporation procedure			With tracers	Without tracers	With tracers	Without tracers
Minimum selling price	Butter \geq 82 %	Unaltered	—	—	—	—
		Concentrated	—	—	—	—
Processing security	Unaltered		—	—	—	—
	Concentrated		—	—	—	—
Maximum aid	Butter \geq 82 %		85	81	—	81
	Butter < 82 %		83	79	—	79
	Concentrated butter		105	101	105	101
	Cream		—	—	36	34
Processing security	Butter		94	—	—	—
	Concentrated butter		116	—	116	—
	Cream		—	—	40	—

**COMMISSION REGULATION (EC) No 1160/2002
of 28 June 2002**

**fixing the maximum purchasing price for butter for the 53rd invitation to tender carried out under
the standing invitation to tender governed by Regulation (EC) No 2771/1999**

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 ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 13 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 1614/2001 ⁽⁴⁾, provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed in relation to the intervention price applicable and that it may also be decided not to proceed with the invitation to tender.

(2) As a result of the tenders received, the maximum buying-in price should be fixed as set out below.

(3) 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

For the 53rd invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 25 June 2002, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 29 June 2002.

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

Done at Brussels, 28 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 214, 8.8.2001, p. 20.

COMMISSION REGULATION (EC) No 1161/2002**of 28 June 2002****fixing the maximum aid for concentrated butter for the 272nd special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

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 ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community ⁽³⁾, as last amended by Regulation (EC) No 124/1999 ⁽⁴⁾, the intervention agencies are opening a standing invitation to tender for the granting of aid for concentrated butter; Article 6 of that Regulation provides that in the light of the tenders received in response to each special invitation to tender, a maximum amount of aid is to be fixed for concentrated butter with a minimum fat content of 96 % or a decision is to be taken to make no award; the end-use security must be fixed accordingly.

- (2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.

- (3) 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

For the 272nd special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

- | | |
|---------------------|-----------------|
| — maximum aid: | EUR 105/100 kg, |
| — end-use security: | EUR 116/100 kg. |

Article 2

This Regulation shall enter into force on 29 June 2002.

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

Done at Brussels, 28 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

COMMISSION REGULATION (EC) No 1162/2002

of 28 June 2002

amending Regulation (EEC) No 94/92 laying down detailed rules for implementing the arrangements for imports from third countries provided for in Council Regulation (EEC) No 2092/91

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs⁽¹⁾, as last amended by Commission Regulation (EC) No 473/2002⁽²⁾, and in particular Article 11(1) thereof,

Whereas:

- (1) The list of third countries from which certain agricultural products obtained by the organic production method must originate in order to be marketed within the Community, provided for in Article 11(1) of Regulation (EEC) No 2092/91, is set out in the Annex to Commission Regulation (EEC) No 94/92⁽³⁾, as last amended by Regulation (EC) No 2589/2001⁽⁴⁾. That list was drawn up in accordance with Article 11(2) of Regulation (EEC) No 2092/91.
- (2) New Zealand submitted to the Commission a request to be included in the list provided for in Article 11(1) of Regulation (EEC) No 2092/91. Its authorities submitted the information required pursuant to Article 2(2) of Regulation (EEC) No 94/92.
- (3) The examination of this information and consequent discussion with the authorities of New Zealand has led to the conclusion that in that country the rules governing production and inspection of agricultural products are equivalent to those laid down in Regulation (EEC) No 2092/91.
- (4) Imports from New Zealand to the European Community take place currently according to Article 11(6) of (EEC) Regulation No 2092/91. Producers and exporters will need a transitional period in order to adapt themselves to the Food Official Organic Assurance Programme.

- (5) The duration of New Zealand's inclusion in the list should be subject to the outcome of the on-the-spot check of the rules of production and the inspection measures actually applied in New Zealand, provided for in Article 11(5) of Regulation (EEC) No 2092/91.
- (6) New Zealand authorities have provided the Commission with all the necessary guarantees and information which satisfy the requirement that the inspection bodies meet the criteria laid down in Article 11(2) of Regulation (EEC) No 2092/91.
- (7) Regulation (EEC) No 94/92 should therefore be amended accordingly.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Committee mentioned in Article 14 of Regulation (EEC) No 2092/91,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 94/92 is amended as set out in the Annex to this Regulation.

Article 2

During a transitional period expiring on 30 June 2003, the New Zealand Ministry of Agriculture and Forestry (MAF) may also issue the certificate referred to in Article 11(1)(b) of Regulation (EEC) No 2092/91 for products for which import authorisations have been granted and notified according to Article 11(6) of that Regulation provided that the authorisations were granted before 1 July 2002.

Article 3

This Regulation shall enter into force on 1 July 2002.

⁽¹⁾ OJ L 198, 22.7.1991, p. 1.

⁽²⁾ OJ L 75, 16.3.2002, p. 21.

⁽³⁾ OJ L 11, 17.1.1992, p. 14.

⁽⁴⁾ OJ L 345, 29.12.2001, p. 18.

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

Done at Brussels, 28 June 2002.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

In the Annex to Regulation (EEC) No 94/92, the following text is added after the text referring to Switzerland:

'New Zealand

1. Product categories:

- (a) unprocessed agricultural crop products, livestock and unprocessed livestock products within the meaning of Article 1(1)(a) of Regulation (EEC) No 2092/91, with the exception of:
 - livestock and livestock products bearing or intended to bear indications referring to conversion,
 - products from aquaculture;
- (b) processed agricultural crop and livestock products intended for human consumption within the meaning of Article 1(1)(b) of Regulation (EEC) No 2092/91, with the exception of:
 - livestock products bearing or intended to bear indications referring to conversion,
 - products containing products from aquaculture.

2. Origin:

Products of category 1(a) and organically produced ingredients in products of category 1(b) that have been produced in New Zealand or have been imported into New Zealand:

- either from the European Community,
- or from a third country within the framework of arrangements which are recognised as equivalent to the provisions of Article 11(1) of Regulation (EEC) No 2092/91,
- or from a third country whose rules of production and inspection system have been recognised as equivalent to the MAF Food Official Organic Assurance Programme on the basis of assurances and information provided by this country's competent authority in accordance with the provisions established by MAF and provided that only organically produced ingredients intended to be incorporated, up to a maximum of 5 % of products of agricultural origin, in products of category 1(b) prepared in New Zealand are imported.

3. Inspection bodies: BIO-GRO New Zealand; Certenz.

4. Certificate issuing body: New Zealand Ministry of Agriculture and Forestry (MAF).

5. Duration of the inclusion: 30 June 2006.'

COMMISSION REGULATION (EC) No 1163/2002

of 28 June 2002

amending Regulation (EC) No 1501/95 as regards the conditions for the payment of export refunds on cereal products

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 ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, and in particular Article 13(11) thereof,

Whereas:

- (1) Article 3 of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽³⁾, as last amended by Regulation (EC) No 2299/2001 ⁽⁴⁾, stipulates that, when a differentiated refund applies for a specific third country, entitlement to the refund is acquired on importation into that third country. Articles 14, 15 and 16 of that Regulation lay down the conditions for the payment of the refund when a differentiated refund applies and in particular the documents to be presented to prove the arrival of the product at destination.
- (2) When a differentiated refund applies, Article 18(1) and (2) of Regulation (EC) No 800/1999 stipulates that part of the refund, calculated using the lowest refund rate, is paid on application by the exporter once proof is furnished that the product has left the customs territory of the Community.
- (3) 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 ⁽⁵⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁶⁾, provides for exceptions to Regulation (EC) No 800/1999 as a result of a trade agreement concluded in 2000 on the abolition of refunds on common wheat, flour and bran exported to Poland.
- (4) Trade agreements have recently been concluded between the European Community and Estonia, Latvia and Lithuania (the Baltic States) establishing certain concessions in the form of Community tariff quotas for certain agricul-

tural products and the total liberalisation of trade in other agricultural products. In the cereals sector, one of these concessions is the abolition of refunds on most of the products referred to in Article 1(1) of Regulation (EEC) No 1766/92.

- (5) Article 7a of Commission Regulation (EC) No 1162/95 of 23 May 1995 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽⁷⁾, as last amended by Regulation (EC) No 1006/2002 ⁽⁸⁾, provides for special arrangements for exports to Poland and the Baltic States.
- (6) Account must therefore be taken of those special arrangements, which are due to enter into force on 1 July 2002, so as not to impose unnecessary costs on exporters trading with the third countries concerned. To that end, in determining the lowest rate of refund, no account should be taken of the fact that no refund has been fixed for the destination concerned.
- (7) The provisions of Regulation (EC) No 1501/95 containing the exceptions to Regulation (EC) No 800/1999 should therefore be adapted to take account of the new trade agreements concluded with the Baltic States.
- (8) 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

Article 13a of Regulation (EC) No 1501/95 is replaced by the following:

‘Article 13a

1. As an exception to Article 16 of Commission Regulation (EC) No 800/1999 ^(*), where the differentiation of the refund is the result solely of a refund not having been fixed for the destinations referred to in Annex IV to Regulation (EC) No 1162/95, proof that customs formalities for importation have been completed shall not be required for payment of the refund for the products listed in that Annex.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 102, 17.4.1999, p. 11.

⁽⁴⁾ OJ L 308, 27.11.2001, p. 19.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁶⁾ OJ L 89, 29.3.2001, p. 16.

⁽⁷⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁸⁾ OJ L 153, 12.6.2002, p. 5.

2. The fact that a refund has not been fixed for the export of products as referred to in Annex IV to Regulation (EC) No 1162/95 for the destinations indicated therein shall not be taken into account in determining the lowest rate of refund within the meaning of Article 18(2) of Regulation (EC) No 800/1999.

(*) OJ L 102, 17.4.1999, p. 11.'

Article 2

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

It shall apply from 1 July 2002.

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

Done at Brussels, 28 June 2002.

For the Commission
Franz FISCHLER
Member of the Commission

**COMMISSION REGULATION (EC) No 1164/2002
of 28 June 2002**

**amending Regulation (EC) No 1646/2001 as regards the setting of the amount of the adjustment aid
and additional basic aid for the sugar refining industry for the 2002/2003 to 2005/2006 marketing
years**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular Article 38(6) thereof,

Whereas:

- (1) Article 38(1) and (3) of Regulation (EC) No 1260/2001 provides that during the 2001/2002 to 2005/2006 marketing years adjustment aid is to be granted as an intervention measure to the Community's preferential raw cane sugar refining industry, together with an additional basic aid for raw cane sugar produced in the French overseas departments.
- (2) Article 38(4) lays down that the adjustment aid and additional aid may be adjusted to take account of economic trends in the sugar sector, particularly the margins for manufacturing white beet sugar and refining raw cane sugar. For the 2000/2001 and previous marketing years, the adjustment aid and additional aid were determined, *inter alia*, on the basis of the applicable storage levy. For the 2001/2002 marketing year, the compensation system for storage costs was abolished and the aid in question set on the assumption that the balance between the manufacturing margin and the refining margin has not been affected by the abolition of the aforementioned system and pending a study of economic developments in the two sectors to establish in particular whether the way in which the two margins have developed warrants continuation of the adjustment aid and additional aid.
- (3) The analyses carried out lead to the conclusion that the aid to the refining industry should continue to maintain balance with the manufacture of white beet sugar in the

period for which prices in the sugar sector are set, i.e. for the 2002/2003 to 2005/2006 marketing years. The level of the aid set for the 2001/2002 marketing year is commensurate with developments in the situation in particular after the abolition of the compensation system for storage costs.

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 of Regulation (EC) No 1646/2001 is replaced by the following:

'Article 3

1. The adjustment aid and the additional basic aid referred to respectively in Article 38(1) and (3) of Regulation (EC) No 1260/2001 are fixed, as a result of the adjustment referred to in Article 38(4), to EUR 2,92 per 100 kg of sugar, expressed as white sugar, for the 2002/2003 to 2005/2006 marketing years.

2. That amount may be adjusted in accordance with Article 38(4) of Regulation (EC) No 1260/2001 where the economic conditions, in particular the interest rate, prevailing prior to the beginning of one of the marketing years in question are significantly different from those existing when the amount was fixed for the first time.'

Article 2

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

It shall apply from 1 July 2002.

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

Done at Brussels, 28 June 2002.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

COMMISSION REGULATION (EC) No 1165/2002

of 28 June 2002

amending Regulation (EC) No 2535/2001 laying down detailed rules for applying Council Regulation (EC) No 1255/1999 as regards the import arrangements for milk and milk products and opening tariff quotas

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 ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 29(1) thereof,

Whereas:

(1) Article 4(2) of Commission Regulation (EC) No 2535/2001 ⁽³⁾, as last amended by Regulation (EC) No 886/2002 ⁽⁴⁾, stipulates that certain CN codes are to apply only to imported products originating in and coming from Switzerland. Classification in CN codes 0406 90 02 to 0406 90 06 requires compliance with a minimum free-at-frontier value if imports into the Community are to qualify for a preferential duty rate. Since from 1 June 2002, the date of entry into force of the bilateral agreement between the European Community and the Swiss Confederation concerning trade in agricultural products, signed in Luxembourg on 21 June 1999 and approved by Decision 2002/309/EC, Euratom of the Council and of the Commission ⁽⁵⁾, eligibility for the preferential duty rate is no longer subject to compliance with a minimum free-at-frontier value, and since the cheeses covered by those codes are now imported under CN codes 0406 90 13 to 0406 90 17, as listed in Annex II(D) to Regulation (EC) No 2535/2001, CN codes 0406 90 02 to 0406 90 06 are no longer required. In order to avoid confusing importers and customs authorities, and pending the deletion of those codes from the Combined Nomenclature, the said Article should be adjusted and transitional rules adopted for licences issued before the date of entry into force of the agreement with Switzerland.

(2) Article 12 of Regulation (EC) No 2535/2001 stipulates that importers may lodge only one licence application each for the same quota in the integrated tariff of the European Communities (TARIC). The quota numbers listed in Annexes I(B)(2) and I(B)(3) to that Regulation for products originating in the Czech Republic and Slovakia are identical, since those two countries were pre-

viously one country. It should therefore be specified that the quotas concerned must be considered as separate quotas.

(3) Regulation (EC) No 2535/2001 should therefore be amended.

(4) 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

Regulation (EC) No 2535/2001 is amended as follows:

1. Article 4(2) is replaced by the following:

'2. CN codes 0406 20 10 and 0406 90 19 shall apply only to imported products originating in and coming from Switzerland in accordance with Article 20.'

2. The following paragraph is added to Article 4:

'3. CN codes 0406 90 02 to 0406 90 06 shall not apply under this Regulation. For imports carried out after 1 June 2002 under licences issued before that date, products falling within those codes shall be classified under CN codes 0406 90 13 to 0406 90 17 and the rates set out in Annex II(D) shall apply.'

3. The following sentence is added to the first subparagraph of Article 12:

'However, the quotas in Annexes I(B)(2) and I(B)(3) bearing the same quota number shall be considered as separate quotas.'

Article 2

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

It shall apply from 1 July 2002.

However, point 2 of Article 1 shall apply from 1 June 2002.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 341, 22.12.2001, p. 29.

⁽⁴⁾ OJ L 139, 29.5.2002, p. 30.

⁽⁵⁾ OJ L 114, 30.4.2002, p. 1.

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

Done at Brussels, 28 June 2002.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1166/2002

of 28 June 2002

amending Regulation (EC) No 174/1999 laying down special detailed rules for the application of Council Regulation (EEC) No 804/68 as regards export licences and export refunds in the case of 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 ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 26(3) and Article 31(14) thereof,

Whereas:

- (1) Commission Regulation (EC) No 174/1999 ⁽³⁾, as last amended by Regulation (EC) No 787/2002 ⁽⁴⁾, lays down special detailed rules for applying Council Regulation (EEC) No 804/68 ⁽⁵⁾, as last amended by Regulation (EC) No 1587/96 ⁽⁶⁾, as regards export licences and export refunds in the case of milk and milk products. In order to ensure that the export refund arrangements are properly managed and reduce the risk of speculation and disturbance in the arrangements for certain milk products, the security set in the above Regulation should be increased.
- (2) Article 15 of Regulation (EC) No 174/1999 provides for refunds on exports of cheeses to be differentiated according to destination zone. In view of the trends in the refunds for the various destinations, certain zones can be abolished. In the interests of simplification, certain destination zones should be merged.
- (3) Regulation (EC) No 174/1999 should therefore be amended accordingly.
- (4) 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

Regulation (EC) No 174/1999 is amended as follows:

1. The first paragraph of Article 9 is replaced by the following:

'The security referred to in Article 15(2) of Regulation (EC) No 1291/2000 shall be equal to a percentage of the refund fixed for each product code applicable on the day the export licence application is lodged, as follows:

- (a) 10 % for products covered by CN code 0405;
- (b) 30 % for products covered by CN code 0402 10;
- (c) 30 % for products covered by CN code 0406;
- (d) 25 % for other products.'

2. Article 15(3) is replaced by the following:

'3. The zones referred to in paragraph 1 shall be as follows:

- zone I: destination codes 070 and 091 to 096,
- zone III: destination code 400,
- zone VI: all other destination codes.'

Article 2

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

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

Done at Brussels, 28 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 127, 14.5.2002, p. 6.

⁽⁵⁾ OJ L 148, 28.6.1968, p. 13.

⁽⁶⁾ OJ L 206, 16.8.1996, p. 21.

**COMMISSION REGULATION (EC) No 1167/2002
of 28 June 2002**

**fixing the maximum buying-in price for skimmed-milk powder for the first invitation to tender
carried out under the standing invitation to tender governed by Regulation (EC) No 214/2001**

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 ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 17 of Commission Regulation (EC) No 214/2001 of 12 January 2001 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in skimmed-milk powder ⁽³⁾ provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed by reference to the intervention price applicable and that it may also be decided to make no award under the round.

- (2) As a result of the tenders received, the maximum buying-in price should be fixed as set out below.
- (3) 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

For the first invitation to tender issued under Regulation (EC) No 214/2001, for which tenders had to be submitted not later than 25 June 2002, the maximum buying-in price shall be EUR 202,44/100 kg.

Article 2

This Regulation shall enter into force on 29 June 2002.

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

Done at Brussels, 28 June 2002.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 37, 7.2.2001, p. 100.

COMMISSION REGULATION (EC) No 1168/2002

of 28 June 2002

amending Regulation (EC) No 2533/2001 laying down detailed rules for the application in 2002 of the tariff quotas for beef and veal products originating in Croatia, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2007/2000 of 18 September 2000 introducing exceptional trade measures for countries and territories participating in or linked to the European Union's stabilisation and association process, amending Regulation (EC) No 2820/98, and repealing Regulations (EC) No 1763/1999 and (EC) No 6/2000 ⁽¹⁾, as last amended by Commission Regulation (EC) No 2487/2001 ⁽²⁾, and in particular Articles 4(2) and 6 thereof,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽³⁾, as last amended by Commission Regulation (EC) No 2345/2001 ⁽⁴⁾, and in particular Article 32(1) thereof,

Having regard to Council Regulation (EC) No 2248/2001 of 19 November 2001 on certain procedures for applying the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Croatia, of the other part and for applying the Interim Agreement between the European Community and the Republic of Croatia ⁽⁵⁾, and in particular Article 2 thereof,

Whereas:

- (1) Article 4(2) of Commission Regulation (EC) No 2533/2001 ⁽⁶⁾ provides for the Commission to revise the list of issuing authorities for certificates of authenticity under certain circumstances. That provision should be

amended to harmonise it with other Regulations in force.

- (2) The Federal Republic of Yugoslavia has designated the body authorised to issue certificates of authenticity. As a result, Annex V to Regulation (EC) No 2533/2001 should be amended to include that body.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2533/2001 is amended as follows:

- Article 4(2) is replaced by the following:
 - The list in Annex V may be revised by the Commission where the requirement referred to in paragraph 1(a) is no longer met, where an issuing authority fails to fulfil one or more of the obligations incumbent on it or where a new issuing authority is designated.
- Annex V is replaced by the Annex to this Regulation.

Article 2

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

Article 1(2) shall apply from 31 May 2002.

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

Done at Brussels, 28 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 240, 23.9.2000, p. 1.

⁽²⁾ OJ L 335, 19.12.2001, p. 9.

⁽³⁾ OJ L 160, 26.6.1999, p. 21.

⁽⁴⁾ OJ L 315, 1.12.2001, p. 29.

⁽⁵⁾ OJ L 304, 21.11.2001, p. 1.

⁽⁶⁾ OJ L 341, 22.12.2001, p. 19.

ANNEX

'ANNEX V

Issuing authorities:

- Republic of Croatia: "Euroinspekt", Zagreb, Croatia,
 - Bosnia and Herzegovina,
 - Former Yugoslav Republic of Macedonia,
 - Federal Republic of Yugoslavia: YU Institute for Meat Hygiene and Technology, Kacanskog 13, Belgrade, Yugoslavia.'
-

COMMISSION REGULATION (EC) No 1169/2002

of 28 June 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⁽¹⁾, as last amended by Regulation (EC) No 1666/2000⁽²⁾, 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⁽³⁾, as last amended by Commission Regulation (EC) No 411/2002⁽⁴⁾, 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⁽⁵⁾, as last amended by Regulation (EC) No 1052/2002⁽⁶⁾, 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. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. 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⁽⁷⁾, 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⁽⁸⁾, as last amended by Commission Regulation (EC) No 1786/2001⁽⁹⁾, 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 1 July 2002.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁶⁾ OJ L 160, 18.6.2002, p. 16.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ 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, 28 June 2002.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 28 June 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 ⁽¹⁾	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 ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases	— — — —	— — — —
1002 00 00	Rye	2,205	2,205
1003 00 90	Barley – where goods falling within subheading 2208 ⁽³⁾ 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 ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ 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 ⁽⁴⁾ : – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – – in other cases – where goods falling within subheading 2208 ⁽³⁾ 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 ⁽²⁾ – – where goods falling within subheading 2208 ⁽³⁾ are exported – in other cases	2,897 1,149 2,897 2,173 0,862 2,173 1,149 2,897 2,897 1,149 2,897	2,897 1,149 2,897 2,173 0,862 2,173 1,149 2,897 2,897 1,149 2,897

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	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	8,000	8,000
	– medium grain	8,000	8,000
	– long grain	8,000	8,000
1006 40 00	Broken rice	2,000	2,000
1007 00 90	Sorghum	—	—

⁽¹⁾ 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).

⁽²⁾ The goods concerned fall under CN code 3505 10 50.

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

⁽⁴⁾ 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 1170/2002

of 28 June 2002

fixing the rates of refunds applicable to certain products from the sugar sector 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 (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular Article 27(5)(a) and (15),

Whereas:

(1) Article 27(1) and (2) of Regulation (EEC) No 1260/2001 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation. 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 ⁽³⁾, as last amended by Regulation (EC) No 1052/2002 ⁽⁴⁾, 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 I to Regulation (EC) No 1260/2001.

(2) In accordance with 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.

(3) Article 27(3) of Regulation (EC) No 1260/2001 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.

(4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.

(5) 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. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

(6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

(7) 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 rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1(1) and (2) of Regulation (EC) No 1260/2001, exported in the form of goods listed in Annex V to Regulation (EC) No 1260/2001, are fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 2002.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁴⁾ OJ L 160, 18.6.2002, p. 16.

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

Done at Brussels, 28 June 2002.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 28 June 2002 fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty

Product	Rate of refund in EUR/100 kg	
	In case of advance fixing of refunds	Other
White sugar:	45,70	45,70

COMMISSION REGULATION (EC) No 1171/2002

of 28 June 2002

fixing the rates of the refunds applicable to certain milk 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 (EC) No 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002⁽²⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund. Whereas 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 criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EC) No 1052/2002⁽⁴⁾, 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 the Annex to Regulation (EC) No 1255/1999.

(2) 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.

(3) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products.

(4) Article 11(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(5) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁵⁾, as last amended by Regulation (EC) No 721/2002⁽⁶⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

(7) 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

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1 of Regulation (EC) No 1255/1999, exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 2002.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁴⁾ OJ L 160, 18.6.2002, p. 16.

⁽⁵⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁶⁾ OJ L 112, 27.4.2002, p. 4.

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

Done at Brussels, 28 June 2002.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 28 June 2002 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):	
	(a) On exportation of goods of CN code 3501	—
	(b) On exportation of other goods	71,50
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):	
	(a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	81,45
	(b) On exportation of other goods	107,80
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):	
	(a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	90,00
	(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	182,25
	(c) On exportation of other goods	175,00

COMMISSION REGULATION (EC) No 1172/2002
of 28 June 2002
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 2002.

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

Done at Brussels, 28 June 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

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

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

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

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

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

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

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

(7) Duties fixed in the Common Customs Tariff.

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

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	264,00	416,00	264,00	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	208,77	249,98	272,29	266,16	—
(b) fob price (EUR/tonne)	—	—	—	241,75	235,62	—
(c) Sea freight (EUR/tonne)	—	—	—	30,54	30,54	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 1173/2002**of 28 June 2002****concerning tenders submitted in response to the invitation to tender for the export to certain third countries of wholly milled long grain rice issued in Regulation (EC) No 2010/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) An invitation to tender for the export refund on rice was issued under Commission Regulation (EC) No 2010/2001 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 299/95 ⁽⁵⁾, allows the Commission to decide, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, to make no award.

- (3) On the basis of the criteria laid down in Article 13 of Regulation (EC) No 3072/95 a maximum refund should not be fixed.

- (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

No action shall be taken on the tenders submitted from 21 to 27 June 2002 in response to the invitation to tender for the export refund on wholly milled long grain rice to certain third countries issued in Regulation (EC) No 2010/2001.

Article 2

This Regulation shall enter into force on 29 June 2002.

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

Done at Brussels, 28 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ L 329, 30.12.1995, p. 18.⁽²⁾ OJ L 62, 5.3.2002, p. 27.⁽³⁾ OJ L 272, 13.10.2001, p. 19.⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.⁽⁵⁾ OJ L 35, 15.2.1995, p. 8.

COMMISSION REGULATION (EC) No 1174/2002**of 28 June 2002****fixing the maximum subsidy on exports of husked long grain rice to Réunion pursuant to the invitation to tender referred to in Regulation (EC) No 2011/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular Article 10(1) thereof,Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion ⁽³⁾ as amended by Regulation (EC) No 1453/1999 ⁽⁴⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2011/2001 ⁽⁵⁾ opens an invitation to tender for the subsidy on rice exported to Réunion.
- (2) Article 9 of Regulation (EEC) No 2692/89 allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum subsidy.

- (3) The criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89 should be taken into account when fixing this maximum subsidy. Successful tenderers shall be those whose bids are at or below the level of the maximum subsidy.

- (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

A maximum subsidy on exports to Réunion of husked long grain rice falling within CN code 1006 20 98 is hereby set on the basis of the tenders lodged from 24 to 27 June 2002 at 319,00 EUR/t pursuant to the invitation to tender referred to in Regulation (EC) No 2011/2001.

Article 2

This Regulation shall enter into force on 29 June 2002.

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

Done at Brussels, 28 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 261, 7.9.1989, p. 8.

⁽⁴⁾ OJ L 167, 2.7.1999, p. 19.

⁽⁵⁾ OJ L 272, 13.10.2001, p. 21.

COMMISSION REGULATION (EC) No 1175/2002
of 28 June 2002
determining the world market price for ungin­ned cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for ungin­ned cotton is to be determined periodically from the price for gin­ned cotton recorded on the world market and by reference to the historical relationship between the price recorded for gin­ned cotton and that calculated for ungin­ned cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 ⁽³⁾. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for ungin­ned cotton is to be determined in respect of a product of specific characteristics and by reference to the most favourable offers and quotations on the world market among those

considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for gin­ned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for ungin­ned cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for ungin­ned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 22,352 kg.

Article 2

This Regulation shall enter into force on 1 July 2002.

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

Done at Brussels, 28 June 2002.

For the Commission
J. M. SILVA RODRÍGUEZ
Agriculture Director-General

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

COMMISSION REGULATION (EC) No 1176/2002

of 28 June 2002

laying down detailed rules for exports of certain fruit and vegetables and processed fruit and vegetable products to Estonia and amending Regulations (EC) Nos 1961/2001 and 1429/95

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 545/2002 ⁽²⁾, and in particular Article 31(2) and Article 35(11) thereof,

Having regard to Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetable products ⁽³⁾, as last amended by Commission Regulation (EC) No 453/2002 ⁽⁴⁾, and in particular Article 11(2), Article 16(8) and Article 17(5) thereof,

Whereas:

- (1) Article 3 of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽⁵⁾, as last amended by Regulation (EC) No 2299/2001 ⁽⁶⁾, lays down that, when a differentiated refund applies for a specific third country, entitlement to the refund is acquired on importation into that third country. Articles 14, 15 and 16 of that Regulation lay down the conditions for the payment of the refund when a differentiated refund applies, and in particular the documents to be presented to furnish proof of the arrival of the product at destination.
- (2) Council Regulation (EC) No 1148/2002 ⁽⁷⁾ establishes concessions in the form of Community tariff quotas for certain agricultural products and provides for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Estonia. One of the concessions provided for is the abolition with effect from 1 July 2002 of refunds on exports to Estonia of Community products covered by the common organisations of the markets in fruit and vegetables and processed fruit and vegetables.
- (3) To prevent that concession from leading to the application of the abovementioned Articles 14, 15 and 16 of Regulation (EC) No 800/1999 when refunds are granted

on exports of the products in question to other third countries, Estonia has undertaken to ensure that only products not having qualified for refunds and coming directly from the Community are allowed to be imported into Estonia.

- (4) To enable the Estonian authorities to carry out such checks, provision should be made for the obligation when importing the products in question to present to the Estonian authorities, on the one hand, a certified copy of the export licence, bearing specific indications guaranteeing that no export refund has been granted on the products referred to therein and, on the other, a certified copy of the export declaration bearing certain specific references to the export licence. The detailed rules on licence arrangements must be complementary to or derogate from those laid down by Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁸⁾, as last amended by Regulation (EC) No 2299/2001.
- (5) Account must also be taken of those special arrangements when applying the abovementioned provisions of Regulation (EC) No 800/1999 so as not to impose unnecessary costs on exporters trading with third countries. To that end account should not be taken when determining the lowest rate of the refund of the fact that an export refund has not been fixed for Estonia. The detailed rules for the application of export refunds laid down by Commission Regulation (EC) No 1961/2001 ⁽⁹⁾ for fresh fruit and vegetables and by Commission Regulation (EC) No 1429/95 ⁽¹⁰⁾, as last amended by Regulation (EC) No 1962/2001 ⁽¹¹⁾, for processed fruit and vegetable products should therefore be amended accordingly.
- (6) Lastly, action should be taken to cushion the impact of the abovementioned concessions on the use of licences issued before the entry into force of this Regulation for the grant of refunds on exports to Estonia where import operations could not be completed before 1 July 2002. Cancellation of those licences and reimbursement of the security in proportion to the quantities not used should be permitted.

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 84, 28.3.2002, p. 1.

⁽³⁾ OJ L 297, 21.11.1996, p. 29.

⁽⁴⁾ OJ L 72, 14.3.2002, p. 9.

⁽⁵⁾ OJ L 102, 17.4.1999, p. 11.

⁽⁶⁾ OJ L 308, 27.11.2001, p. 19.

⁽⁷⁾ See page 11 of this Official Journal.

⁽⁸⁾ OJ L 152, 24.6.2000, p. 1.

⁽⁹⁾ OJ L 268, 9.10.2001, p. 8.

⁽¹⁰⁾ OJ L 141, 24.6.1995, p. 28.

⁽¹¹⁾ OJ L 268, 9.10.2001, p. 19.

- (7) The exact determination of the products concerned requires reference to the agricultural product nomenclature for export refunds laid down by Commission Regulation (EC) No 3846/87⁽¹⁾, as last amended by Regulation (EC) No 1007/2002⁽²⁾.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Joint Meeting of Management Committees for fresh fruit and vegetables and for processed fruit and vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Exports to Estonia of the products listed in Annex I shall be subject to the presentation of the following documents to the competent Estonian authorities for each consignment:

- (a) a certified copy of the export licence, hereinafter referred to as the 'licence', issued in accordance with Regulation (EC) No 1291/2000 subject to Article 2 of this Regulation and
- (b) a duly endorsed copy of the export declaration with, in box 44, a reference to the serial number of the corresponding licence.

Such exports shall not qualify for a refund. They shall not have been exported previously to another third country.

Article 2

1. Licence applications and licences shall contain the following entries:

- (a) in box 7 'Estonia' and the word 'yes' marked with a cross;
- (b) in box 20 one of the following entries:
- Exportación a Estonia. Reglamento (CE) n° 1148/2002
 - Udførsel til Estland. Forordning (EF) nr. 1148/2002
 - Ausfuhr nach Estland. Verordnung (EG) Nr. 1148/2002
 - Εξαγωγή στην Εσθονία. Κανονισμός (ΕΚ) αριθ. 1148/2002
 - Export to Estonia. Council Regulation (EC) No 1148/2002
 - Exportation en Estonie. Règlement (CE) n° 1148/2002
 - Esportazione in Estonia. Regolamento (CE) n. 1148/2002
 - Uitvoer naar Estland. Verordening (EG) nr. 1148/2002
 - Exportação para a Estónia. Regulamento (CE) n.º 1148/2002
 - Vienti Viroom. Asetus (EY) N:o 1148/2002
 - Export till Estland. Förordning (EG) nr 1148/2002

and the product code from the Regulation (EC) No 3846/87 nomenclature.

⁽¹⁾ OJ L 366, 24.12.1987, p. 1.

⁽²⁾ OJ L 153, 13.6.2002, p. 8.

2. Box 22 of the licence shall contain one of the following entries:

- Sin restitución por exportación
- Uden eksportrestitution
- Ohne Ausfuhrerstattung
- Χωρίς επιστροφή κατά την εξαγωγή
- No export refund
- Sans restitution à l'exportation
- Senza restituzione all'esportazione
- Zonder uitvoerrestitutie
- Sem restituição à exportação
- Ilman vientitukea
- Utan exportbidrag.

3. Licences shall be valid only for the products and quantities indicated therein.

4. Licences issued under this Regulation shall carry with them an obligation to export to the destination indicated in box 7.

5. At the request of the party concerned, a certified copy of the endorsed licence shall be issued.

6. The term of validity of licences shall be three months.

7. Notwithstanding Article 15(2) of Regulation (EC) No 1291/2000, the issue of a licence shall not be subject to provision of a security.

Article 3

The Member States shall notify the Commission before the tenth of each month of the number of licences issued during the previous month and the quantities of products concerned, broken down by code of the Regulation (EC) No 3846/87 nomenclature.

Article 4

Export licences issued before the entry into force of this Regulation with a view to the grant of a refund under Article 35(6) of Regulation (EC) No 2200/96 or Article 16(4) of Regulation (EC) No 2201/96 for one of the products listed in the Annex and specifying Estonia as the destination in box 7 shall, upon application by the party concerned not later than one month after the end of the period of validity of the said licence, be cancelled and the amounts of the security shall be released in proportion to the quantities not used.

Article 5

1. The following Article 7a is inserted in Regulation (EC) No 1961/2001:

'Article 7a

1. Where the differentiation of the refund is the result solely of a refund not having been fixed for Estonia, and notwithstanding Article 16 of Commission Regulation (EC) No 800/1999, proof that customs import formalities have been completed shall not be required for payment of the refund for products falling within CN codes ex 0802, 0805 and 0806.

2. The fact that a refund has not been fixed for the export of products falling within CN codes 0802, 0805 and 0806 to Estonia shall not be taken into account in determining the lowest rate of refund within the meaning of Article 18(2) of Regulation (EC) No 800/1999.'

2. The following Article 7a is hereby inserted in Regulation (EC) No 1429/95:

'Article 7a

1. Where the differentiation of the refund is the result solely of a refund not having been fixed for Estonia, and notwithstanding Article 16 of Commission Regulation (EC) No 800/1999 (*), proof that customs import formalities have been completed shall not be required for payment of the refund for products falling within CN codes 2008 and 2009.

2. The fact that a refund has not been fixed for the export of products falling within CN codes 2008 and 2009 to Estonia shall not be taken into account in determining the lowest rate of refund within the meaning of Article 18(2) of Regulation (EC) No 800/1999.

(*) OJ L 102, 17.4.1999, p. 11.'

Article 6

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

It shall apply from 1 July 2002.

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

Done at Brussels, 28 June 2002.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

List of fruit and vegetables and processed fruit and vegetables not qualifying for an export refund when exported to Estonia

Without prejudice to the rules for the interpretation of the combined nomenclature, the description of the products is deemed to be indicative only. The scope of the obligation provided for in Article 1 of this Regulation is, for the purposes of this Annex, determined by the scope of the CN codes as they exist at the time of the adoption of this Regulation. Where 'ex' appears before the CN code, the scope of the obligation provided for in Article 1 of this Regulation is determined both by the scope of the CN code and that of the code within the meaning of Regulation (EC) No 3846/87.

CN code	Description	(Regulation (EC) No 3846/87 code)
ex 0802 12	Sweet almonds, shelled	0802 12 90 9000
0802 21 00 0802 22 00	Hazelnuts or filberts (<i>Corylus</i> spp.)	0802 21 00 9000 0802 22 00 9000
0802 31 00	Common walnuts, in shell	0802 31 00 9000
ex 0805 10 10 ex 0805 10 30 ex 0805 10 50	Oranges	0805 10 10 9100 0805 10 30 9100 0805 10 50 9100
ex 0805 50 10	Lemons	0805 50 10 9100
ex 0806 10 10	Fresh table grapes	0806 10 10 9100
ex 2008 19 19 ex 2008 19 99	Hazelnuts or filberts, prepared or preserved	2008 19 19 9100 2008 19 99 9100
ex 2009 11 99 ex 2009 12 00 ex 2009 19 98	Orange juice	2009 11 99 9110 2009 11 99 9150 2009 12 00 9111 2009 19 98 9112 2009 19 98 9150

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 June 2002

excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF)

(notified under document number C(2002) 2263)

(Only the Spanish, German, Greek, English, French, Italian, Dutch, Portuguese, Finnish and Swedish texts are authentic)

(2002/523/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EC) No 1287/95 ⁽²⁾, and in particular Article 5(2)(c) thereof,

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽³⁾, and in particular Article 7(4) thereof,

After consulting the Committee for the European Agricultural Guidance and Guarantee Fund,

Whereas:

- (1) Article 5(2)(c) of Regulation (EEC) No 729/70 and Article 7(4) of Regulation (EC) No 1258/1999 stipulate that the Commission is to exclude expenditure from Community financing where it finds that it has not been incurred in accordance with Community rules.
- (2) The above Articles of Regulation (EEC) No 729/70 and Regulation (EC) No 1258/1999 as well as Article 8(1) and (2) of Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Regulation (EEC) No 729/70 regarding the procedure for the clearance of the accounts of the EAGGF Guarantee Section ⁽⁴⁾, as last amended by Regulation (EC) No 2025/2001 ⁽⁵⁾, provide that the Commission is to carry

out the necessary checks, forward its findings to the Member States, consider any comments from the latter, enter into bilateral discussions to reach an agreement with the Member States concerned and formally communicate its conclusions to them, referring to Commission Decision 94/442/EC of 1 July 1994 setting up a conciliation procedure in the context of the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund (EAGGF) Guarantee Section ⁽⁶⁾, as last amended by Decision 2001/535/EC ⁽⁷⁾.

- (3) The Member States have had the opportunity to request that a conciliation procedure be initiated. That procedure has been applied in some cases and the reports issued on the outcome have been considered by the Commission.
- (4) Articles 2 and 3 of Regulation (EEC) No 729/70 and Article 2 of Regulation (EC) No 1258/1999 provide that refunds on exports to third countries and intervention intended to stabilise agricultural markets may be financed only where they are, respectively, granted and undertaken in accordance with the Community rules governing the common organisation of the agricultural markets.
- (5) The findings of checks performed, the results of bilateral discussions and the outcome of the conciliation procedures have shown that some expenditure declared by the Member States does not meet those conditions and cannot therefore be financed under the EAGGF Guarantee Section.

⁽¹⁾ OJ L 94, 28.4.1970, p. 13.

⁽²⁾ OJ L 125, 8.6.1995, p. 1.

⁽³⁾ OJ L 160, 26.6.1999, p. 103.

⁽⁴⁾ OJ L 158, 8.7.1995, p. 6.

⁽⁵⁾ OJ L 274, 17.10.2001, p. 3.

⁽⁶⁾ OJ L 182, 16.7.1994, p. 45.

⁽⁷⁾ OJ L 193, 17.7.2001, p. 25.

- (6) The Annex to this Decision sets out the amounts that are not recognised as being chargeable to the EAGGF Guarantee Section. Those amounts do not relate to expenditure incurred more than 24 months before the Commission's written notification of the results of the checks to the Member States.
- (7) As regards the cases covered by this Decision, the assessment of the amounts to be excluded on grounds of non-compliance with Community rules was notified by the Commission to the Member States and is set out in a summary report on the subject.
- (8) This Decision is without prejudice to any financial conclusions that the Commission may draw from the judgments of the Court of Justice in cases pending on 31 October 2001 and relating to the subject thereof,

HAS ADOPTED THIS DECISION:

Article 1

The expenditure itemised in the Annex that has been incurred by the Member States' accredited paying agencies and declared

under the EAGGF Guarantee Section is hereby excluded from Community financing because it does not comply with Community rules.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Portuguese Republic, the Republic of Finland and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 28 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Total corrections

Sector	Member State	Budget post	Reason	Currency	Expenditure to be excluded from financing	Already deducted	Financial consequences of this decision	Financial year
Animal premiums	BE	Various	Bovine animals - inadequate control systems	EUR	- 2 102 656,97	0,00	- 2 102 656,97	2000
Rural development	BE	5011	Inadequate controls - Wallone	EUR	- 115 003,00	0,00	- 115 003,00	1997-1999
Financial audit	BE	Various	Non respect of payment deadlines	EUR	- 23 700,00	- 23 700,00	0,00	2000
			BE Total		- 2 241 359,97	- 23 700,00	- 2 217 659,97	
Financial audit	DE	3700	Correction made twice	EUR	0,00	- 111 504,13	111 504,13	1999
			DE Total		0,00	- 111 504,13	111 504,13	
Rural development	ES	5011/405	Inadequate control system-whole countries	EUR	- 37 244,00	0,00	- 37 244,00	1999/2000
Rural development	ES	5011	Unreconciled data not explained - Catalonia and Canary Islands	EUR	- 64 988,00	0,00	- 64 988,00	1998
Rural development	ES	5011	Unreconciled data not explained - Basque Country	EUR	- 3 625,00	0,00	- 3 625,00	1999
Rural development	ES	5012/4072	Inadequate control system - whole countries	EUR	- 1 043 723,00	0,00	- 1 043 723,00	1999/2000
Rural development	ES	5011/405	Weaknesses in administrative and on-the-spot controls - Galicia	EUR	- 22 631,00	0,00	- 22 631,00	1998-2000
Rural development	ES	5011/405	Weaknesses in on-the-spot control	EUR	- 433 752,00	0,00	- 433 752,00	1998-2000
Rural development	ES	5011/405	Inadequate controls - Castilla La Mancha	EUR	- 776 378,00	0,00	- 776 378,00	1998-2000
Rural development	ES	5012/4072	Correction forfaitaire - Castilla La Mancha	EUR	- 394 229,00	0,00	- 394 229,00	1998-2000
Rural development	ES	5011/405	Correction forfaitaire - Castilla Leon	EUR	- 258 010,00	0,00	- 258 010,00	1998-2000
Rural development	ES	5012/4072	Correction forfaitaire - Castilla Leon	EUR	- 708 920,00	0,00	- 708 920,00	1998-2000
Financial audit	ES	Various	Non respect of payment deadlines	EUR	- 4 913 630,00	- 4 913 630,00	0,00	2000
			ES Total	EUR	- 8 657 130,00	- 4 913 630,00	- 3 743 500,00	
Animal premiums	FR	Various	Bovine animals - inadequate control systems - Martinique	EUR	- 134 588,00	0,00	- 134 588,00	1999/2000
Animal premiums	FR	Various	Bovine animals - inadequate control systems - Guadeloupe	EUR	- 2 593 230,00	0,00	- 2 593 230,00	1999/2000
Financial audit	FR	Various	Non respect of payment deadlines	EUR	- 842 942,00	- 842 942,00	0,00	2000
			FR Total		- 3 570 760,00	- 842 942,00	- 2 727 818,00	
Animal premiums	GB	2125	Errors identified not properly treated	EUR	- 14 917,66	0,00	- 14 917,66	1999
Financial audit	GB	Various	Non respect of payment deadlines	EUR	- 483 379,59	- 483 379,59	0,00	2000
			GB Total		- 498 297,26	- 483 379,59	- 14 917,66	

Sector	Member State	Budget post	Reason	Currency	Expenditure to be excluded from financing	Already deducted	Financial consequences of this decision	Financial year
Rural development	GR	5010	Inadequate control system	EUR	- 1 703 199,00	0,00	- 1 703 199,00	1998/1999
Financial audit	GR	Various	Non respect of payment deadlines	EUR	- 306 956,00	- 306 956,00	0,00	2000
			GR Total		- 2 010 155,00	- 306 956,00	- 1 703 199,00	
Animal premiums	IE	2125	IACS - amounts not recovered following administrative errors	EUR	- 129 305,05	0,00	- 129 305,05	1998/1999
Forestry measures	IE	5012	Non eligible financing (Coillte Teoranta) - Article 2(2)(b) of Regulation (EEC) No 2080/92	EUR	- 3 571 898,00	0,00	3 571 898,00	1999
Financial audit	IE	Various	Non respect of payment deadlines	EUR	- 213 072,00	- 213 072,00	0,00	2000
			IE Total		- 3 914 275,05	- 213 072,00	- 3 701 203,05	
Fruit and vegetables	IT	1515	Non respect of Article 18(3) or Regulation (EC) No 1169/1997	EUR	- 4 709 428,28	0,00	- 4 709 428,28	1999/2000
Public storage	IT	1622	Missing stocks sold without credit to EAGGF	EUR	- 4 085 724,85	0,00	- 4 085 724,85	1998
Oils and fats	IT	1210	Inadequate compatibility checks and inspections of mills	EUR	- 22 678 386,33	0,00	- 22 678 386,33	1997-1999
Financial audit	IT	Various	Non respect of payment deadlines	EUR	- 8 572 333,00	- 8 572 333,00	0,00	2000
			IT Total		- 40 045 872,46	- 8 572 333,00	- 31 473 539,46	
Animal premiums	LU	Various	Bovine animals - inadequate control systems	EUR	- 398 104,45	0,00	- 398 104,45	1999/2000
			LU Total		- 398 104,45	0,00	- 398 104,45	
Financial audit	NL	1050	Non respect of payment deadlines	EUR	- 25 371,00	- 25 371,00	0,00	2000
			NL Total		- 25 371,00	- 25 371,00	0,00	
Fruit and vegetables	PT	1515	Non respect of Article 18(3) or Regulation (EC) No 1169/1997	EUR	- 75 894,66	0,00	- 75 894,66	1998-2000
Animal premiums	PT	Various	Sucler cow and special beef premiums - inadequate control systems	EUR	- 4 373 390,14	0,00	- 4 373 390,14	1999/2000
Financial audit	PT	Various	Non respect of payment deadlines	EUR	- 847 099,00	- 859 409,00	12 310,00	2000
			PT Total		- 5 296 383,80	- 859 409,00	- 4 436 974,80	
Arable crops	FIN	Various	Inadequate on-the-spot controls	EUR	- 234 169,81	0,00	- 234 169,81	1999/2000
			FIN Total		- 234 169,81	0,00	- 234 169,81	
			Grand Total		- 66 891 878,80	- 16 352 296,72	- 50 539 582,07	

COMMISSION DECISION

of 26 June 2002

excluding from Community financing certain expenditure incurred by the Member States under the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (EAGGF)*(notified under document number C(2002) 2281)***(Only the Greek, English, French, Italian, Portuguese, Dutch and Swedish texts are authentic)**

(2002/524/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EC) No 1287/95 ⁽²⁾, and in particular Article 5(2)(c) thereof,

Having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽³⁾, and in particular Article 7(4) thereof,

After consulting the Committee for the European Agricultural Guidance and Guarantee Fund,

Whereas:

- (1) Article 5(2)(c) of Regulation (EEC) No 729/70 and Article 7(4) of Regulation (EC) No 1258/1999 stipulate that the Commission is to exclude expenditure from Community financing where it finds that it has not been incurred in accordance with Community rules.
- (2) The above Articles of Regulation (EEC) No 729/70 and Regulation (EC) No 1258/1999 as well as Article 8(1) and (2) of Commission Regulation (EC) No 1663/95 of 7 July 1995 laying down detailed rules for the application of Council Regulation (EEC) No 729/70 regarding the procedure for the clearance of the accounts of the EAGGF Guarantee Section ⁽⁴⁾, as last amended by Regulation (EC) No 2025/2001 ⁽⁵⁾, provide that the Commission is to carry out the necessary checks, forward its findings to the Member States, consider any comments from the latter, enter into bilateral discussions to reach an agreement with the Member States concerned and formally communicate its conclusions to them, referring to Commission Decision 94/442/EC of 1 July 1994

setting up a conciliation procedure in the context of the clearance of the accounts of the European Agricultural Guidance and Guarantee Fund (EAGGF) Guarantee Section ⁽⁶⁾, as last amended by Decision 2001/535/EC ⁽⁷⁾.

- (3) The Member States have had the opportunity to request that a conciliation procedure be initiated. That procedure has been applied in some cases and the reports issued on the outcome have been considered by the Commission.
- (4) Articles 2 and 3 of Regulation (EEC) No 729/70 and Article 2 of Regulation (EC) No 1258/1999 provide that re-funds on exports to third countries and intervention intended to stabilise agricultural markets may be financed only where they are, respectively, granted and undertaken in accordance with the Community rules governing the common organisation of the agricultural markets.
- (5) The findings of checks performed, the results of bilateral discussions and the outcome of the conciliation procedures have shown that some expenditure declared by the Member States does not meet those conditions and cannot therefore be financed under the EAGGF Guarantee Section.
- (6) The Annex to this Decision sets out the amounts that are not recognised as being chargeable to the EAGGF Guarantee Section. Those amounts do not relate to expenditure incurred more than 24 months before the Commission's written notification of the results of the checks to the Member States.
- (7) As regards the cases covered by this Decision, the assessment of the amounts to be excluded on grounds of non-compliance with Community rules was notified by the Commission to the Member States and is set out in a summary report on the subject.
- (8) This Decision is without prejudice to any financial conclusions that the Commission may draw from the judgments of the Court of Justice in cases pending on 31 October 2001 and relating to the subject thereof,

⁽¹⁾ OJ L 94, 28.4.1970, p. 13.⁽²⁾ OJ L 125, 8.6.1995, p. 1.⁽³⁾ OJ L 160, 26.6.1999, p. 103.⁽⁴⁾ OJ L 158, 8.7.1995, p. 6.⁽⁵⁾ OJ L 274, 17.10.2001, p. 3.⁽⁶⁾ OJ L 182, 16.7.1994, p. 45.⁽⁷⁾ OJ L 193, 17.7.2001, p. 25.

HAS ADOPTED THIS DECISION:

Article 1

The expenditure itemised in the Annex that has been incurred by the Member States' accredited paying agencies and declared under the EAGGF Guarantee Section is hereby excluded from Community financing because it does not comply with Community rules.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Hellenic Republic, the French Republic, the Italian Republic, the Kingdom of the Netherlands, the Portuguese Republic, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 26 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Total corrections

Sector	Member State	Budget item	Reason	National currency	Expenditure to be excluded	Already deducted	Financial impact of this decision	Financial year
Financial audit	BE	B1-4	Administrative errors	EUR	- 21 194,89	- 21 194,89	0,00	2000
			Total BE		- 21 194,89	- 21 194,89	0,00	
Milk & milk products	FR	2071	Cancellation of Decision 98/358/EC by the Court of Justice	EUR	17 438 194,58	0,00	17 438 194,58	1994
Public storage	FR	3201	Flat-rate correction 5 % Martinique — Guadeloupe — inadequate checks	EUR	- 336 700,63	0,00	- 336 700,63	1999-2000
Public storage	FR	3201	Flat-rate correction 5 % Martinique — Guadeloupe — inadequate checks	EUR	- 403 069,49	0,00	- 403 069,49	1999-2000
Public storage	FR	3200	Non-compliance with adversarial procedure for sample-taking	EUR	- 89 487,57	0,00	- 89 487,57	1998
Financial audit	FR	B1-4	Over-declaration of rural development expenditure	EUR	- 316 674,26	0,00	- 316 674,26	2000
			Total FR	EUR	16 292 262,63	0,00	16 292 262,63	
Arable crops	GR	various	Flat-rate corrections for failings in key controls	EUR	- 103 513 610,00	- 30 217 589,00	- 73 296 021,00	1996-1999
			Total GR	EUR	- 103 513 610,00	- 30 217 589,00	- 73 296 021,00	
Fruit and vegetables	IT	1512	Ineligible products — non-compliance with Regulations (EEC) No 1558/91 and (EC) No 504/97	EUR	- 10 448 798,00	0,00	- 10 448 798,00	1997-1998
Fruit and vegetables	IT	1512	Flat-rate correction for inadequate check on Emilia-Romagna stocks	EUR	- 1 805 018,00	0,00	- 1 805 018,00	1997-1998
Fruit and vegetables	IT	1511	Non-compliance with Article 1(4) of Regulation (EC) No 504/97	EUR	- 1 145 024,02	0,00	- 1 145 024,02	1998
			Total IT	EUR	- 13 398 840,02	0,00	- 13 398 840,02	
Livestock premiums	NL	2320	Flat-rate and calculated corrections	EUR	- 20 291 540,00	0,00	- 20 291 540,00	1997-1998
			Total NL	EUR	- 20 291 540,00	0,00	- 20 291 540,00	
Livestock premiums	PT	2220	Flat-rate correction of 2 % — 1996-1998	EUR	- 741 444,18	0,00	- 741 444,18	1998
Livestock premiums	PT	2221	Flat rate correction of 2 % — 1996-1999	EUR	- 60 808,04	0,00	- 60 808,04	1998
Financial audit	PT	4000-4999	Administrative errors	EUR	- 249 967,00	0,00	- 249 967,00	2000
			Total PT	EUR	- 1 052 219,22	0,00	- 1 052 219,22	

Sector	Member State	Budget item	Reason	National currency	Expenditure to be excluded	Already deducted	Financial impact of this decision	Financial year
Arable crops	SE	1041-1062	Non-compliance with Article 15 of Regulation (EEC) No 1765/92 and Article 30 of Regulation (EEC) No 805/68 — illegal charges	SEK	- 18 555 850,00	0,00	- 18 555 850,00	2000
			Total SE	SEK	- 18 555 850,00	0,00	- 18 555 850,00	
Livestock premiums	UK	2126	Flat-rate correction	GBP	- 4 827 612,00	0,00	- 4 827 612,00	1998
Financial audit	UK	various	Weaknesses in handling of dossiers — IBEA, NAWAD	GBP	- 174 862,22	0,00	- 174 862,22	2000
Financial audit	UK	B1-4	Over-declaration of rural development expenditure	GBP	- 6 466 505,00	0,00	- 6 466 505,00	2000
			Total UK	GBP	- 11 468 979,22	0,00	- 11 468 979,22	

COMMISSION DECISION

of 27 June 2002

amending Annex II of Directive 2000/53/EC of the European Parliament and of the Council on end-of-life vehicles

(notified under document number C(2002) 2238)

(Text with EEA relevance)

(2002/525/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2000/53/EC of the European Parliament and of the Council of 18 September 2000 on end-of-life vehicles ⁽¹⁾, and in particular Article 4(2)(b) thereof,

Whereas:

(1) Under Directive 2000/53/EC the Commission is required to evaluate certain hazardous substances prohibited pursuant to Article 4(2)(a) of that Directive.

(2) Having carried out the requisite technical and scientific assessments the Commission has reached a number of conclusions.

(3) Certain materials and components containing lead, mercury, cadmium or hexavalent chromium should be exempt or continue to be exempt from the prohibition, since the use of these hazardous substances in those specific materials and components is still unavoidable.

(4) Some exemptions from the prohibition for certain specific materials or components should be limited in their scope and temporal validity, in order to achieve a gradual phase-out of hazardous substances in vehicles, given that the use of those substances in such applications will become avoidable.

(5) Cadmium in batteries for electrical vehicles should be exempt until 31 December 2005 since, in view of present scientific and technical evidence and the overall environmental assessment undertaken, by that date, substitutes will be available and the availability of electrical vehicles will be ensured. The progressive replacement of cadmium should, however, continue to be analysed, taking into account the availability of electrical vehicles. The Commission will publish its findings and, if proven justified by the results of the analysis, may propose an extension of the expiry date for cadmium in batteries for electrical vehicles.

(6) The exemption from the prohibition relating to lead for coating inside petrol tanks should be deleted, since the use of lead in these specific components is already avoidable.

(7) Since it is evident that a total avoidance of heavy metals is in some instances impossible to achieve, certain concentration values of lead, mercury, cadmium or hexavalent chromium in specific materials and components should be tolerated, provided that these hazardous substances are not intentionally introduced.

(8) Directive 2000/53/EC should therefore be amended accordingly.

(9) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 18 of Council Directive 75/442/EEC of 15 July 1975 on waste ⁽²⁾, as last amended by Commission Decision 96/350/EC ⁽³⁾,

HAS ADOPTED THIS DECISION:

Article 1

Annex II to Directive 2000/53/EC is replaced by the text set out in the Annex to this Decision.

Article 2

Member States shall ensure that cadmium in batteries for electrical vehicles is not put on the market after 31 December 2005.

In the framework of the overall environmental assessment already undertaken, the Commission shall continue to analyse the progressive substitution of cadmium, taking into account the need to maintain the availability of electrical vehicles. The Commission shall finalise and make public its findings by 31 December 2004 at the latest and may make, if proven justified by the results of the analysis, a proposal to extend the deadline in accordance with Article 4(2)(b) of Directive 2000/53/EC.

⁽¹⁾ OJ L 269, 21.10.2000, p. 34.

⁽²⁾ OJ L 194, 25.7.1975, p. 39.

⁽³⁾ OJ L 135, 6.6.1996, p. 32.

Article 3

This Decision shall apply from 1 January 2003.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 27 June 2002.

For the Commission
Margot WALLSTRÖM
Member of the Commission

ANNEX

ANNEX II

Materials and components exempt from Article 4(2)(a)

Materials and components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with Article 4(2)(b)(iv)
<i>Lead as an alloying element</i>		
1. Steel for machining purposes and galvanised steel containing up to 0,35 % lead by weight		
2. a) Aluminium for machining purposes with a lead content up to 2 % by weight	1 July 2005 ⁽¹⁾	
b) Aluminium for machining purposes with a lead content up to 1 % by weight	1 July 2008 ⁽²⁾	
3. Copper alloy containing up to 4 % lead by weight		
4. Lead-bronze bearing shells and bushes		
<i>Lead and lead compounds in components</i>		
5. Batteries		X
6. Vibration dampers		X
7. Wheel balance weights	Vehicles type-approved before 1 July 2003 and wheel balance weights intended for servicing of these vehicles: 1 July 2005 ⁽³⁾	X
8. Vulcanising agents and stabilisers for elastomers in fluid handling and powertrain applications	1 July 2005 ⁽⁴⁾	
9. Stabiliser in protective paints	1 July 2005	
10. Carbon brushes for electric motors	Vehicles type-approved before 1 July 2003 and carbon brushes for electric motors intended for servicing of these vehicles: 1 January 2005	
11. Solder in electronic circuit boards and other electric applications		X ⁽⁵⁾
12. Copper in brake linings containing more than 0,5 % lead by weight	Vehicles type-approved before 1 July 2003 and servicing on these vehicles: 1 July 2004	X
13. Valve seats	Engine types developed before 1 July 2003: 1 July 2006	

Materials and components	Scope and expiry date of the exemption	To be labelled or made identifiable in accordance with Article 4(2)(b)(iv)
14. Electrical components which contain lead in a glass or ceramic matrix compound except glass in bulbs and glaze of spark plugs		X ⁽⁶⁾ (for components other than piezo in engines)
15. Glass in bulbs and glaze of spark plugs	1 January 2005	
16. Pyrotechnic initiators	1 July 2007	
<i>Hexavalent chromium</i>		
17. Corrosion preventive coatings	1 July 2007	
18. Absorption refrigerators in motorcaravans		X
<i>Mercury</i>		
19. Discharge lamps and instrument panel displays		X
<i>Cadmium</i>		
20. Thick film pastes	1 July 2006	
21. Batteries for electrical vehicles	After 31 December 2005, the placing on the market of NiCd batteries shall only be allowed as replacement parts for vehicles put on the market before this date.	X

⁽¹⁾ By 1 January 2005 the Commission shall assess whether the phase-out time scheduled for this entry has to be reviewed in relation to the availability of substitutes for lead, taking into account the objectives of Article 4(2)(a).

⁽²⁾ See footnote 1.

⁽³⁾ By 1 January 2005, the Commission shall assess this exemption in relation to road safety aspects.

⁽⁴⁾ See footnote 1.

⁽⁵⁾ Dismantling if, in correlation with entry 14, an average threshold of 60 grams per vehicle is exceeded. For the application of this clause, electronic devices not installed by the manufacturer on the production line shall not be taken into account.

⁽⁶⁾ Dismantling if, in correlation with entry 11, an average threshold of 60 grams per vehicle is exceeded. For the application of this clause, electronic devices not installed by the manufacturer on the production line shall not be taken into account.

Notes:

- a maximum concentration value up to 0,1 % by weight and per homogeneous material, for lead, hexavalent chromium and mercury and up to 0,01 % by weight per homogeneous material for cadmium shall be tolerated, provided these substances are not intentionally introduced ⁽¹⁾,
- a maximum concentration value up to 0,4 % by weight of lead in aluminium shall also be tolerated provided it is not intentionally introduced ⁽²⁾,
- a maximum concentration value up to 0,4 % by weight of lead in copper intended for friction materials in brake linings shall be tolerated until 1 July 2007 provided it is not intentionally introduced ⁽³⁾,
- the reuse of parts of vehicles which were already on the market at the date of expiry of an exemption is allowed without limitation since it is not covered by Article 4(2)(a),
- until 1 July 2007, new replacement parts intended for repair ⁽⁴⁾ of parts of vehicles exempted from the provisions of Article 4(2)(a) shall also benefit from the same exemptions.

⁽¹⁾ "Intentionally introduced" shall mean "deliberately utilised in the formulation of a material or component where its continued presence is desired in the final product to provide a specific characteristic, appearance or quality". The use of recycled materials as feedstock for the manufacture of new products, where some portion of the recycled materials may contain amounts of regulated metals, is not to be considered as intentionally introduced.

⁽²⁾ See footnote 1.

⁽³⁾ See footnote 1.

⁽⁴⁾ This clause applies to replacement parts and not to components intended for normal servicing of vehicles. It does not apply to wheel balance weights, carbon brushes for electric motors and brake linings as these components are covered in specific entries.

COMMISSION DECISION**of 28 June 2002****repealing Decision 94/141/EC approving the plan presented by France for the eradication of classical swine fever in feral pigs in the northern Vosges***(notified under document number C(2002) 2380)***(Only the French text is authentic)****(Text with EEA relevance)**

(2002/526/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever ⁽¹⁾, and in particular Article 16(1) thereof,

Whereas:

- (1) Classical swine fever was confirmed in the feral pig population in northern Vosges, France.
- (2) By means of Decision 94/141/EC ⁽²⁾, the Commission approved the plan presented by France for the eradication of classical swine fever in feral pigs in northern Vosges.
- (3) France has provided information suggesting that classical swine fever has been successfully eradicated from the feral pigs in northern Vosges.
- (4) For the sake of clarity Decision 94/141/EC should therefore be repealed.

- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 94/141/EC is hereby repealed.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 28 June 2002.

For the Commission

David BYRNE

Member of the Commission⁽¹⁾ OJ L 316, 1.12.2001, p. 5.⁽²⁾ OJ L 61, 4.3.1994, p. 29.

COMMISSION DECISION**of 27 June 2002****amending Decision 97/252/EC drawing up provisional lists of third country establishments from which the Member States authorise imports of milk and milk products for human consumption, with respect to the former Yugoslav Republic of Macedonia***(notified under document number C(2002) 2301)***(Text with EEA relevance)**

(2002/527/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 95/408/EC of 22 June 1995 on the conditions for drawing up, for an interim period, provisional lists of third country establishments from which Member States are authorised to import certain products of animal origin, fishery products or live bivalve molluscs ⁽¹⁾, as last amended by Decision 2001/4/EC ⁽²⁾, and in particular Article 2(4) thereof,

Whereas:

- (1) Commission Decision 95/343/EC of 27 July 1995 providing for the specimens of the health certificate for the importation from third countries of heat-treated milk, milk-based products and raw milk for human consumption intended to be accepted at a collection centre, standardisation centre, treatment establishment or processing establishment ⁽³⁾, as last amended by Decision 97/115/EC ⁽⁴⁾, lays down the health and veterinary certification requirements for imports of milk and milk products for human consumption.
- (2) The former Yugoslav Republic of Macedonia is listed in the Annex to Commission Decision 95/340/EC ⁽⁵⁾, as last amended by Decision 2001/743/EC ⁽⁶⁾, drawing up a provisional list of third countries from which Member States authorise imports of milk and milk products.
- (3) The former Yugoslav Republic of Macedonia has provided to the Commission the name of an establishment producing milk and milk products with the guarantees that this establishment fully meets the Community health requirements.
- (4) The Commission has received from the former Yugoslav Republic of Macedonia the relevant residue monitoring plan and program for milk and milk products intended for human consumption, as required in Directive 96/23/EC ⁽⁷⁾.
- (5) Commission Decision 97/252/EC ⁽⁸⁾ as last amended by Decision 2001/177/EC ⁽⁹⁾ has drawn up provisional lists of third country establishments from which the Member States authorise imports of milk and milk-based products for human consumption. These lists should therefore be amended to include the former Yugoslav Republic of Macedonia list of approved establishments.
- (6) Following Article 2(4) of Decision 95/408/EC, those non-member countries' establishments where on-the-spot checks have not yet been carried out by the Commission but which met all the other conditions of Article 2(1) may appear on the lists. However, imports from such establishments will not be eligible for reduced physical checks.

⁽¹⁾ OJ L 243, 11.10.1995, p. 17.⁽²⁾ OJ L 2, 5.1.2001, p. 21.⁽³⁾ OJ L 200, 24.8.1995, p. 52.⁽⁴⁾ OJ L 42, 13.2.1997, p. 16.⁽⁵⁾ OJ L 200, 24.8.1995, p. 38.⁽⁶⁾ OJ L 278, 23.10.2001, p. 32.⁽⁷⁾ OJ L 125, 23.5.1996, p. 10.⁽⁸⁾ OJ L 101, 18.4.1997, p. 46.⁽⁹⁾ OJ L 68, 9.3.2001, p. 1.

- (7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

In the Annex to Decision 97/252/EC, the following row is added for the former Yugoslav Republic of Macedonia:

^{MK (*)} País: **Antigua República Yugoslava de Macedonia** — Land: **Den Tidligere Jugoslaviske Republik Makedonien** — Land: **die Ehemalige Jugoslawische Republik Mazedonien** — Χώρα: **Πρώην Γιουγκοσλαβική Δημοκρατία της Μακεδονίας** — Country: **Former Yugoslav Republic of Macedonia** — Pays: **Ancienne République yougoslave de Macédoine** — Paese: **ex Repubblica iugoslava di Macedonia** — Land: **Voormalige Joegoslavische Republiek Macedonië** — País: **antiga República jugoslava da Macedónia** — Maa: **Entinen Jugoslavian tasavalta Makedonia** — Land: **f.d. jugoslaviska republiken Makedonien**.

1	2	3	4	5	6
14	IMB "Mlekara" AD Bitola	Bitola			

Nota: Código provisional que no afecta en absoluto a la denominación definitiva del país, que se acordará tras la conclusión de las negociaciones actualmente en curso sobre este tema en las Naciones Unidas. — *Note:* Denne foreløbige kode foregriber på ingen måde landets endelige benævnelse, som vil blive fastlagt efter afslutningen af de forhandlinger, der for tiden føres herom inden for rammerne af FN. — *Note:* Provisorischer Code, der die endgültige Benennung des Landes nicht berührt, die nach Abschluss der laufenden Verhandlungen innerhalb der Vereinten Nationen festgelegt wird. — *Σημείωση:* Αυτός ο κωδικός δεν προδικάζει καθόλου την οριστική ονομασία της χώρας η ονομασία θα συμφωνηθεί όταν ολοκληρωθούν οι σχετικές διαπραγματεύσεις στο πλαίσιο των Ηνωμένων Εθνών. — *Note:* Provisional code, which does not prejudice in any way the definitive nomenclature for this country, which will be agreed following the conclusion of negotiations currently taking place on this subject at the United Nations. — *Note:* Code provisoire qui ne préjuge en rien de la dénomination définitive du pays, qui sera agréée dès conclusion des négociations actuellement en cours à ce sujet dans le cadre des Nations unies. — *Nota:* Questo codice provvisorio non pregiudica assolutamente la denominazione definitiva del paese che sarà approvata non appena conclusi i negoziati attualmente in corso al riguardo nel quadro delle Nazioni Unite. — *Noot:* Voorlopige code die geen invloed op de definitieve naam van het land heeft, die aan het einde van de lopende onderhandelingen in het kader van de Verenigde Naties zal worden vastgesteld. — *Nota:* Código provisório que não interfere em nada com a denominação definitiva do país, que será aprovada após conclusão das negociações actualmente em curso sobre este assunto no quadro das Nações Unidas. — *Huomautus:* Tämä väliaikainen koodi ei estä ottamasta käyttöön maan lopullista nimeä, joka hyväksytään, kun Yhdistyneissä Kansakunnissa asiasta käytävät neuvottelut saadaan päätökseen. — *Anmärkning:* Koden föregriper inte den definitiva beteckningen av detta land, vilken kommer att bestämmas under de förhandlingar som för närvarande pågår i Förenta nationerna.'

Article 2

This Decision shall apply as from the 20th day following that of its publication in the *Official Journal of the European Communities*.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 27 June 2002.

For the Commission

David BYRNE

Member of the Commission

CORRIGENDA

Corrigendum to Council Regulation (EC) No 1207/2001 of 11 June 2001 on procedures to facilitate the issue of movement certificates EUR.1, the making out of invoice declarations and forms EUR.2 and the issue of certain approved exporter authorisations under the provisions governing preferential trade between the European Community and certain countries and repealing Regulation (EEC) No 3351/83

(Official Journal of the European Communities L 165 of 21 June 2001)

On page 4, in Annex I, footnote (1):

for: 'If only some of the goods listed on the document are concerned, they should be clearly indicated or marked and this marketing entered in the declaration as follows:

"...listed on this invoice and marked...were originating in...".'

read: 'If only some of the goods listed on the document are concerned, they should be clearly indicated or marked and this marking entered in the declaration as follows:

"...listed on this document and marked...originate in...".'

On page 5, in Annex II, title:

for: 'Long-term declaration for products having preferential origin status',

read: 'Long-term supplier's declaration for products having preferential origin status'.

On pages 8 to 12, Annex V is replaced by the following:

'ANNEX V

INFORMATION CERTIFICATE INF 4 AND APPLICATION FOR AN INFORMATION CERTIFICATE INF 4*Printing instructions*

1. The form on which the information certificate INF 4 is issued shall be printed on white paper not containing mechanical pulp, sized for writing and weighing between 40 and 65 grams per square metre.
2. The form shall measure 210 × 297 mm.
3. Printing of the forms is the responsibility of the Member States; forms shall bear a serial number by which it can be identified. The form shall be printed in one of the official languages of the Community.

NOTES

1. Certificates must not contain erasures or overwriting. Any alterations must be made by deleting the incorrect particulars and adding any necessary corrections. Any such alteration must be initialled by the person who completed the certificate and endorsed by the customs authorities of the issuing country or territory.
2. No spaces must be left between the items entered on the certificate and each item must be preceded by an item number. A horizontal line must be drawn immediately below the last item. Any unused space must be struck through in such a manner as to make any later additions impossible.
3. Goods must be described in accordance with commercial practice and in sufficient detail to enable them to be identified.
4. The form shall be completed in one of the official languages of the Community. The Customs authorities of the Member State which must provide the information or which requires it may request a translation of the information set out in the documents presented to them into the official language or languages of that Member State.

EUROPEAN COMMUNITY

<p>1. Supplier (name, full address, country)</p>	<div style="text-align: center; font-size: 2em; font-weight: bold; margin-bottom: 10px;"> INF 4 </div> <p>No 000.000</p> <p>APPLICATION FOR AN INFORMATION CERTIFICATE</p> <p style="text-align: center; margin-top: 20px;">to facilitate the issue of movement certificates EUR.1 and the making-out of invoice declarations and forms EUR.2</p>	
<p>2. Consignee (name, full address, country)</p>	<p style="text-align: center;">See notes overleaf before completing this form</p>	
<p>3. Invoice(s) No(s) ⁽¹⁾ ⁽²⁾</p>	<p>4. Observations</p>	
<p>5. Item number — Marks and numbers — Number and kind of packages — Description of goods ⁽³⁾</p>	<p>6. Gross mass (kg) or other measure (l, m³, etc.)</p>	
<p>8. DECLARATION BY THE SUPPLIER</p> <p>I, the undersigned, declare that the declaration(s) concerning the originating status of the goods described in box 5 and ⁽⁴⁾</p> <p><input type="checkbox"/> on the invoice(s) shown in box 3 and attached to this certificate</p> <p><input type="checkbox"/> on my long-term declaration of (date) is (are) correct</p> <p style="margin-top: 20px;">Place, date</p> <p style="text-align: right; margin-top: 20px;">(Signature)</p>		

⁽¹⁾ The term "invoice" also includes delivery notes or other commercial documents relating to the shipment or shipments concerned on which the declaration(s) are entered.

⁽²⁾ This box need not be completed in the case of long-term declarations.

⁽³⁾ Describe the goods entered in box 5 in accordance with commercial practice and in sufficient detail to enable them to be identified.

⁽⁴⁾ Place a cross in the appropriate box.

DECLARATION BY THE SUPPLIER

I, the undersigned, supplier of the goods described overleaf,

DECLARE that the goods meet the conditions required for the issue of the attached certificate;

SPECIFY as follows the circumstances which have enabled these goods to meet the above conditions:

SUBMIT the following supporting documents (1):

UNDERTAKE to submit, at the request of the appropriate authorities, any supporting evidence which these authorities may require for the purpose of issuing the attached certificate, and undertake, if required, to agree to any inspection of my accounts and any check on the processes of manufacture of the above goods carried out by the said authorities;

REQUEST the issue of the attached certificate for these goods.

(Place and date)

(Signature)

(1) For example import documents, movement certificates, invoices, manufacturers' declarations, etc. referring to the processed products or goods re-exported in the unaltered state.'