

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1445/2002 of 8 August 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables	1
* Commission Regulation (EC) No 1446/2002 of 8 August 2002 on the suspension and opening of tariff quotas applicable to the importation into the Community of certain processed agricultural products originating in Bulgaria and amending Regulation (EC) No 1477/2000	3
* Commission Regulation (EC) No 1447/2002 of 8 August 2002 laying down detailed rules for applying Council Regulation (EC) No 1408/2002 as regards the concessions in the form of Community tariff quotas on certain cereal products originating in Hungary	8
* Commission Regulation (EC) No 1448/2002 of 8 August 2002 prohibiting fishing for whiting by vessels flying the flag of Spain	13
Commission Regulation (EC) No 1449/2002 of 8 August 2002 on the issue of import licences for high-quality fresh, chilled or frozen beef and veal	14
Commission Regulation (EC) No 1450/2002 of 8 August 2002 fixing the representative prices and the additional import duties for molasses in the sugar sector	15
Commission Regulation (EC) No 1451/2002 of 8 August 2002 altering the export refunds on white sugar and raw sugar exported in the natural state	17
Commission Regulation (EC) No 1452/2002 of 8 August 2002 fixing the maximum export refund for white sugar for the second partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1331/2002	19
Commission Regulation (EC) No 1453/2002 of 8 August 2002 amending representative prices and additional duties for the import of certain products in the sugar sector	20

Commission Regulation (EC) No 1454/2002 of 8 August 2002 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	22
Commission Regulation (EC) No 1455/2002 of 8 August 2002 fixing the corrective amount applicable to the refund on cereals	24
Commission Regulation (EC) No 1456/2002 of 8 August 2002 fixing the maximum export refund on rye in connection with the invitation to tender issued in Regulation (EC) No 900/2002	26
Commission Regulation (EC) No 1457/2002 of 8 August 2002 concerning tenders notified in response to the invitation to tender for the export of barley issued in Regulation (EC) No 901/2002	27
Commission Regulation (EC) No 1458/2002 of 8 August 2002 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 899/2002	28

II Acts whose publication is not obligatory

Council

2002/648/EC:

- * **Council Decision of 25 June 2002 concerning the conclusion of the Agreement for scientific and technological cooperation between the European Community and the Government of the Republic of India**

Agreement for scientific and technological cooperation between the European Community and the Government of the Republic of India

Commission

2002/649/EC:

- * **Commission Decision of 5 August 2002 on the implementation of surveys for avian influenza in poultry and wild birds in the Member States** (*notified under document number C(2002) 2982*)

2002/650/EC:

- * **Commission Decision of 28 June 2002 concerning the conclusion of an Agreement amending the Agreement between the European Community and Australia on trade in wine** (*notified under document number C(2002) 2391*)

Agreement between the European Community and Australia amending the Agreement on trade in wine

Corrigenda

- * **Corrigendum to 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 (O) L 279 of 23.10.2001**

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1445/2002
of 8 August 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 9 August 2002.

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

Done at Brussels, 8 August 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 8 August 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	096	8,7
	999	8,7
0707 00 05	052	65,0
	999	65,0
0709 90 70	052	69,2
	999	69,2
0805 50 10	388	59,6
	524	68,1
	528	49,8
	999	59,2
0806 10 10	052	124,8
	400	234,5
	600	147,0
	999	168,8
0808 10 20, 0808 10 50, 0808 10 90	388	84,8
	400	106,2
	508	62,1
	512	95,2
	528	103,7
	720	138,3
	800	115,0
	804	94,3
	999	99,9
	0808 20 50	052
388		91,5
512		76,1
528		89,4
999		87,9
0809 20 95	028	575,4
	052	512,1
	400	329,1
	404	253,6
	999	417,5
0809 30 10, 0809 30 90	052	117,9
	999	117,9
0809 40 05	064	65,4
	999	65,4

⁽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 1446/2002

of 8 August 2002

on the suspension and opening of tariff quotas applicable to the importation into the Community of certain processed agricultural products originating in Bulgaria and amending Regulation (EC) No 1477/2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2580/2000 ⁽²⁾, and in particular Article 7(2) thereof,

Having regard to Council Decision 1999/278/EC of 9 March 1999 relating to the conclusion of a Protocol adjusting trade aspects of the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, 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 ⁽³⁾, and in particular Article 2 thereof,

Whereas:

- (1) Protocol 3 to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part, approved by Decision 94/908/ECSC, EC, Euratom of the Council and of the Commission ⁽⁴⁾, lays down the trade arrangements for the processed agricultural products which are listed therein.
- (2) Protocol 3 to the Europe Agreement was amended, as regards the volume of tariff quotas and the system for calculating the reduced agricultural components and additional duties, by Decision No 2/2002 of the EU-Bulgaria Association Council of 1 July 2002 on improvements to the trade arrangements for processed agricultural products provided for in Protocol 3 to the Europe Agreement ⁽⁵⁾. The amendments shall enter into force as of 1 September 2002.
- (3) As a result, it is appropriate to suspend the application of tariff quotas opened for the year 2002 for imports into the European Community of products originating in Bulgaria by Commission Regulation (EC) No 2542/2001 ⁽⁶⁾ and to open the new annual quotas provided for in Annex I to Protocol 3. Given that for the year 2002, these new annual quotas cannot be opened before 1 September 2002, they should be reduced, for the year 2002, in proportion to the period which has already elapsed.

- (4) The tariff quotas opened for Bulgaria must be managed in accordance with 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 ⁽⁷⁾, as last amended by Regulation (EC) No 444/2002 ⁽⁸⁾.
- (5) The reduced agricultural components and additional duties applicable from 1 July 2000 to the importation into the Community of goods covered by Regulation (EC) No 3448/93, laid down in the framework of the Europe Agreement with Bulgaria by Commission Regulation (EC) No 1477/2000 ⁽⁹⁾, as last amended by Regulation (EC) No 748/2002 ⁽¹⁰⁾, should be abolished.
- (6) Regulation (EC) No 1477/2000 must be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

The application of tariff quotas opened by Annex V to Regulation (EC) No 2542/2001 is suspended as from 1 September 2002.

Article 2

The Community tariff quotas for goods originating in Bulgaria, set out in the Annex to this Regulation, shall be opened annually from 1 January to 31 December and exempt from duty.

For the year 2002, they shall be reduced on a pro rata basis according to the period, based on whole months, already elapsed.

Article 3

The Community tariff quotas referred to in Article 2 shall be managed by the Commission in accordance with the provisions of Articles 308(a), 308(b) and 308(c) of Regulation (EEC) No 2454/93.

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 298, 25.11.2000, p. 5.

⁽³⁾ OJ L 112, 29.4.1999, p. 1.

⁽⁴⁾ OJ L 358, 31.12.1994, p. 1.

⁽⁵⁾ Not yet published in the Official Journal.

⁽⁶⁾ OJ L 341, 22.12.2001, p. 82.

⁽⁷⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁸⁾ OJ L 68, 12.3.2002, p. 11.

⁽⁹⁾ OJ L 171, 11.7.2000, p. 44.

⁽¹⁰⁾ OJ L 115, 1.5.2002, p. 15.

Article 4

Regulation (EC) No 1477/2000 shall be amended as follows:

1. the fifth paragraph of Article 2 is deleted;
2. Annexes XI and XII are deleted.

Article 5

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 September 2002.

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

Done at Brussels, 8 August 2002.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

Quotas applicable upon import into the Community of goods originating in Bulgaria — exempt from duty

Serial number	CN code	Description	Quota from 1.9.2002 to 31.12.2002	Annual quota 2003	Annual increase from 2004
			(1 000 kg/net)		
(1)	(2)	(3)	(4)	(5)	(6)
09.5481	0405 0405 20 0405 20 10 0405 20 30 ex 2106 3302 10 3302 10 29	Butter and other fats and oils derived from milk; dairy spreads: – Dairy spreads: – – Of a fat content, by weight, of 39 % or more but less than 60 % – – Of a fat content, by weight, of 60 % or more but not exceeding 75 % Food preparations not elsewhere specified or included other than those falling within CN codes 2106 10 20 and 2106 90 20 and other than flavoured or coloured sugar syrups ⁽¹⁾ Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used in the food or drink industries: – – – – – Other	196	637	49
09.5486	1702 50	Chemically pure fructose	1 334	4 000	—
09.5461	ex 1704	Sugar confectionery (including white chocolate), not containing cocoa, excluding liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances falling within CN code 1704 90 10	68	219	17
09.5463	ex 1806	Chocolate and other food preparations containing cocoa other than those of CN code 1806 10 15	202	654	50
09.5485	ex 1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included, excluding goods falling within CN code 1901 90 91	41	131	10

Serial number	CN code	Description	Quota from 1.9.2002 to 31.12.2002	Annual quota 2003	Annual increase from 2004
			(1 000 kg/net)		
(1)	(2)	(3)	(4)	(5)	(6)
09.5469	ex 1902	Pasta, whether or not cooked or otherwise prepared, excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30; couscous, whether or not prepared	135	438	34
09.5471	1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, cornflakes); cereals (other than maize (corn)), in grain form, or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included	101	327	25
09.5473	1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	236	765	59
09.5474	2101 12 98	Preparations with a basis of extracts, essences or concentrates of coffee or with a basis of coffee, other than those of CN code 2101 12 92	68	219	17
	2101 20 98	Preparations with a basis of extracts, essences or concentrates of tea or maté or with a basis of tea or maté, other than those of CN code 2101 20 92			
09.5476	2101 30	– Roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof: – – Roasted chicory and other roasted coffee substitutes: – – – Other	9	28	2
	2101 30 19	– – – Other			
	2101 30 99	– – – Other			
09.5487	2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard:	734	2 400	200
	2103 20 00	Tomato ketchup and other tomato sauces			
	2103 30 90	– – Prepared mustard			
	2103 90 90	– – Other			
09.5488	2103 30 90	– – Prepared mustard	734	2 400	200
09.5489	2103 90 90	– – Other	734	2 400	200
09.5479	2105 00	Ice cream and other edible ice, whether or not containing cocoa	34	108	8

Serial number	CN code	Description	Quota from 1.9.2002 to 31.12.2002	Annual quota 2003	Annual increase from 2004
			(1 000 kg/net)		
(1)	(2)	(3)	(4)	(5)	(6)
09.5483	2202 2202 90 91 to 2202 90 99	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2209: -- Other	7	23	2

(!) For products under CN code 2106 90 10, eligibility to benefit from this preference is subject to conditions laid down in the relevant Community provisions.

**COMMISSION REGULATION (EC) No 1447/2002
of 8 August 2002**

laying down detailed rules for applying Council Regulation (EC) No 1408/2002 as regards the concessions in the form of Community tariff quotas on certain cereal products originating in Hungary

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1408/2002 of 29 July 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 Hungary ⁽¹⁾, and in particular Article 1(3) thereof,

Whereas:

- (1) In accordance with Regulation (EC) No 1408/2002, the Community has established for each marketing year, import tariff quotas at a zero rate of duty for 600 000 tonnes of wheat and meslin, wheat or meslin flours, durum wheat groats and meal, common wheat groats and meal and wheat pellets, and 450 000 tonnes of maize (corn), maize (corn) seed, maize (corn) flour, maize groats and meal and maize pellets.
- (2) To ensure that imports of the cereal products covered by these tariff quotas are orderly and not speculative, they should be made subject to the issue of import licences. The licences will be issued, within the quantities set, at the request of the interested parties, subject, where appropriate, to the fixing of a reduction coefficient in respect of the quantities applied for.
- (3) To ensure the proper management of these quotas, deadlines for the lodging of licence applications should be laid down and the information to be included in the applications and licences should be specified.
- (4) To take account of delivery conditions, the import licences should be valid from the day of their issue until the end of the month following that in which they are issued.
- (5) With a view to the sound management of the quotas, provision should be made to derogate from 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 ⁽²⁾, as last amended by Regulation (EC) No 2299/2001 ⁽³⁾, as regards the transferable nature of the licences and the tolerance relating to the quantities released into free circulation.

- (6) To ensure sound management of the quotas, the security on the import licences should be set at a relatively high level, notwithstanding Article 10 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 ⁽⁴⁾, as last amended by Regulation (EC) No 1322/2002 ⁽⁵⁾.
- (7) Rapid two-way communication must be established between the Commission and the Member States regarding the quantities applied for and imported.
- (8) As Council Regulation (EC) No 1727/2000 has been replaced by Regulation (EC) No 1408/2002, Commission Regulation (EC) No 2511/2000 ⁽⁶⁾ laying down the detailed rules for the application of Regulation (EC) No 1727/2000 should be repealed.
- (9) 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

1. Imports of wheat and meslin falling within CN code 1001, of wheat or meslin flours falling within CN code 1101, of groats and meal of durum wheat falling within CN code 1103 11 10, of common wheat groats and spelt falling within CN code 1103 11 90 and of wheat pellets falling within CN code 1103 20 60 originating in Hungary and benefiting from a zero rate of import duty under the tariff quota bearing the serial number 09.4779, in accordance with Regulation (EC) No 1408/2002, shall be subject to an import licence issued in accordance with this Regulation.

2. Imports of maize (corn) seed falling within CN code 1005 10 90, of maize falling within CN code 1005 90 00, of maize (corn) flour falling within CN code 1102 20, of groats and meal of maize (corn) falling within CN code 1103 13 and of maize pellets falling within CN code 1103 20 40 originating in Hungary and benefiting from a zero rate of import duty under the tariff quota bearing the serial number 09.4780, in accordance with Regulation (EC) No 1408/2002, shall be subject to an import licence issued in accordance with this Regulation.

⁽¹⁾ OJ L 205, 2.8.2002, p. 9.

⁽²⁾ OJ L 152, 24.6.2000, p. 1.

⁽³⁾ OJ L 308, 27.11.2001, p. 19.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 22.

⁽⁶⁾ OJ L 289, 16.11.2000, p. 18.

3. The products referred to in paragraphs 1 and 2 shall be released into free circulation upon presentation of one of the following documents:

- (a) an EUR.1 movement certificate issued by Hungary in accordance with Protocol 4 of the Europe Agreement between the Community and Hungary ⁽¹⁾;
- (b) an invoice declaration on the invoice provided by the exporter in accordance with that Protocol.

Article 2

1. Applications for import licences shall be lodged with the competent authorities of the Member States no later than 13.00 Brussels time on the second Monday of each month.

Each licence application must be for a quantity not exceeding the quantity available for the import of the relevant product in the marketing year concerned.

2. No later than 18.00 Brussels time on the same day, the competent authorities shall fax the Commission (number (32-2) 295 25 15), in accordance with the model in Annex I hereto, the total quantity resulting from the sum of the quantities indicated on the import licence applications.

That information must be communicated separately from the information on other import licence applications for cereals.

3. If the total of the quantities for each product concerned since the start of the marketing year and the quantity referred to in paragraph 2 exceeds the quota for the marketing year concerned, the Commission shall set, no later than the third working day after the applications were lodged, a single reduction coefficient to be applied to the quantities requested.

4. Without prejudice to paragraph 3, licences shall be issued on the fifth working day following the day on which the application was lodged. No later than 18.00 Brussels time on the day the licences are issued, the competent authorities shall fax the Commission the total quantity resulting from the sum of the quantities for which import licences were issued that same day.

Article 3

With a view to accounting for the quantities imported under the quotas referred to in Article 1(1) and (2), the Commission shall apply the equivalence coefficients listed in Annex II hereto. The quantity on each licence application for a given product shall be multiplied by the coefficient for the product in question.

Article 4

In accordance with Article 23(2) of Regulation (EC) No 1291/2000, the period of validity of the licence shall be calculated from the actual date of issue.

Article 6(1) of Regulation (EC) No 1162/95 notwithstanding, import licences shall be valid until the end of the month following the month in which they were issued.

Article 5

Article 9 of Regulation (EC) No 1291/2000 notwithstanding, the rights resulting from the import licences shall not be transferable.

Article 6

Article 8(4) of Regulation (EC) No 1291/2000 notwithstanding, the quantity released into free circulation may not exceed that indicated in sections 17 and 18 of the import licence. The figure '0' shall be entered to that effect in section 19 of the licence.

Article 7

The import licence application and the import licence shall contain the following information:

- (a) in section 8, the name of the country of origin;
- (b) in section 20 one of the following entries:
 - Reglamento (CE) n° 1408/2002
 - Forordning (EF) nr. 1408/2002
 - Verordnung (EG) Nr. 1408/2002
 - Κανονισμός (ΕΚ) αριθ. 1408/2002
 - Regulation (EC) No 1408/2002
 - Règlement (CE) n° 1408/2002
 - Regolamento (CE) n. 1408/2002
 - Verordening (EG) nr. 1408/2002
 - Regulamento (CE) n.º 1408/2002
 - Asetus (EY) N:o 1408/2002
 - Förordning (EG) nr 1408/2002
- (c) in section 24, the words 'zero duty'.

Article 8

Article 10(a) and (b) of Regulation (EC) No 1162/95 notwithstanding, the security for the import licences provided for in this Regulation shall be EUR 30 per tonne.

Article 9

1. Regulation (EC) No 2511/2000 is hereby repealed.
2. In accordance with Article 2(2) of Regulation (EC) No 1408/2002, the quantities of durum wheat and common wheat imported on or after 1 July 2002 under Regulation (EC) No 2511/2000 shall be included when accounting for the quantities imported under quota No 09.4779.

Article 10

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

Article 2(1) notwithstanding, the first import licence applications under this Regulation shall be lodged on the first Monday following its entry into force.

⁽¹⁾ OJ L 347, 31.12.1993, p. 2.

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

Done at Brussels, 8 August 2002.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

Model of the notification referred to in Article 2(2)

Import quotas for wheat and its derived products and maize and its derived products from the Republic of Hungary opened by Regulation (EC) No 1408/2002

Quota	Product	CN code	Quantity applied for (tonnes)
Wheat and derived products (09.4779)	Durum wheat	1001 10 00	
	Common wheat and meslin	1001 90 00	
	Wheat flour	1101 00 11	
		1101 00 15 91 00	
		1101 00 15 91 30	
		1101 00 15 91 50	
		1101 00 15 91 70	
1101 00 15 91 80 1101 00 15 91 90			
Groats and meal of durum wheat	1103 11 10 92		
	1103 11 10 94		
	1103 11 10 99		
Groats and meal of common wheat	1103 11 90 92		
	1103 11 90 98		
Wheat pellets	1103 20 60		
Maize and derived products (09.4780)	Maize (corn) seed	1005 10 90	
	Maize other than seed	1005 90 00	
	Maize (corn) flour	1102 20 10 92	
		1102 20 10 94	
		1102 20 90 92	
Maize groats and meal	1103 13 10 91		
	1103 13 10 93		
	1103 13 10 95		
	1103 13 90 91		
Maize pellets	1103 20 40		

ANNEX II

Equivalence coefficients referred to in Article 3

Import quotas for wheat and its derived products and maize and its derived products from the Republic of Hungary opened by Regulation (EC) No 1408/2002

Quota	Product	CN code	Coefficient
Wheat and derived products (09.4779)	Durum wheat	1001 10 00	1
	Common wheat and meslin	1001 90 00	1
	Wheat flour	1101 00 11	1,37
		1101 00 15 91 00	1,37
		1101 00 15 91 30	1,28
		1101 00 15 91 50	1,18
		1101 00 15 91 70	1,09
		1101 00 15 91 80	1,02
		1101 00 15 91 90	1
	Groats and meal of durum wheat	1103 11 10 92	1,50
		1103 11 10 94	1,34
		1103 11 10 99	1,26
	Groats and meal of common wheat	1103 11 90 92	1,37
1103 11 90 98		1,28	
Wheat pellets	1103 20 60	1,02	
Maize and derived products (09.4780)	Maize (corn) seed	1005 10 90	1
	Maize other than seed	1005 90 00	1
	Maize (corn) flour	1102 20 10 92	1,4
		1102 20 10 94	1,2
		1102 20 90 92	1,2
	Maize groats and meal	1103 13 10 91	1,8
		1103 13 10 93	1,4
		1103 13 10 95	1,2
		1103 13 90 91	1,2
	Maize pellets	1103 20 40	1,02

COMMISSION REGULATION (EC) No 1448/2002
of 8 August 2002
prohibiting fishing for whiting by vessels flying the flag of Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2555/2001 of 18 December 2001 fixing for 2002 the fishing opportunities and associated fishing conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, lays down quotas for whiting for 2002.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of whiting in the waters of ICES divisions

VIIb-k by vessels flying the flag of Spain or registered in Spain have exhausted the quota for 2002. Spain has prohibited fishing for this stock from 23 July 2002. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of whiting in the waters of ICES divisions VIIb-k by vessels flying the flag of Spain or registered in Spain are hereby deemed to have exhausted the quota allocated to Spain for 2002.

Fishing for whiting in the waters of ICES divisions VIIb-k by vessels flying the flag of Spain or registered in Spain is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 23 July 2002.

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

Done at Brussels, 8 August 2002.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 347, 31.12.2001, p. 1.

COMMISSION REGULATION (EC) No 1449/2002
of 8 August 2002
on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat ⁽¹⁾, as last amended by Regulation (EC) No 361/2002 ⁽²⁾,

Whereas:

- (1) Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2(f).
- (2) Article 2(f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms for the period 1 July 2002 to 30 June 2003 at 11 500 t.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 to 5 August 2002 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2(f) of Regulation (EC) No 936/97 shall be granted in full.

2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 936/97, during the first five days of September 2002 for 2 707 t.

Article 2

This Regulation shall enter into force on 11 August 2002.

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

Done at Brussels, 8 August 2002.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 137, 28.5.1997, p. 10.

⁽²⁾ OJ L 58, 28.2.2002, p. 5.

COMMISSION REGULATION (EC) No 1450/2002**of 8 August 2002****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the market in sugar ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 August 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. 12.

⁽⁴⁾ OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 8 August 2002.

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

ANNEX

to the Commission Regulation of 8 August 2002 fixing the representative prices and additional import duties to imports of molasses in the sugar sector

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 ⁽²⁾
1703 10 00 ⁽¹⁾	8,56	—	0
1703 90 00 ⁽¹⁾	12,17	—	0

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

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

COMMISSION REGULATION (EC) No 1451/2002**of 8 August 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 1414/2002 ⁽³⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 1414/2002 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 1414/2002 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 August 2002.

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

Done at Brussels, 8 August 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 205, 2.8.2002, p. 72.

ANNEX

to the Commission Regulation of 8 August 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	43,01 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	42,91 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	43,01 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	42,91 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4676
1701 99 10 9100	A00	EUR/100 kg	46,76
1701 99 10 9910	A00	EUR/100 kg	46,65
1701 99 10 9950	A00	EUR/100 kg	46,65
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4676

⁽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 1452/2002
of 8 August 2002**

fixing the maximum export refund for white sugar for the second partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1331/2002

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 27(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1331/2002 of 23 July 2002 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, for the 2002/2003 marketing year, requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1331/2002 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the second partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1331/2002 the maximum amount of the export refund is fixed at 49,720 EUR/100 kg.

Article 2

This Regulation shall enter into force on 9 August 2002.

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

Done at Brussels, 8 August 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 195, 24.7.2002, p. 6.

COMMISSION REGULATION (EC) No 1453/2002
of 8 August 2002
amending representative prices and additional duties for the import of 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 markets in the sugar sector ⁽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 implementing 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) The amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation (EC) No 1153/2002 ⁽⁵⁾, as amended by Regulation (EC) No 1262/2002 ⁽⁶⁾.

- (2) It follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports 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 9 August 2002.

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

Done at Brussels, 8 August 2002.

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

⁽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 170, 29.6.2002, p. 27.

⁽⁶⁾ OJ L 183, 12.7.2002, p. 38.

ANNEX

to the Commission Regulation of 8 August 2002 altering 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⁾	16,59	8,03
1701 11 90 ⁽¹⁾	16,59	14,33
1701 12 10 ⁽¹⁾	16,59	7,82
1701 12 90 ⁽¹⁾	16,59	13,82
1701 91 00 ⁽²⁾	24,00	13,61
1701 99 10 ⁽²⁾	24,00	8,71
1701 99 90 ⁽²⁾	24,00	8,71
1702 90 99 ⁽³⁾	0,24	0,40

⁽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 1454/2002**of 8 August 2002****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

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(2) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds 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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 August 2002.

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

Done at Brussels, 8 August 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

ANNEX

**to the Commission Regulation of 8 August 2002 fixing the export refunds on cereals and on wheat or rye flour,
groats and meal**

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 11 9000	—	EUR/t	—
1001 10 00 9400	—	EUR/t	—	1101 00 15 9100	C01	EUR/t	0
1001 90 91 9000	—	EUR/t	—	1101 00 15 9130	C01	EUR/t	0
1001 90 99 9000	C01	EUR/t	0	1101 00 15 9150	C01	EUR/t	0
1002 00 00 9000	C06	EUR/t	0	1101 00 15 9170	C01	EUR/t	0
1003 00 10 9000	—	EUR/t	—	1101 00 15 9180	C01	EUR/t	0
1003 00 90 9000	C07	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1004 00 00 9200	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1004 00 00 9400	C06	EUR/t	0	1102 10 00 9500	C01	EUR/t	52,75
1005 10 90 9000	—	EUR/t	—	1102 10 00 9700	C01	EUR/t	41,50
1005 90 00 9000	C07	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1007 00 90 9000	—	EUR/t	—	1103 11 10 9200	C06	EUR/t	0 ⁽¹⁾
1008 20 00 9000	—	EUR/t	—	1103 11 10 9400	C06	EUR/t	0 ⁽¹⁾
				1103 11 10 9900	—	EUR/t	—
				1103 11 90 9200	C06	EUR/t	0 ⁽¹⁾
				1103 11 90 9800	—	EUR/t	—

⁽¹⁾ No refund is granted when this product contains compressed meal.

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

The other destinations are as follows:

C01 All destinations except for Poland, Lithuania, Estonia, Latvia and Hungary.

C06 All destinations except for Lithuania, Estonia, Latvia and Hungary.

C07 All destinations except for Estonia, Latvia and Hungary.

COMMISSION REGULATION (EC) No 1455/2002
of 8 August 2002
fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 13(8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, allows for the fixing of a corrective amount for the products listed in Article 1(1)(c) of Regulation (EEC) No 1766/92. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 August 2002.

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

Done at Brussels, 8 August 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

ANNEX

to the Commission Regulation of 8 August 2002 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C05	-30,00	-30,00	-30,00	-30,00	-30,00	—	—
	A05	0	-0,93	-1,86	-2,79	-3,72	—	—
1002 00 00 9000	C03	-20,00	-20,00	-20,00	-20,00	-20,00	—	—
	C05	-45,00	-45,00	-45,00	-45,00	-45,00	—	—
	A05	0	0	0	0	0	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	0	0	0	0	0	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	C05	-30,00	-30,00	-30,00	-30,00	-30,00	—	—
	A05	0	0	0	0	0	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	0	0	0	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	A00	0	0	0	0	0	—	—
1101 00 15 9130	A00	0	0	0	0	0	—	—
1101 00 15 9150	A00	0	0	0	0	0	—	—
1101 00 15 9170	A00	0	0	0	0	0	—	—
1101 00 15 9180	A00	0	0	0	0	0	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	A00	0	0	0	0	0	—	—
1102 10 00 9700	A00	0	0	0	0	0	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	0	0	0	0	—	—
1103 11 10 9400	A00	0	0	0	0	0	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	0	0	0	0	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

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

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

The other destinations are as follows:

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

C05 Hungary.

COMMISSION REGULATION (EC) No 1456/2002**of 8 August 2002****fixing the maximum export refund on rye in connection with the invitation to tender issued in Regulation (EC) No 900/2002**

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 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of rye to all third countries except for Estonia, Lithuania and Latvia was opened pursuant to Commission Regulation (EC) No 900/2002 ⁽⁶⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 2 to 8 August 2002, pursuant to the invitation to tender issued in Regulation (EC) No 900/2002, the maximum refund on exportation of rye shall be EUR 38,49/t.

Article 2

This Regulation shall enter into force on 9 August 2002.

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

Done at Brussels, 8 August 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 142, 31.5.2002, p. 14.

COMMISSION REGULATION (EC) No 1457/2002**of 8 August 2002****concerning tenders notified in response to the invitation to tender for the export of barley issued in Regulation (EC) No 901/2002**

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 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of barley to all third countries except the United States of America, Canada, Estonia and Latvia was opened pursuant to Commission Regulation (EC) No 901/2002 ⁽⁶⁾, as amended by Regulation (EC) No 1230/2002 ⁽⁷⁾.

(2) Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.

(3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 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 notified from 2 to 8 August 2002 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 901/2002.

Article 2

This Regulation shall enter into force on 9 August 2002.

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

Done at Brussels, 8 August 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 127, 9.5.2002, p. 11.

⁽⁷⁾ OJ L 180, 10.7.2002, p. 3.

**COMMISSION REGULATION (EC) No 1458/2002
of 8 August 2002**

**fixing the maximum export refund on common wheat in connection with the invitation to tender
issued in Regulation (EC) No 899/2002**

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 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund on exportation of common wheat to all third countries with the exclusion of Poland, Estonia, Lithuania and Latvia was opened pursuant to Commission Regulation (EC) No 899/2002 ⁽⁶⁾.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in

Article 23 of Regulation (EEC) No 1766/92, decide to fix a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

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

HAS ADOPTED THIS REGULATION:

Article 1

For tenders notified from 2 to 8 August 2002, pursuant to the invitation to tender issued in Regulation (EC) No 899/2002, the maximum refund on exportation of common wheat shall be EUR 0,01/t.

Article 2

This Regulation shall enter into force on 9 August 2002.

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

Done at Brussels, 8 August 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 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 142, 31.5.2002, p. 11.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 25 June 2002

concerning the conclusion of the Agreement for scientific and technological cooperation between the European Community and the Government of the Republic of India

(2002/648/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 170, in conjunction with the first sentence of the first subparagraph of Article 300(2) and the first subparagraph of Article 300(3) thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) A Cooperation Agreement between the European Economic Community and the Republic of India on Partnership and Development was signed on 20 December 1993 ⁽³⁾.
- (2) The European Community and the Republic of India are pursuing specific RTD programmes in areas of common interest.
- (3) On the basis of past experience, both sides have expressed a desire to establish a deeper and broader framework for the conduct of collaboration in science and technology.
- (4) This cooperation agreement in the field of science and technology forms part of the global cooperation between the European Community and the Republic of India.
- (5) By its Decision of 12 February 2001, the Council authorised the Commission to negotiate an agreement for scientific and technological cooperation between the European Community and the Republic of India.

(6) By its Decision of 15 November 2001, the Council decided that the Agreement be signed on behalf of the European Community.

(7) The Agreement was signed on 23 November 2001.

(8) The Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement for scientific and technological cooperation between the European Community and the Government of the Republic of India is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

Pursuant to Article 11 of the Agreement, the President of the Council shall notify the Republic of India that the procedures necessary for the entry into force of the Agreement have been completed on the part of the European Community.

Done at Luxembourg, 25 June 2002.

For the Council

The President

J. MATAS I PALOU

⁽¹⁾ OJ C 304 E, 30.10.2001, p. 241.

⁽²⁾ Opinion delivered on 14 May 2002 (not yet published in the Official Journal).

⁽³⁾ OJ L 223, 27.8.1994, p. 23.

AGREEMENT

for scientific and technological cooperation between the European Community and the Government of the Republic of India

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community',

of the one part, and

THE GOVERNMENT OF THE REPUBLIC OF INDIA, hereinafter referred to as 'India',

of the other part,

hereinafter referred to as the 'Parties',

CONSIDERING the importance of science and technology for their economic and social development,

RECOGNISING that the Community and India are pursuing joint research and technological programmes in a number of areas of common interest, and that mutual benefits may be derived if the Parties facilitate further cooperation,

NOTING that there has been active cooperation and information exchange in a number of scientific and technological areas under the Cooperation Agreement between the Community and India on Partnership and Development signed on 20 December 1993,

HAVING REGARD to the EU-India Summit Joint Declaration agreed on 28 June 2000,

DESIRING to expand the cooperation in scientific and technological research with a view to strengthening the conduct of cooperative activities in areas of common interest and to encouraging the application of the results of such cooperation to their economic and social benefit,

HAVE AGREED AS FOLLOWS:

Article 1

Purpose

The Parties shall encourage and facilitate cooperative research and development activities in science and technology fields of common interest between the Community and India.

is funding by only one Party, the designation shall be made by that Party and the participant in that project;

- (e) 'participant' or 'research entities' means any person, any academic institution, research institute or any other legal entity or undertaking or firm established in the Community or in India involved in cooperative activities including the Parties themselves.

Article 2

Definitions

For the purpose of this Agreement:

- (a) 'cooperative activity' means any activity which the Parties undertake or support, pursuant to this Agreement, and includes joint research;
- (b) 'information' means scientific or technical data, results or methods of research and development stemming from joint research carried out under this Agreement and any other data deemed necessary by the participants to cooperative activities, including, as necessary, by the Parties themselves;
- (c) 'intellectual property' shall have the meaning defined in Article 2 of the Convention establishing the World Intellectual Property Organisation, done at Stockholm, 14 July 1967;
- (d) 'joint research' means a research, technological development or demonstration project that is implemented with financial support from one or both Parties and that involves collaboration between participants from both the Community and India and is designated as joint research in writing by the Parties or the Executive Agents. Where there

Article 3

Principles

Cooperation shall be conducted on the basis of the following principles:

- (a) mutual benefit based on an overall balance of advantages;
- (b) reciprocal access to the activities of research and technological development undertaken by each Party;
- (c) timely exchange of information which may affect cooperative activities;
- (d) appropriate protection of intellectual property rights.

Article 4

Scope of cooperation

Cooperation under this Agreement may cover all the activities of research, technological development and demonstration, hereinafter referred to as 'RTD', included in the first activity of the framework programme under Article 164 of the Treaty establishing the European Community and all similar RTD activities in India in the corresponding scientific and technological fields.

This Agreement does not affect the participation of India, as a developing country, in Community activities in the field of research for development.

Article 5

Forms of cooperation

Cooperative activities may take the following forms:

- participation of Indian research entities in RTD projects under the first activity of the framework programme and reciprocal participation of research entities established in the Community in Indian projects in similar sectors of RTD. Such participation is subject to the rules and procedures applicable in each Party,
- joint RTD Projects; the joint RTD projects shall be implemented when the participants have developed a technology management plan, as indicated in the Annex,
- pooling of RTD projects already implemented according to the procedures applicable in the RTD programmes of each Party,
- visits and exchanges of scientists and technical experts,
- joint organisation of scientific seminars, conferences, symposia and workshops, as well as participation of experts in those activities,
- concerted actions for dissemination of results/exchange of experience on joint RTD projects that have been funded,
- exchanges and sharing of equipment and materials including shared use of advanced research facilities,
- exchanges of information on practices, laws, regulations and programmes relevant to cooperation under this Agreement,
- any other form recommended by the Steering Committee and deemed in conformity with the policies and procedures applicable in both Parties.

Article 6

Coordination and facilitation of cooperative activities

- (a) The coordination and facilitation of cooperative activities under this Agreement shall be accomplished, on behalf of India, by the Ministry of Science and Technology (Department of Science and Technology) and, on behalf of the Community, by the services of the Commission of the European Communities (Directorate General for Science, Research and Development), acting as executive agents.
- (b) The executive agents shall establish a Steering Committee on S & T Cooperation, hereinafter referred to as the 'Steering Committee' for the management of this Agree-

ment; this Committee shall consist of an equal number of official representatives of each Party and shall have Co-Chairpersons from the Parties; it shall establish its own rules of procedure.

(c) The functions of the Steering Committee shall include:

- (i) promoting and overseeing the different cooperative activities as mentioned in Article 4 as well as those that would be implemented in the framework of Community activities in the field of research for development;
- (ii) recommending Joint RTD projects, to be sponsored on a cost-sharing basis by the Parties, received in response to an approved Joint Call for Proposal text issued simultaneously by the Executive Agents.

The joint projects, which have been submitted by the scientists of one side for participation in the programmes of the other side, will be selected by each Party according to the respective selection process of each Party with possible participation of the experts from both sides;

- (iii) indicating, for the following year, pursuant to the first and second indents of Article 5, among the potential sectors for RTD cooperation, those priority sectors or subsectors of mutual interest in which cooperation is sought;
- (iv) proposing, pursuant to the third indent of Article 5, to the scientists of both Parties the pooling of their projects which would be of mutual benefit and complementary;
- (v) making recommendations pursuant to the fourth to eighth indents of Article 5;
- (vi) advising the Parties on ways to enhance and improve cooperation consistent with the principles set out in this Agreement;

(vii) reviewing the efficient functioning and implementation of this Agreement, including evaluation of ongoing cooperative projects involving India as a developing country under Community activities in the field of research for development;

(viii) annually providing a report to the Parties on the status, the level reached and the effectiveness of cooperation undertaken under this Agreement. This report will be transmitted to the Joint Commission established in the framework of the Cooperation Agreement between the European Community and India on Partnership and Development.

- (d) The Steering Committee shall, as a general rule, meet annually, preferably before the meeting of the Joint Commission established in the framework of the Cooperation Agreement between the European Community and India on Partnership and Development, and according to a jointly agreed schedule; the meetings should be held alternatively in the Community and in India. Extraordinary meetings may be organised at the request of either Party.
- (e) Decisions of the Steering Committee shall be reached by consensus. Minutes, comprising of a record of decisions and principal points discussed, shall be taken at each meeting. These minutes shall be agreed upon by the designated Co-Chairpersons of the Steering Committee.
- (f) For the Steering Committee Meeting, the travel and accommodation expenses of the participants shall be borne by the Parties to whom they relate. Any other cost associated with the Steering Committee Meeting shall be borne by the host Party.

Article 7

Funding

- (a) Cooperative activities shall be subject to the availability of appropriated funds and to the laws and regulations (including those on tax and customs exemption) applicable in the territories of each Party and in accordance with policies and programmes of the Parties.
- (b) Costs incurred on selected cooperative activities shall be shared by the participants without any transfer of funds from one Party to the other.
- (c) An implementing arrangement would specify in greater details the precise administrative and financial modalities for cooperative activities.
- (d) RTD projects, involving India as developing country, sponsored under Community activities in the field of research for development shall be excluded from the provisions specified under (b) and (c).

Article 8

Entry of personnel and equipment

Each Party shall take all reasonable steps and use its best efforts, within the laws and regulations applicable in the territories of each Party, to facilitate entry to, sojourn in, and exit from its territory of persons and equipment involved in or used in cooperative activities identified by the Parties under the provisions of this Agreement.

Article 9

Diffusion and utilisation of information

The dissemination and utilisation of information, and the management, allocation and exercise of intellectual property rights resulting from joint research under this Agreement shall

be subject to the requirements of the Annex. The Annex shall be an integral part of this Agreement.

Article 10

Territorial application

This Agreement shall apply, on the one hand to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty, and on the other hand, to the territory of India. This shall not prevent the conduct of cooperative activities on the high seas, outer space, or the territory of third countries, in accordance with international law.

Article 11

Entry into force, termination and dispute settlement

- (a) This Agreement shall enter into force on the date on which the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.
- (b) This Agreement shall be concluded for an initial period of five years and may be renewed by mutual agreement between the Parties after evaluation during the last year of each successive period.
- (c) This Agreement may be amended by agreement of the Parties. Amendments shall enter into force on the date on which the Parties have notified each other in writing that their respective internal procedures necessary for amending this Agreement have been completed.
- (d) This Agreement may be terminated at any time by either Party upon six months' written notice. The expiration or termination of this Agreement shall not affect the validity or duration of any arrangements made under it, or any specific rights and obligations that have accrued in compliance with the Annex.
- (e) All questions or disputes related to the interpretation or implementation of this Agreement shall be settled by mutual agreement between the Parties.

Article 12

This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Hindi languages, each of these texts being equally authentic.

In witness whereof, the undersigned, being duly authorised thereto, have signed this Agreement.

Hecho en Nueva Delhi el veintitrés de noviembre del dos mil uno por duplicado en alemán, danés, español, finés, francés, griego, inglés, italiano, neerlandés, portugués, sueco e hindi, siendo cada uno de estos textos igualmente auténticos.

Udfærdiget i New Delhi, den treogtyvende november to tusind og et, i to eksemplarer på dansk, engelsk, finsk, fransk, græsk, italiensk, nederlandsk, portugisisk, spansk, svensk, tysk og hindi, idet hver af disse tekster har samme gyldighed.

Geschehen zu New Delhi am dreiundzwanzigsten November zweitausendundeins in zwei Urschriften in dänischer, deutscher, englischer, finnischer, französischer, griechischer, italienischer, niederländischer, portugiesischer, schwedischer und spanischer Sprache sowie in Hindi abgefasst, wobei jeder Wortlaut gleichermaßen verbindlich ist.

Έγινε στο Νέο Δελχί, στις είκοσι τρεις Νοεμβρίου δύο χιλιάδες ένα, σε δύο αντίτυπα στην αγγλική, γαλλική, γερμανική, δανική, ελληνική, ισπανική, ιταλική, ολλανδική, πορτογαλική, σουηδική και φινλανδική γλώσσα και τη γλώσσα Hindi· όλα τα κείμενα είναι εξίσου αυθεντικά.

Done at New Delhi on the twenty-third day of November in the year two thousand and one, in two copies, in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish, and Hindi languages, with each text being equally authentic.

Fait à New Delhi, le vingt-trois novembre deux mille un, en deux exemplaires, en langues allemande, anglaise, danoise, espagnole, française, finnoise, grecque, italienne, néerlandaise, portugaise, suédoise et hindi, chacun de ces textes faisant également foi.

Fatto a Nuova Delhi, addì ventitre novembre duemilauno, in duplice copia nelle lingue danese, finlandese, francese, greca, inglese, italiana, olandese, portoghese, spagnola, svedese, tedesca e hindi, ciascun testo facente ugualmente fede.

Gedaan te New Delhi op de drieëntwintigste november tweeduizendeneen in twee exemplaren in de Deense, de Duitse, de Engelse, de Finse, de Franse, de Griekse, de Italiaanse, de Nederlandse, de Portugese, de Spaanse, de Zweedse en de Hinditaal, zijnde alle teksten gelijkelijk authentiek.

Feito em Nova Deli, em vinte e três de Novembro de dois mil e um, em duplo exemplar, nas línguas alemã, dinamarquesa, espanhola, finlandesa, francesa, grega, inglesa, italiana, neerlandesa, portuguesa, sueca e hindi, fazendo igualmente fé todos os textos.

Tehty New Delhissä kahdentenkymmenentenäkolmantena päivänä marraskuuta vuonna kaksituhattayksi kahtena kappaleena englannin-, espanjan-, hollannin-, italian-, kreikan-, portugalin-, ranskan-, ruotsin-, saksan-, suomen-, tanskan- ja hindinkielellä, ja jokainen teksti on yhtä todistusvoimainen.

Upprättat i New Delhi den tjugotredje november tjugohundraett i två exemplar på danska, engelska, finska, franska, grekiska, italienska, nederländska, portugisiska, spanska, svenska och tyska språken samt på hindi, varvid samtliga språkversioner äger lika giltighet.

23 नवम्बर, 2001 को नई दिल्ली में हिन्दी, डैनिश, डच, अंग्रेजी, फिन्नी, फ्रेंच, जर्मन, ग्रीक, इतालवी, पुर्तगाली स्पेनिश, स्वीडिश भाषाओं में दो प्रतियों में सम्पन्न हुआ जिसका प्रत्येक पाठ समान रूप से मान्य है।

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar
यूरोपीय सघ की परिषद की ओर से

Por el Gobierno de la República de la India
På Republikken Indiens regerings vegne
Für die Regierung der Republik Indien
Για την κυβέρνηση της Δημοκρατίας της Ινδίας
For the Government of the Republic of India
Pour le gouvernement de la République de l'Inde
Per il governo della Repubblica dell'India
Voor de regering van de Republiek India
Pelo Governo da República da Índia
Intian tasavallan hallituksen puolesta
På Republiken Indiens regerings vägnar
भारत गणराज्य की सरकार की ओर से

ANNEX

INTELLECTUAL PROPERTY RIGHTS

Rights to intellectual property created or furnished under the Agreement shall be allocated as provided in this Annex.

APPLICATION

This Annex is applicable to joint research undertaken pursuant to the Agreement, except as otherwise agreed by the Parties.

I. Ownership, allocation and exercise of rights

1. For purpose of this Annex 'intellectual property' is defined in Article 2(c) of the Agreement.
2. This Annex addresses the allocation of rights and interests of the Parties and their participants. Each Party and its participants shall ensure that the other Party and its participants may obtain the rights to intellectual property allocated to it in accordance with this Annex. This Annex does not otherwise alter or prejudice the allocation of rights, interests and royalties between a Party and its nationals or participants, and the rules of diffusion and utilisation of information, which will be determined by the laws and practices of each Party.
3. The Parties will also be guided by, and contractual arrangements should provide for, the following principles:
 - (a) effective protection of intellectual property. The Parties shall ensure that they and/or their participants notify one another within a reasonable time of the creation of any intellectual property arising under the Agreement or implementation arrangements and to seek protection for such intellectual property in a timely fashion;
 - (b) effective exploitation of results, taking into account the contributions of the Parties and their participants;
 - (c) non-discriminatory treatment of participants from the other Party as compared with the treatment given to its own participants, with regard to ownership, utilisation and dissemination of information and ownership, allocation and exercise of intellectual property rights;
 - (d) protection of business-confidential information.
4. The participants shall jointly develop a Technology Management Plan (TMP). TMP is a specific agreement to be concluded between the participants in joint research defining their respective rights and obligations, including those in respect of the ownership and use, including publication, of information and intellectual property to be created in the course of joint research.

With respect to intellectual property (IP), the TMP will normally address, among other things, ownership, protection, user rights for research and development purposes, exploitation and dissemination, including arrangements for joint publication, the rights and obligations of visiting researchers and dispute settlement procedures. The TMP shall also address foreground and background information, licensing and deliverables. The TMP shall be developed within the rules and regulations in force in each Party taking into account the aims of the joint research, the relative financial or other contributions of the Parties and participants, the advantages and disadvantages of licensing by territory or for fields of use, requirements imposed by applicable laws, the need for dispute settlement procedures and other factors deemed appropriate by the participants. The rights and obligations concerning the research generated by visiting researchers (i.e. researchers not coming from a Party or a participant) in respect of IP shall also be addressed in the joint technology management plans. The TMP shall be approved by the responsible funding agency, or department of the Party involved in financing the research, before the conclusion of the specific research and development cooperation contracts to which they are attached.

5. Information or intellectual property created in the course of joint research and not addressed in a TMP will be allocated according to the principles set out in the TMP. In the event of a disagreement which cannot be resolved by the agreed dispute settlement procedure, such information or IP shall be owned jointly by all the participants involved in the joint research from which the information or IP results. Each participant to whom this provision applies shall have the right to use such information or IP for his own commercial exploitation with no geographical limitation.
6. In accordance with applicable laws, each Party will ensure that the other Party and its participants may have the rights to IP allocated to them.

7. While maintaining the condition of competition in areas affected by the Agreement, each Party shall endeavour to ensure that rights acquired pursuant to the Agreement, and arrangements made under it, are exercised in such a way as to encourage, in particular
 - (i) the dissemination and use of information created, disclosed or otherwise made available, under the Agreement, and
 - (ii) the adoption and implementation of international standards.
8. Termination or expiry of the Agreement will not affect rights or obligations of participants with regard to intellectual property under approved on-going projects in accordance with this Annex.

II. Copyright works and scientific literary works

Copyright belonging to the Parties or to their participants shall be accorded treatment consistent with the Berne Convention (Paris Act 1971) and the TRIPS Agreement.

Without prejudice to Section III, and unless otherwise agreed in the TMP, results of research shall be published jointly by the Parties or participants. Subject to the foregoing general rule, the following procedures shall apply:

1. In the case of publication by a Party or public bodies of that Party of scientific and technical journals, articles, reports, books, including video and software arising from joint research pursuant to the Agreement, the other Party will be entitled to a worldwide, non-exclusive, irrevocable, royalty-free license to translate, reproduce, adapt, transmit and publicly distribute such works.
2. The Parties shall endeavour to disseminate literary works of a scientific character arising from joint research pursuant to the Agreement and published by independent publishers will be disseminated as widely as possible.
3. All copies of a copyright work to be publicly distributed and prepared under this provision shall indicate the names of the author(s) of the work unless an author explicitly declines to be named. Copies shall also bear a clearly visible acknowledgement of the cooperative support of the Parties.

III. Undisclosed information

A. Documentary undisclosed information

1. Each Party, its agencies or its participants, as appropriate, shall identify at the earliest possible moment, and preferably in the TMP, the information that they wish to remain undisclosed in relation to the Agreement, taking into account *inter alia* the following criteria:
 - (a) secrecy of the information in the sense that it is not, as a body or in the precise configuration or assembly of its components, generally known among, or readily accessible by lawful means to, experts in the fields;
 - (b) the actual or potential commercial value of the information by virtue of its secrecy;
 - (c) previous protection of the information in the sense that it has been subject to steps that were reasonable under the circumstances by the person lawfully in control, to maintain its secrecy.

The Parties and their participants may in certain cases agree that, unless otherwise indicated, parts or all of the information provided, exchanged or created in the course of joint research pursuant to the Agreement may not be disclosed.

2. Each Party shall ensure that it and its participants clearly identify undisclosed information, for example by means of an appropriate marking or restrictive legend. This also applies to any reproduction of the said information, in whole or in part.

A Party receiving undisclosed information pursuant to the Agreement will respect the privileged nature thereof. These limitations shall automatically terminate when this information is disclosed by the owner into the public domain.

3. Undisclosed information communicated under this Agreement may be disseminated by the receiving Party to persons within or employed by the receiving Party and other concerned departments or agencies of the receiving Party authorised for the specific purposes of the joint research under way, provided that any undisclosed information so disseminated shall be pursuant to a written agreement of confidentiality and shall be readily recognisable as such, as set out above.

4. With the prior written consent of the Party providing undisclosed information under this Agreement, the receiving Party may disseminate such undisclosed information more widely than otherwise permitted in paragraph 3. The Parties shall cooperate in developing procedures for requesting and obtaining prior written consent for such wider dissemination, and each Party will grant such approval to the extent permitted by its domestic policies, regulations and laws.

B. Non-documentary undisclosed information

Non-documentary undisclosed or other confidential or privileged information provided in seminars and other meetings arranged under this Agreement, or information arising from the attachment of staff, use of facilities, or joint projects, shall be treated by the Parties or their participants according to the principles specified for documentary information in the Agreement; provided, however, that the recipient of such undisclosed or other confidential or privileged information has been made aware in advance and in written form of the confidential character of the information to be communicated.

C. Control

Each Party shall endeavour to ensure that undisclosed information received by it under this Agreement is controlled as provided herein. If one of the Parties becomes aware that it will be, or may be reasonably expected to become, unable to meet the non-dissemination provisions of sections A and B, it shall immediately inform the other Party. The Parties will thereafter consult to define an appropriate course of action.

COMMISSION

COMMISSION DECISION

of 5 August 2002

on the implementation of surveys for avian influenza in poultry and wild birds in the Member States

(notified under document number C(2002) 2982)

(2002/649/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 2001/572/EC ⁽²⁾, and in particular Article 20 thereof,

Whereas:

- (1) Under Council Directive 92/40/EEC of 19 May 1992 introducing Community measures for the control of avian influenza ⁽³⁾ regular monitoring of poultry flocks and wild birds in order to assess the possible presence of disease in these populations is not foreseen.
- (2) Experience has shown that certain strains of the avian influenza virus, which are currently not covered by the control measures of the Directive, have the ability to mutate to highly pathogenic strains after circulated in the poultry population for some time.
- (3) This situation is liable to cause high mortality in poultry and severe economic losses to the poultry industry, which could be decreased by implementing a screening system in the Member States to allow an earlier detection and control of such precursor strains.
- (4) The Scientific Committee on Animal Health and Animal Welfare has issued an opinion on the definition of avian influenza and the use of vaccination against avian influenza. In this report it was recommended to change the definition for avian influenza in order to include more avian influenza strains for which eradication measures are appropriate. Furthermore, surveys should be carried out to determine the prevalence of such strains in different poultry populations. This should allow an estimate of the costs for the modified disease control measures.
- (5) In November 2001 the Commission organised a symposium on the preparedness for influenza pandemics in

humans. It was stressed that surveys in various animal populations should be carried out to better assess the zoonotic impact of such infections.

- (6) Both, the zoonotic aspect and the animal health implications underline the need of surveys for influenza in animal populations.
- (7) In the light of these surveys further developments of the Community's policy on influenza might be decided.
- (8) The Community Reference Laboratory for avian influenza in Weybridge has drawn up guidelines for surveys, which shall be the basis for the programmes to be implemented in the Member States.
- (9) Member States should submit their programmes for approval by the Commission so that a financial assistance by the Community may be granted.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee of the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Member States shall submit for approval to the Commission by 15 October 2002 plans for the implementation of surveys for avian influenza in poultry and wild birds in accordance with the guidelines as laid down in the Annex.

Article 2

The Community's financial contribution towards the measures referred to in Article 1 shall be at the rate of 50 % of the costs incurred in Member States for sampling and analysing of samples up to a maximum of EUR 500 000 for all Member States in total.

⁽¹⁾ OJ L 224, 18.8.1990, p. 19.

⁽²⁾ OJ L 203, 28.7.2001, p. 16.

⁽³⁾ OJ L 167, 22.6.1992, p. 1.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 5 August 2002.

For the Commission
David BYRNE
Member of the Commission

ANNEX

Programmes for surveillance for avian influenza in poultry and wild birds to be carried out in the Member States in 2002/03

OBJECTIVES

1. To perform an initial screening to detect infections with avian influenza virus subtypes H5 and H7 in different species of poultry as a precursor study for possible EU-wide monitoring.
2. To contribute to a cost-benefit study in relation to eradication of all H5 and H7 subtypes from poultry envisaged by the change in definition of avian influenza.
3. To carry out a preliminary survey for avian influenza in wild birds in Member States, in particular those which have already established contacts or which are prepared to cooperate with ornithological organisations or other bodies. Later on this could lead to the implementation of a permanent surveillance which should provide for an early warning system of strains that may be introduced to poultry from wild birds.
4. To contribute to knowledge of the threats to animal health from wildlife.
5. To take initial steps towards the connection and integration of human and veterinary networks for influenza surveillance.

GENERAL GUIDELINES FOR SURVEYS IN POULTRY AND WILD BIRDS

- Testing of samples shall be carried out at National Reference Laboratories in Member States and all results (both serological and virological) shall be sent to the Community Reference Laboratory (CRL) for collation and to ensure a flow of information. The CRL will provide technical support and keep an enlarged stock of diagnostic reagents.
- All AI virus isolates shall be submitted to the CRL. Viruses of H5/H7 subtype will be subjected to the standard characterisation tests (nucleotide sequencing/IVPI) according to Directive 92/40/EEC.
- Specific protocols to accompany the sending of material to the CRL and tables for collection of survey data will be provided by the CRL at a later stage.

A. Surveys in poultry*A.1. Detection of infections with H5/H7 subtypes of avian influenza in poultry except ducks and geese*

- Populations sampled shall reflect the major poultry hosts in that Member State.
- Sampling sizes shall be adapted according to density of poultry holdings.
- Backyard flocks may be included in the survey.
- The following groups shall ideally be included as appropriate in seroprevalence studies: fattening turkeys, chicken and turkey breeders, broilers, layers (where available at abattoir), farmed game birds, ratites.
- Member States that have to carry out sampling for ND to maintain their status as ND-free non-vaccinating countries (Commission Decision 94/327/EC⁽¹⁾) may be able to utilise these samples from breeding flocks for examination for H5/H7 antibodies.
- The numbers of samples to be taken from a host species population should also consider its susceptibility to infections with influenza A virus, i.e. there should be greater focus on turkeys compared to broilers when both available in a given region.
- Blood samples shall be collected from all species of poultry for serological examination.
- Sampling shall be carried out in Member States' regions, ideally as defined in Article 2(2)(p) of Council Directive 64/432/EEC⁽²⁾, which have been preferably selected because of a high density of poultry, so that they can be considered as representative for the whole Member State taking into account:
 - (a) the number of holdings to be sampled. This number will be defined to ensure the identification of at least one infected holding if the prevalence of infected holdings is at least 5 %, with a 95 % confidence interval (see table 1); and
 - (b) the number of birds sampled from each holding will be defined to ensure 95 % probability of identifying at least one positive bird if the number of seropositive birds is ≥ 30 %.

⁽¹⁾ OJ L 146, 11.6.1994, p. 17.

⁽²⁾ OJ 121, 29.7.1964, p. 1977/64.

- Samples shall preferably be taken at the abattoir.
- 5 to 10 birds per holding shall be sampled and tested.

Table 1: Number of holdings to be tested in each selected region

Number of holdings in the region	Number of holdings to be sampled
Up to 30	All
31 to 50	35
51 to 80	42
81 to 250	53
> 250	60

A.2. Detection of infections of subtypes H5/H7 in duck and geese holdings

- From ducks and geese (preferably birds which are kept outside in fields) cloacal swabs or faeces for virological investigation shall be taken.
- Instead of virological examinations it may be possible to carry out serological investigations as identified in A.1 also on ducks and geese depending on local factors (i.e. production methods) and the availability of appropriate tests.
- Where appropriate, sampling should be adapted to identified periods, where presence of other poultry hosts might pose a greater risk for introduction of disease.
- Considering the total number of poultry holdings in the area in question, the sampling size will be defined to ensure the identification of at least one infected holding if the prevalence of infected holdings is at least 5 %, with a 95 % confidence interval according to Table 1.
- Samples for virological or serological investigations shall preferably be taken at the abattoir of each selected holding as follows:
 - 10 swabs for virological investigation, which can be tested as pools of five samples,
 - 5 to 10 blood samples in case of serological testing.

B. Survey for avian influenza in wild birds

B.1. Survey design and implementation

Liaisons with bird conservation/watching institutions and ringing stations are necessary. Sampling will probably be best carried out by staff from these groups/stations. Also cooperation with hunters for obtaining samples from birds that are hunted may be possible.

B.2. Sampling procedures

- Cloacal swabs for virological examination should be taken. Host species with high susceptibility and increased contact with poultry (i.e. mallard ducks) in addition to 'first year' birds in the autumn may offer the highest chance of success.
- The distribution between the different species should ideally be as follows:
 - 70 % waterfowl;
 - 20 % shorebirds;
 - 10 % other free-living birds.
- Swabs containing faeces or fresh carefully collected faeces shall be taken from wild birds (trapped, hunted and found freshly dead).
- Pooling of up to five samples from the same species is possible.

C. Laboratory testing

Serological tests should be carried out by haemagglutination-inhibition test in accordance with Directive 92/40/EEC using designated strains supplied by the Community Reference Laboratory:

H5

- (a) Initial test using Turkey/Ontario/7732/66 (H5N9).
- (b) Test all positives with Ostrich/Denmark/72420/96 (H5N2) to eliminate N9 cross reactive antibody.

H7

(a) Initial test using Turkey/England/647/77 (H7N7).

(b) Test all positives with African Starling/983/79 (H7N1) to eliminate N7 cross reactive antibody.

However, for initial screening alternative validated assays may be used to test poultry samples.

COMMISSION DECISION**of 28 June 2002****concerning the conclusion of an Agreement amending the Agreement between the European Community and Australia on trade in wine***(notified under document number C(2002) 2391)*

(2002/650/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 94/184/EC of 24 January 1994 concerning the conclusion of an Agreement between the European Community and Australia on trade in wine ⁽¹⁾, and in particular Article 3 thereof,Having regard to the Agreement between the European Community and Australia on trade in wine signed in Brussels and in Canberra respectively on 26 and 31 January 1994 ⁽²⁾, as last amended by the Agreement of 25 July 2001 ⁽³⁾, and in particular Article 17(2) thereof,

Whereas:

- (1) The Commission has negotiated, on behalf of the Community, an amendment of the above Agreement aiming to extend, until 30 June 2003, the provisional authorisation granted to Australian wines treated with cation exchange resins.
- (2) The Management Committee for Wine has not delivered an opinion within the time limit laid down by its Chairman,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement amending the Agreement between the European Community and Australia on trade in wine is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

*Article 2*This Decision and the Agreement referred to in Article 1 shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 28 June 2002.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ L 86, 31.3.1994, p. 1.⁽²⁾ OJ L 86, 31.3.1994, p. 3.⁽³⁾ OJ L 208, 1.8.2001, p. 46.

AGREEMENT**between the European Community and Australia amending the Agreement on trade in wine**

THE EUROPEAN COMMUNITY, hereinafter 'the Community', of the one part,

and

AUSTRALIA, of the other part,

Having regard to the Agreement between the Community and Australia on trade in wine, signed in Brussels and Canberra respectively on 26 and 31 January 1994, as last amended by the Agreement of 25 July 2001,

Whereas:

Annex I, point 1(b), of that Agreement authorises the use of cation exchange resins for the stabilisation purpose of Australian wines imported and marketed in the Community. This authorisation is granted provisionally until 30 June 2002.

Pending a final decision on the treatment with cation exchange resins, it is advisable to extend the authorisation of this treatment for Australian wines until 30 June 2003,

HAVE AGREED AS FOLLOWS:

Article 1

The Agreement between the European Community and Australia on trade in wine, signed in Brussels and Canberra respectively on 26 and 31 January 1994, as last amended by the Agreement of 25 July 2001, shall be amended as follows.

In Annex I, point 1(b), the date '30 June 2002' shall be replaced by '30 June 2003'.

Article 2

This Agreement shall enter into force on 1 July 2002.

Article 3

This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish and Swedish languages, each of these texts being equally authentic.

IN WITNESS WHEREOF the undersigned have signed this Amendment.

Hecho en Bruselas, el 6 de agosto de dos mil dos.

Udfærdiget i Bruxelles, den sjette august to tusinde og to.

Geschehen zu Brüssel am sechsten August zweitausendundzwei.

Έγινε στις Βρυξέλλες, στις έξι Αυγούστου δύο χιλιάδες δύο.

Done at Brussels, on the sixth day of August in the year two thousand and two.

Fait à Bruxelles, le 6 août deux mille deux.

Fatto a Bruxelles, addì sei agosto duemiladue.

Gedaan te Brussel, zes augustus tweeduizend en twee.

Feito em Bruxelas, em seis de Agosto de dois mil e dois.

Tehty Brysselissä kuudentena päivänä elokuuta vuonna kaksituhattakaksi.

Utfärdat i Bryssel den sjätte augusti tjugohundratvå.

Por Australia
For Australien
Für Australien
Για την Αυστραλία
For Australia
Pour l'Australie
Per l'Australia
Voor Australië
Pela Austrália
Australian hallituksen puolesta
På Australiens vägnar

Joana HEWITT

Por la Comunidad Europea
For De Europæiske Fællesskaber
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar

Alexander TILGENKAMP

CORRIGENDA**Corrigendum to 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**

(Official Journal of the European Communities L 279 of 23 October 2001)

On page 922:

Order No 88, CN code 2009 61 90, in the column 'Rate of duty':

for: ' ';

read: '22,4';

Order No 89, CN code 2208 40 91, in the column 'Description':

for: 'Of a value not exceeding ...';

read: 'Of a value exceeding ...';

and in the column 'Rate of duty':

for: '0,3 €/ % vol/hl';

read: '0,2 €/ % vol/hl'.
