

English edition

## Legislation

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## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC, EURATOM) No 1746/2002  
of 30 September 2002**

**introducing, in the context of the reform of the Commission, special measures to terminate the service of officials of the European Communities appointed to an established post in the Commission of the European Communities**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 283 thereof,

Having regard to the Commission proposal submitted after receiving the opinion of the Staff Regulations Committee,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Having regard to the opinion of the Court of Justice <sup>(2)</sup>,

Having regard to the opinion of the Court of Auditors <sup>(3)</sup>,

Whereas:

- (1) The reform of the Commission is designed in particular to refocus the use of resources on its priority activities.
- (2) In its communication of 9 February 2000 <sup>(4)</sup> the Commission indicated that it intends to use its human resources as efficiently as possible.
- (3) The Commission meets a significant part of its needs through internal rationalisation and redeployment.
- (4) The Commission moreover is taking the necessary steps, in particular through training, to help redeployed staff to adjust in the most satisfactory and effective way possible.
- (5) However, the skills of a section of officials, who have reached the age of 55 and who have completed at least 15 years of service, are too far removed from the duties to be performed.
- (6) The Commission needs new skill profiles and a rebalancing of its establishment plan; the number of officials retiring in the normal way will not be sufficient to allow the necessary skills to be acquired through recruiting new staff within a satisfactory timescale.
- (7) Special measures should accordingly be adopted with regard to termination of service together with internal

administrative arrangements for effective monitoring of the implementation of this Regulation.

- (8) These measures must be applied as a matter of urgency and as far as possible with due regard for geographical balance, in compliance with the provisions of this Regulation.
- (9) These measures must be budget-neutral. To this end a monitoring mechanism should be set up by the budgetary authority,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Commission is hereby authorised, in the interests of the service and in order to take account of the need to renew skills arising from the refocusing of the use of its resources on priority activities, to adopt measures up to 31 December 2004 for terminating the service, within the meaning of Article 47 of the Staff Regulations, of officials who have reached the age of 55 and have completed at least 15 years service, regardless of the budget (operating or research) from which they are paid, with the exception of those in Grades A 1 and A 2, under the conditions specified by this Regulation.

*Article 2*

The total number of officials to be covered by the measures referred to in Article 1 shall be 600.

Respect for budgetary neutrality shall be monitored during the annual budget procedure. To this end, the Appointing Authority shall, taking into account the link between the number of officials whose service was terminated and the number of officials recruited, report to the budgetary authority at the appropriate time, certifying that the condition of budgetary neutrality is met.

<sup>(1)</sup> Opinion delivered on 24 September 2002 (not yet published in the Official Journal).

<sup>(2)</sup> Opinion delivered on 15 May 2002.

<sup>(3)</sup> OJ C 236, 1.10.2002, p. 1.

<sup>(4)</sup> OJ C 81, 21.3.2000, p. 1.

### Article 3

Within the ceilings laid down in Article 2, and with due regard to the interests of the service, the Commission, after having consulted its Joint Committee, shall select, from among the officials applying for termination of their service under Article 1, those to whom it wishes to apply this measure.

It shall consider as a priority officials affected by the reorganisation measures and measures for refocusing the use of its resources on priority activities, in particular redeployment, whose skills are deemed to be too far removed from the duties to be performed. It shall take account of the amount of training necessary for them to undertake new tasks, their age, ability, performance, conduct in the service, family circumstances and length of service.

### Article 4

1. Former officials whose service is terminated under Article 1 shall be entitled to a monthly allowance set as a percentage of the last basic salary received according to age and length of service at the time of departure as shown in the table in the Annex to this Regulation. The last basic salary shall be that for the grade and step held by the official at the time of departure, determined by reference to the table in Article 66 of the Staff Regulations in force on the first day of the month for which the allowance is payable.

2. Such former officials may at any time, at their own request, receive a retirement pension on the terms and conditions laid down in the Staff Regulations. Entitlement to the allowance shall then cease. It shall cease in any event not later than the last day of the month in which the former official concerned reaches the age of 65 years or as soon as he or she is eligible before that age for the maximum retirement pension of 70 % (Article 77 of the Staff Regulations).

At that point the former official shall automatically receive a retirement pension, which shall take effect on the first day of the calendar month following the month in which the allowance was paid for the last time.

3. The allowance provided for in paragraph 1 shall be adjusted by the weighting fixed, in accordance with the second subparagraph of Article 82(1) of the Staff Regulations, for the country situated inside the Community in which the recipient proves that he is resident. Recipients shall provide evidence each year of their place of residence.

If the recipient resides in a country situated outside the Community, the weighting to be applied to the allowance shall be 100.

The allowance shall be expressed in euro. It shall be paid in the currency of the country of residence of the recipient. However, if it is subject to the weighting of 100 under the second subparagraph, it shall be paid in euro.

An allowance paid in a currency other than euro shall be calculated on the basis of the exchange rates referred to in the second subparagraph of Article 63 of the Staff Regulations.

4. Where gross income accruing to the former official from any new employment, when combined with the allowance provided for in paragraph 1, exceeds the total gross remuneration last received by the official concerned, determined by reference to the salary scales in force on the first day of the month for which the allowance is payable, the amount of the excess shall be deducted from that allowance. That remuneration shall be weighted as provided for in paragraph 3.

Gross income and total gross remuneration last received, as referred to in the first subparagraph, mean sums paid after deduction of social security contributions but before deduction of tax.

The former official shall give a formal undertaking to provide any written proof which may be required, including an annual statement of income in the form of a salary statement or audited accounts, as appropriate, and a sworn or authenticated declaration that he or she is not in receipt of any other income from any new employment, and shall notify the institution of any other factor which may affect his or her right to the allowance, failing which he or she shall be liable to disciplinary action as provided for in Article 86 of the Staff Regulations.

5. As set out in Article 67 of the Staff Regulations and Articles 1, 2 and 3 of Annex VII thereto, the household allowance, dependent child allowance and education allowance shall be paid either to the recipient of the allowance provided for in paragraph 1 or to the person or persons to whom custody of the child or children has been entrusted by law or by an order of court or of the competent administrative authority; the household allowance shall be calculated by reference to the allowance provided for in paragraph 1.

6. Provided they do not receive income from gainful employment, recipients of the allowance shall be entitled, in respect of themselves and persons covered by their insurance, to benefits under the sickness insurance scheme provided for in Article 72 of the Staff Regulations provided they pay the relevant contribution, calculated on the basis of the allowance provided for in paragraph 1.

7. During the period for which they are entitled to receive the allowance, but for not more than 65 months, former officials shall continue to acquire further rights to a retirement pension based on the salary carried by their grade and step, provided that the contribution provided for in the Staff Regulations by reference to that salary is paid during that period and provided that the total pension does not exceed the maximum specified in the second subparagraph of Article 77 of the Staff Regulations. For the purposes of Article 5 of Annex VIII to the Staff Regulations, such period shall be considered to be a period of service.

8. Subject to Articles 1(1) and 22 of Annex VIII to the Staff Regulations, the surviving spouse of a former official who dies while in receipt of the allowance provided for in paragraph 1 shall be entitled, provided that they have been the spouse of the former official for at least one year when he or she left the service of the institution, to a survivor's pension equal to 60 % of the retirement pension which would have been payable, in the absence of any reduction under Article 9 of Annex VIII to the Staff Regulations being made, to the former official if he or she had qualified for it at the time of death.

The survivor's pension referred to in the previous subparagraph shall not be less than the amounts specified in the second subparagraph of Article 79 of the Staff Regulations. However, in no case may it exceed the amount of the retirement pension to which the former official would have been entitled had he or she survived and been granted a retirement pension when ceasing to be eligible for the allowance referred to above.

The minimum duration of the marriage as referred to in the first subparagraph shall not be taken into account if there are one or more children of a marriage contracted by the official

before he or she left the service provided that the surviving spouse maintains or has maintained those children.

Nor shall the duration of the marriage be taken into account if the death of the former official resulted from one of the circumstances referred to at the end of the second subparagraph of Article 17 of Annex VIII to the Staff Regulations.

9. On the death of a former official in receipt of the allowance provided for paragraph 1, dependent children within the meaning of Article 2 of Annex VII to the Staff Regulations shall be entitled to an orphan's pension on the conditions set out in the first, second and third subparagraphs of Article 80 of the Staff Regulations and in Article 21 of Annex VIII to the Staff Regulations.

#### *Article 5*

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

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

Done at Brussels, 30 September 2002.

*For the Council*  
*The President*  
P. S. MØLLER

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## ANNEX

**ALLOWANCE PERCENTAGE**

The allowance percentage referred to in Article 4(1) of this Regulation will be determined on the basis of the age and length of service of officials at the time of departure as shown in the table below:

Length of service	Age				
	from 55 to 56 years	from 57 to 58 years	from 59 to 60 years	from 61 to 62 years	63 years and over
from 15 to 19 years	60,0 %	60,0 %	60,0 %	62,0 %	64,0 %
from 20 to 24 years	60,0 %	60,0 %	62,0 %	64,0 %	66,0 %
from 25 to 29 years	62,0 %	64,0 %	66,0 %	68,0 %	70,0 %
30 years and over	64,0 %	66,0 %	68,0 %	70,0 %	70,0 %

**Level of allowance depending on age and length of service**

Age and length of service will be considered in relation to the actual date of departure of the official concerned.

Applying these conditions to the target group of officials on a weighted basis gives a maximum average allowance of 62,5 %.

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**COUNCIL REGULATION (EC, EURATOM) No 1747/2002  
of 30 September 2002**

**introducing, in the context of the modernisation of the institution, special measures to terminate the service of officials of the European Communities appointed to an established post in the Council of the European Union**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community, and in particular Article 283 thereof,

Having regard to the Commission proposal submitted after receiving the opinion of the Staff Regulations Committee,

*Article 1*

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Having regard to the opinion of the Court of Justice <sup>(2)</sup>,

Having regard to the opinion of the Court of Auditors <sup>(3)</sup>,

Whereas:

- (1) The Treaty on European Union has extended the scope of the Council's activities and has in consequence increased the role and tasks of its General Secretariat.
- (2) The General Secretariat of the Council meets a significant part of its needs through internal rationalisation and redeployment.
- (3) The General Secretariat of the Council is taking the necessary steps, mainly through training, to help redeployed staff to adjust in the most satisfactory and effective way possible.
- (4) However, the skills of a section of officials, who have reached the age of 55 and who have completed at least 15 years of service, are deemed to be too far removed from the duties to be performed.
- (5) The General Secretariat of the Council needs new skill profiles and a rebalancing of its establishment plan, but the number of officials retiring in the normal way will not be sufficient to allow the necessary skills to be acquired through recruiting new officials within a satisfactory timescale.
- (6) Special measures should accordingly be adopted with regard to termination of service together with internal administrative arrangements for effective monitoring of the implementation of this Regulation.
- (7) These measures must be applied as far as possible with due regard for geographical balance, in compliance with the provisions of this Regulation.
- (8) These measures must be budget-neutral. To this end a monitoring mechanism should be set up by the budgetary authority,

The General Secretariat of the Council is hereby authorised, in the interests of the service and in order to take account of the need to renew skills arising from the refocusing of the use of its resources on priority activities, to adopt measures up to 31 December 2004 for terminating the service, within the meaning of Article 47 of the Staff Regulations, of officials who have reached the age of 55 and have completed at least 15 years service, with the exception of those in Grades A 1 and A 2, under the conditions specified in this Regulation.

*Article 2*

The total number of officials to be covered by the measures referred to in Article 1 shall be 94 (12 As, 22 LAs, 8 Bs, 44 Cs, and 8 Ds).

Respect for budgetary neutrality shall be monitored during the annual budget procedure. To this end, the Appointing Authority shall, taking into account the link between the number of officials whose service was terminated and the number of officials recruited, report to the budgetary authority at the appropriate time, certifying that the condition of budgetary neutrality is met.

*Article 3*

Within the ceilings laid down in Article 2, and with due regard to the interests of the service, the General Secretariat of the Council, after having consulted its Joint Committee, shall select, from among the officials applying for termination of their service under Article 1, those to whom it wishes to apply this measure.

It shall consider as a priority officials affected by the reorganisation measures and measures for refocusing the use of its resources on priority activities, in particular redeployment, whose skills are deemed to be too far removed from the duties to be performed. It shall take account of the amount of training necessary for them to undertake new tasks, their age, ability, performance, conduct in the service, family circumstances and length of service.

<sup>(1)</sup> Opinion delivered on 24 September 2002 (not yet published in the Official Journal).

<sup>(2)</sup> Opinion delivered on 15 May 2002.

<sup>(3)</sup> OJ C 236, 1.10.2002, p. 4.

*Article 4*

1. Former officials whose service is terminated under Article 1 shall be entitled to a monthly allowance set as a percentage of the last basic salary received according to age and length of service at the time of departure as shown in the table in the Annex to this Regulation. The last basic salary shall be that for the grade and step held by the official concerned at the time of departure, determined by reference to the table in Article 66 of the Staff Regulations in force on the first day of the month for which the allowance is payable.

2. Such former officials may at any time, at their own request, receive a retirement pension on the terms and conditions laid down in the Staff Regulations. Entitlement to the allowance shall then cease. It shall cease in any event not later than the last day of the month in which the former official concerned reaches the age of 65 years or as soon as he or she is eligible before that age for the maximum retirement pension of 70 % (Article 77 of the Staff Regulations).

At that point the former official shall automatically receive a retirement pension, which shall take effect on the first day of the calendar month following the month in which the allowance was paid for the last time.

3. The allowance provided for in paragraph 1 shall be adjusted by the weighting fixed, in accordance with the second subparagraph of Article 82(1) of the Staff Regulations, for the country situated inside the Community in which the recipient proves that he is resident. Recipients shall provide evidence each year of their place of residence.

If the recipient resides in a country situated outside the Community, the weighting to be applied to the allowance shall be 100.

The allowance shall be expressed in euro. It shall be paid in the currency of the country of residence of the recipient. However, if it is subject to the weighting of 100 under the second subparagraph, it shall be paid in euro.

An allowance paid in a currency other than euro shall be calculated on the basis of the exchange rates referred to in the second subparagraph of Article 63 of the Staff Regulations.

4. Where gross income accruing to the former official from any new employment, when combined with the allowance provided for in paragraph 1, exceeds the total gross remuneration last received by the official or member of the temporary staff concerned, determined by reference to the salary scales in force on the first day of the month for which the allowance is payable, the amount of the excess shall be deducted from that allowance. That remuneration shall be weighted as provided for in paragraph 3.

Gross income and total gross remuneration last received, as referred to in the first subparagraph, mean sums paid after deduction of social security contributions but before deduction of tax.

The former official shall give a formal undertaking to provide any written proof which may be required, including an annual statement of income in the form of a salary statement or audited accounts, as appropriate, and a sworn or authenticated declaration that he or she is not in receipt of any other income from any new employment, and shall notify the institution of any other factor which may affect his or her right to the allowance, failing which he or she shall be liable to disciplinary action as provided for in Article 86 of the Staff Regulations.

5. As set out in Article 67 of the Staff Regulations and Articles 1, 2 and 3 of Annex VII thereto, the household allowance, dependent child allowance and education allowance shall be paid either to the recipient of the allowance provided for in paragraph 1 or to the person or persons to whom custody of the child or children has been entrusted by law or by an order of court or of the competent administrative authority; the household allowance shall be calculated by reference to the allowance provided for in paragraph 1.

6. Provided that they are not receiving income from any gainful employment, recipients of the allowance shall be entitled, in respect of themselves and persons covered by their insurance, to benefits under the sickness insurance scheme provided for in Article 72 of the Staff Regulations provided they pay the relevant contribution, calculated on the basis of the allowance provided for in paragraph 1.

7. During the period for which they are entitled to receive the allowance, but for not more than 65 months, former officials shall continue to acquire further rights to retirement pension based on the salary carried by their grade and step, provided that the contribution provided for in the Staff Regulations by reference to that salary is paid during that period and provided that the total pension does not exceed the maximum specified in the second subparagraph of Article 77 of the Staff Regulations. For the purposes of Article 5 of Annex VIII to the Staff Regulations, such period shall be considered to be a period of service.

8. Subject to Articles 1(1) and 22 of Annex VIII to the Staff Regulations, the surviving spouse of a former official who dies while in receipt of the allowance provided for in paragraph 1 shall be entitled, provided that the marriage was contracted at least one year before the former official left the service of the institution, to a survivor's pension equal to 60 % of the retirement pension which, would have been payable, in the absence of any reduction under Article 9 of Annex VIII to the Staff Regulations being made, to the former official if he or she had qualified for it at the time of death.

The survivor's pension referred to in the previous subparagraph shall not be less than the amounts specified in the second subparagraph of Article 79 of the Staff Regulations. However, in no case may it exceed the amount of the retirement pension to which the former official would have been entitled had he or she survived and been granted a retirement pension when ceasing to be eligible for the allowance referred to above.



The minimum duration of the marriage as referred to in the first subparagraph shall not be taken into account if there are one or more children of a marriage contracted by the official before he or she left the service provided that the surviving spouse maintains or has maintained those children.

Nor shall the duration of the marriage be taken into account if the death of the former official resulted from one of the circumstances referred to at the end of the second subparagraph of Article 17 of Annex VIII to the Staff Regulations.

9. On the death of a former official in receipt of the allowance provided for paragraph 1, dependent children within the

meaning of Article 2 of Annex VII to the Staff Regulations shall be entitled to an orphan's pension on the conditions set out in the first, second and third subparagraphs of Article 80 of the Staff Regulations and in Article 21 of Annex VIII to the Staff Regulations.

*Article 5*

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

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

Done at Brussels, 30 September 2002.

*For the Council*  
*The President*  
P. S. MØLLER

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## ANNEX

**ALLOWANCE PERCENTAGE**

The allowance percentage referred to in Article 4(1) of this Regulation will be determined on the basis of the age and length of service of officials at the time of departure as shown in the table below:

Length of service	Age				
	from 55 to 56 years	from 57 to 58 years	from 59 to 60 years	from 61 to 62 years	63 years and over
from 15 to 19 years	60,0 %	60,0 %	60,0 %	62,0 %	64,0 %
from 20 to 24 years	60,0 %	60,0 %	62,0 %	64,0 %	66,0 %
from 25 to 29 years	62,0 %	64,0 %	66,0 %	68,0 %	70,0 %
30 years and over	64,0 %	66,0 %	68,0 %	70,0 %	70,0 %

**Level of allowance depending on age and length of service**

Age and length of service will be considered in relation to the actual date of termination of service of the official concerned.

Applying these conditions to the target group of officials on a weighted basis gives a maximum average allowance of 62,5 %.

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**COUNCIL REGULATION (EC, EURATOM) No 1748/2002  
of 30 September 2002**

**introducing, in the context of the modernisation of the institution, special measures to terminate the service of officials of the European Communities appointed to an established post in the European Parliament and temporary staff working in the Political Groups of the European Parliament**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 283 thereof,

Having regard to the Commission proposal submitted after receiving the opinion of the Staff Regulations Committee,

Having regard to the opinion of the European Parliament <sup>(1)</sup>,

Having regard to the opinion of the Court of Justice <sup>(2)</sup>,

Having regard to the opinion of the Court of Auditors <sup>(3)</sup>,

Whereas:

- (1) The European Parliament has been engaged in a thorough restructuring of its way of operating since 1997, when the Bureau adopted the new staff policy, based on the grounds of the new tasks conferred on the European Parliament by the Treaties.
- (2) In the light of four years experience of implementing this new policy, and with a view to establishing a longer term policy for recruitment, meeting foreseeable requirements for specific required skills, the European Parliament has been studying its human resource requirements for the years to come, as part of an exercise to draw up an operational list of duties and tasks.
- (3) The European Parliament is taking the necessary steps, mainly through training, to help redeployed staff to adjust in the most satisfactory and effective way possible.
- (4) However, the skills of a section of officials and temporary staff working in the Political Groups, who have reached the age of 55 and who have completed at least 15 years of service, are deemed to be too far removed from the duties to be performed.
- (5) The European Parliament needs new skill profiles and a rebalancing of its establishment plan, but the number of officials retiring in the normal way will not be sufficient to allow the necessary skills to be acquired through recruiting new officials and temporary staff within a satisfactory timescale.
- (6) Special measures should accordingly be adopted with regard to termination of service together with internal administrative arrangements for effective monitoring of the implementation of this Regulation.

(7) These measures must be applied as far as possible with due regard for geographical balance, in compliance with the provisions of this Regulation.

(8) These measures must be budget-neutral. To this end a monitoring mechanism should be set up by the budgetary authority,

HAS ADOPTED THIS REGULATION:

*Article 1*

The European Parliament is hereby authorised, in the interests of the service and in order to take account of the need to renew skills arising from the process of adjusting its resources to its activities, to adopt measures up to 31 December 2004 for terminating the service, within the meaning of Article 47 of the Staff Regulations, of officials and temporary staff working in the Political Groups who have reached the age of 55 and have completed at least 15 years service, with the exception of those in Grades A 1 and A 2, under the conditions specified by this Regulation.

*Article 2*

The total number of officials to be covered by the measures referred to in Article 1 shall be 100. The total number of temporary staff working in the Political Groups to be covered by the measures referred to in Article 1 shall be 24.

Respect for budgetary neutrality shall be monitored during the annual budget procedure. To this end, the Appointing Authority shall, taking into account the link between the number of officials whose service was terminated and the number of officials recruited, report to the budgetary authority at the appropriate time, certifying that the condition of budgetary neutrality is met.

*Article 3*

Within the ceilings laid down in Article 2, and with due regard to the interests of the service, the European Parliament, after having consulted its Joint Committee, shall select, from among the officials and temporary staff working in the Political Groups applying for termination of their service under Article 1, those to whom it wishes to apply this measure.

<sup>(1)</sup> Opinion delivered on 24 September 2002.

<sup>(2)</sup> Opinion delivered on 15 May 2002.

<sup>(3)</sup> OJ C 236, 1.10.2002, p. 7.

It shall consider as a priority officials and temporary staff affected by the reorganisation measures and measures for adjusting its resources to its activities, in particular redeployment, whose skills are deemed to be too far removed from the duties to be performed. It shall take account of the amount of training necessary for them to undertake new tasks, their age, ability, performance, conduct in the service, family circumstances and length of service.

#### Article 4

1. Former officials and temporary staff whose service is terminated under Article 1 shall be entitled to a monthly allowance set as a percentage of the last basic salary received according to age and length of service at the time of departure as shown in the table in the Annex to this Regulation. The last basic salary shall be that for the grade and step held by the official or member of the temporary staff concerned at the time of departure, determined by reference to the table in Article 66 of the Staff Regulations in force on the first day of the month for which the allowance is payable.

2. Such former officials and temporary staff may at any time, at their own request, receive a retirement pension on the terms and conditions laid down in the Staff Regulations. Entitlement to the allowance shall then cease. It shall cease in any event not later than the last day of the month in which the former official or member of the temporary staff concerned reaches the age of 65 years or as soon as he or she is eligible before that age for the maximum retirement pension of 70 % (Article 77 of the Staff Regulations).

At that point the former official or member of the temporary staff shall automatically receive a retirement pension, which shall take effect on the first day of the calendar month following the month in which the allowance was paid for the last time.

3. The allowance provided for in paragraph 1 shall be adjusted by the weighting fixed, in accordance with the second subparagraph of Article 82(1) of the Staff Regulations, for the country situated inside the Community in which the recipient proves that he is resident. Recipients shall provide evidence each year of their place of residence.

If the recipient resides in a country situated outside the Community, the weighting to be applied to the allowance shall be 100.

The allowance shall be expressed in euro. It shall be paid in the currency of the country of residence of the recipient. However, if it is subject to the weighting of 100 under the second subparagraph, it shall be paid in euro.

An allowance paid in a currency other than euro shall be calculated on the basis of the exchange rates referred to in the second subparagraph of Article 63 of the Staff Regulations.

4. Where gross income accruing to the former official or member of the temporary staff from any new employment, when combined with the allowance provided for in paragraph 1, exceeds the total gross remuneration last received by the official or member of the temporary staff concerned, determined by reference to the salary scales in force on the first day of the month for which the allowance is payable, the amount of the excess shall be deducted from that allowance. That remuneration shall be weighted as provided for in paragraph 3.

Gross income and total gross remuneration last received, as referred to in the first subparagraph, mean sums paid after deduction of social security contributions but before deduction of tax.

The former official or member of the temporary staff shall give a formal undertaking to provide any written proof which may be required, including an annual statement of income in the form of a salary statement or audited accounts, as appropriate, and a sworn or authenticated declaration that he or she is not in receipt of any other income from any new employment, and shall notify the institution of any other factor which may affect his or her right to the allowance, failing which he or she shall be liable to disciplinary action as provided for in Article 86 of the Staff Regulations.

5. As set out in Article 67 of the Staff Regulations and Articles 1, 2 and 3 of Annex VII thereto, the household allowance, dependent child allowance and education allowance shall be paid either to the recipient of the allowance provided for in paragraph 1 or to the person or persons to whom custody of the child or children has been entrusted by law or by an order of court or of the competent administrative authority; the household allowance shall be calculated by reference to the allowance provided for in paragraph 1.

6. Provided that they are not receiving income from any gainful employment, recipients of the allowance shall be entitled, in respect of themselves and persons covered by their insurance, to benefits under the sickness insurance scheme provided for in Article 72 of the Staff Regulations provided they pay the relevant contribution, calculated on the basis of the allowance provided for in paragraph 1.

7. During the period for which they are entitled to receive the allowance, but for not more than 65 months, former officials and temporary staff shall continue to acquire further rights to retirement pension based on the salary carried by their grade and step, provided that the contribution provided for in the Staff Regulations by reference to that salary is paid during that period and provided that the total pension does not exceed the maximum specified in the second subparagraph of Article 77 of the Staff Regulations. For the purposes of Article 5 of Annex VIII to the Staff Regulations, such period shall be considered to be a period of service.

8. Subject to Articles 1(1) and 22 of Annex VIII to the Staff Regulations, the surviving spouse of a former official who dies while in receipt of the allowance provided for in paragraph 1 shall be entitled, provided that the marriage was contracted at least one year before the former official or member of the temporary staff left the service of the institution, to a survivor's pension equal to 60 % of the retirement pension which would have been payable, in the absence of any reduction under Article 9 of Annex VIII to the Staff Regulations being made, to the former official if he or she had qualified for it at the time of death.

The survivor's pension referred to in the previous subparagraph shall not be less than the amounts specified in the second subparagraph of Article 79 of the Staff Regulations. However, in no case may it exceed the amount of the retirement pension to which the former official or member of the temporary staff would have been entitled had he or she survived and been granted a retirement pension when ceasing to be eligible for the allowance referred to above.

The minimum duration of the marriage as referred to in the first subparagraph shall not be taken into account if there are one or more children of a marriage contracted by the official or

member of the temporary staff before he or she left the service provided that the surviving spouse maintains or has maintained those children.

Nor shall the duration of the marriage be taken into account if the death of the former official or member of the temporary staff resulted from one of the circumstances referred to at the end of the second subparagraph of Article 17 of Annex VIII to the Staff Regulations.

9. On the death of a former official or member of the temporary staff in receipt of the allowance provided for paragraph 1, dependent children within the meaning of Article 2 of Annex VII to the Staff Regulations shall be entitled to an orphan's pension on the conditions set out in the first, second and third subparagraphs of Article 80 of the Staff Regulations and in Article 21 of Annex VIII to the Staff Regulations.

#### *Article 5*

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

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

Done at Brussels, 30 September 2002.

*For the Council*  
*The President*  
P. S. MØLLER

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## ANNEX

**ALLOWANCE PERCENTAGE**

The allowance percentage referred to in Article 4(1) of this Regulation will be determined on the basis of the age and length of service of officials or temporary staff at the time of departure as shown in the table below:

Length of service	Age				
	from 55 to 56 years	from 57 to 58 years	from 59 to 60 years	from 61 to 62 years	63 years and over
from 15 to 19 years	60,0 %	60,0 %	60,0 %	62,0 %	64,0 %
from 20 to 24 years	60,0 %	60,0 %	62,0 %	64,0 %	66,0 %
from 25 to 29 years	62,0 %	64,0 %	66,0 %	68,0 %	70,0 %
30 years and over	64,0 %	66,0 %	68,0 %	70,0 %	70,0 %

**Level of allowance depending on age and length of service**

Age and length of service will be considered in relation to the actual date of termination of service of the official or member of the temporary staff concerned.

Applying these conditions to the target group of officials and temporary staff on a weighted basis gives a maximum average allowance of 62,5 %.

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**COUNCIL REGULATION (EC, EURATOM) No 1749/2002  
of 30 September 2002**

**amending Regulation (Euratom, ECSC, EEC) No 549/69 determining the categories of officials and other servants of the European Communities to whom the provisions of Article 12, the second subparagraph of Article 13 and Article 14 of the Protocol on the Privileges and Immunities of the Communities apply**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 291 thereof,

Having regard to the Protocol on the Privileges and Immunities of the European Communities, and in particular Articles 16 and 22 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Having regard to the opinion of the Court of Justice <sup>(3)</sup>,

Having regard to the opinion of the Court of Auditors <sup>(4)</sup>,

Whereas:

(1) Regulation (Euratom, ECSC, EEC) No 549/69 <sup>(5)</sup>, as last amended by Regulation (EC, ECSC, Euratom) No 2459/98 <sup>(6)</sup>, should be amended to take account of Council Regulation (EC, Euratom) No 1746/2002 of 30 September 2002 introducing, in the context of the reform of the Commission, special measures to terminate the service of officials of the European Communities appointed to an established post in the Commission of the European Communities <sup>(7)</sup>.

(2) Regulation (Euratom, ECSC, EEC) No 549/69, as last amended by Regulation (EC, ECSC, Euratom) No 2459/98, should be amended to take account of Council Regulation (EC, Euratom) No 1747/2002 of 30 September 2002 introducing, in the context of the modernisation of the institution, special measures to terminate the service of officials of the European Communities appointed to an established post in the Council of the European Union <sup>(8)</sup>.

(3) Regulation (Euratom, ECSC, EEC) No 549/69, as last amended by Regulation (EC, ECSC, Euratom) No 2459/98, should be amended to take account of Council Regulation (EC, Euratom) No 1748/2002 of 30 September 2002 introducing, in the context of the modernisation of the institution, special measures to terminate the service of officials appointed to an established post in the European Parliament and temporary staff working in the Political Groups of the European Parliament <sup>(9)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

The following points (p), (q) and (r) shall be added to Article 2 of Regulation (Euratom, ECSC, EEC) No 549/69:

- (p) those entitled to the allowance provided for in the event of termination of service under Article 4 of Regulation (EC, Euratom) No 1746/2002;
- (q) those entitled to the allowance provided for in the event of termination of service under Article 4 of Regulation (EC, Euratom) No 1747/2002;
- (r) those entitled to the allowance provided for in the event of termination of service under Article 4 of Regulation (EC, Euratom) No 1748/2002.

*Article 2*

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

This Regulation shall apply with regard to each of the points added from the respective date of entry into force of each Regulation referred to in Article 1.

<sup>(1)</sup> OJ C 81, 21.3.2000, p. 1.

<sup>(2)</sup> Opinion delivered on 24 September 2002.

<sup>(3)</sup> Opinion delivered on 15 May 2002.

<sup>(4)</sup> OJ C 225, 20.9.2002, p. 1.

<sup>(5)</sup> OJ L 74, 27.3.1969, p. 1.

<sup>(6)</sup> OJ L 307, 17.11.1998, p. 3.

<sup>(7)</sup> See page 1 of this Official Journal.

<sup>(8)</sup> See page 5 of this Official Journal.

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

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

Done at Brussels, 30 September 2002.

*For the Council*  
*The President*  
P. S. MØLLER

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**COUNCIL REGULATION (EC, EURATOM) No 1750/2002**  
**of 30 September 2002**  
**amending Regulation (EEC, Euratom, ECSC) No 260/68 laying down the conditions and procedure**  
**for applying the tax for the benefit of the European Communities**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 291 thereof,

Having regard to the Protocol on the Privileges and Immunities of the European Communities, and in particular Article 13 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Regulation (EEC, Euratom, ECSC) No 260/68 <sup>(1)</sup>, as last amended by Regulation (EC, ECSC, Euratom) No 2459/98 <sup>(2)</sup>, should be amended to take account of Council Regulation (EC, Euratom) No 1746/2002 of 30 September 2002 introducing, in the context of the reform of the Commission, special measures to terminate the service of officials of the European Communities appointed to an established post in the Commission of the European Communities <sup>(3)</sup>.
- (2) Regulation (EEC, Euratom, ECSC) No 260/68, as last amended by Regulation (EC, ECSC, Euratom) No 2459/98, should be amended to take account of Council Regulation (EC, Euratom) No 1747/2002 of 30 September 2002 introducing, in the context of the modernisation of the institution, special measures to terminate the service of officials of the European Communities appointed to an established post in the Council of the European Union <sup>(4)</sup>.
- (3) Regulation (EEC, Euratom, ECSC) No 260/68, as last amended by Regulation (EC, ECSC, Euratom) No 2459/98, should be amended to take account of Council Regulation (EC, Euratom) No 1748/2002 of 30 September

2002 introducing, in the context of the modernisation of the institution, special measures to terminate the service of officials appointed to an established post in the European Parliament and temporary staff working in the Political Groups of the European Parliament <sup>(5)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

The following sixteenth, seventeenth and eighteenth indents shall be added to Article 2 of Regulation (EEC, Euratom, ECSC) No 260/68:

- those entitled to the allowance provided for in the event of termination of service under Article 4 of Regulation (EC, Euratom) No 1746/2002,
- those entitled to the allowance provided for in the event of termination of service under Article 4 of Regulation (EC, Euratom) No 1747/2002,
- those entitled to the allowance provided for in the event of termination of service under Article 4 of Regulation (EC, Euratom) No 1748/2002.'

*Article 2*

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

This Regulation shall apply with regard to each of the indents added from the respective date of entry into force of each Regulation referred to in Article 1.

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

Done at Brussels, 30 September 2002.

*For the Council*  
*The President*  
 P. S. MØLLER

<sup>(1)</sup> OJ L 56, 4.3.1968, p. 8.

<sup>(2)</sup> OJ L 307, 17.11.1998, p. 3.

<sup>(3)</sup> See page 1 of this Official Journal.

<sup>(4)</sup> See page 5 of this Official Journal.

<sup>(5)</sup> See page 9 of this Official Journal.

**COMMISSION REGULATION (EC) No 1751/2002**  
**of 1 October 2002**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 2 October 2002.

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

Done at Brussels, 1 October 2002.

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

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

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

## ANNEX

**to the Commission Regulation of 1 October 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	63,7
	060	101,0
	096	31,4
	999	65,4
0707 00 05	052	102,3
	220	143,3
	999	122,8
0709 90 70	052	84,3
	999	84,3
0805 50 10	052	74,6
	388	55,0
	524	62,8
	528	55,7
	999	62,0
0806 10 10	052	101,2
	064	105,0
	400	204,2
	999	136,8
	0808 10 20, 0808 10 50, 0808 10 90	388
400		89,2
512		100,7
720		72,5
800		235,4
804		73,7
999		110,2
0808 20 50		052
	388	70,5
	999	76,4

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

**COMMISSION REGULATION (EC) No 1752/2002  
of 1 October 2002**

**amending Annexes I and II to Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1181/2002 <sup>(2)</sup>, and in particular Articles 6 and 8 thereof,

Whereas:

- (1) In accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals.
- (2) Maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs.
- (3) In establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue).
- (4) For the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney. However, the liver and kidney are frequently removed from carcasses moving in interna-

tional trade, and maximum residue limits should therefore also always be established for muscle or fat tissues.

- (5) In the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey.
- (6) Ceftiofur should be inserted into Annex I to Regulation (EEC) No 2377/90.
- (7) Hydroxyethylsalicylate and Xylazine hydrochloride should be inserted into Annex II to Regulation (EEC) No 2377/90.
- (8) An adequate period should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorisations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Directive 2001/82/EC of the European Parliament and of the Council <sup>(3)</sup> to take account of the provisions of this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Veterinary Medicinal Products,

HAS ADOPTED THE FOLLOWING REGULATION:

*Article 1*

Annexes I and II to Regulation (EEC) No 2377/90 are hereby amended as set out in the Annex hereto.

*Article 2*

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

It shall apply from the sixtieth day following its publication.

<sup>(1)</sup> OJ L 224, 18.8.1990, p. 1.

<sup>(2)</sup> OJ L 230, 28.8.2002, p. 3.

<sup>(3)</sup> OJ L 311, 28.11.2001, p. 1.

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

Done at Brussels, 1 October 2002.

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

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## ANNEX

A. The following substance is added to Annex I to Regulation (EEC) No 2377/90:

1. Anti-infectious agents
- 1.2. Antibiotics
- 1.2.2. Cephalosporins

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
'Ceftiofur	Sum of all residues retaining the betalactam structure expressed as desfur-oylceftiofur	Bovine	1 000 µg/kg 2 000 µg/kg 2 000 µg/kg 6 000 µg/kg 100 µg/kg	Muscle Fat Liver Kidney Milk'	

B. The following substances are added to Annex II to Regulation (EEC) No 2377/90:

2. Organic compounds

Pharmacologically active substance(s)	Animal species	Other provisions
'Hydroxyethylsalicylate	All food producing species except fish	For topical use only'
Xylazine hydrochloride	Bovine, equidae	

**COMMISSION REGULATION (EC) No 1753/2002****of 1 October 2002****authorising transfers between the quantitative limits of textiles and clothing products originating in the Republic of India**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 797/2002 <sup>(2)</sup>, and in particular Article 7 thereof,

Whereas:

- (1) The Memorandum of Understanding between the European Community and the Republic of India on arrangements in the area of market access for textile products, initialled on 31 December 1994 <sup>(3)</sup>, provides that favourable consideration should be given to certain requests for so-called 'exceptional flexibility' by India.
- (2) The Republic of India has made a request for transfers between categories on 12 July 2002.
- (3) The transfers requested by the Republic of India fall within the limits of the flexibility provisions referred to in Article 7 and set out in Annex VIII to Regulation (EEC) No 3030/93.

- (4) It is appropriate to grant the request.
- (5) It is desirable for this Regulation to enter into force the day after its publication in order to allow operators to benefit from it as soon as possible.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee provided for in Article 17 of Regulation (EEC) No 3030/93,

HAS ADOPTED THIS REGULATION:

*Article 1*

Transfers between the quantitative limits for textile goods originating in the Republic of India are authorised for the quota year 2002 in accordance with the Annex.

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

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

Done at Brussels, 1 October 2002.

*For the Commission*

Pascal LAMY

*Member of the Commission*<sup>(1)</sup> OJ L 275, 8.11.1993, p. 1.<sup>(2)</sup> OJ L 128, 15.5.2002, p. 29.<sup>(3)</sup> OJ L 153, 27.6.1996, p. 53.

## ANNEX

664 INDIA				ADJUSTMENT					
Group	Category	Unit	Limit 2002	Adjusted working level	Quantity in units	Quantity in tonnes	%	Flexibility	New adjusted working level
IA	3	kg	33 347 000	27 019 980	- 500 000	500	- 1,5	Transfer to category 6	26 519 980
IB	6	pc	11 225 000	15 695 930	880 000	500	7,8	Transfer from category 3	16 575 930



**COMMISSION REGULATION (EC) No 1754/2002  
of 1 October 2002**

**amending for the fourth time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network and the Taliban, and repealing Council Regulation (EC) No 467/2001 prohibiting the export of certain goods and services to Afghanistan, strengthening the flight ban and extending the freeze of funds and other financial resources in respect of the Taliban of Afghanistan <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1644/2002 <sup>(2)</sup>, and in particular Article 7(1), first indent, thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.

(2) On 11 and 30 September 2002, the Sanctions Committee decided to amend the list of persons, groups and entities to whom the freezing of funds and economic resources shall apply and, therefore, Annex I should be amended accordingly.

(3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 1 October 2002.

*For the Commission*  
Christopher PATTEN  
*Member of the Commission*

<sup>(1)</sup> OJ L 139, 29.5.2002, p. 9.

<sup>(2)</sup> OJ L 247, 14.9.2002, p. 25.

## ANNEX

Annex I to Regulation (EC) No 881/2002 is amended as follows:

1. The entry 'Eastern Turkistan Islamic Movement or East Turkistan Islamic Movement (ETIM) (aka Eastern Turkistan Islamic Party)' under the heading 'Legal persons, groups and entities' shall be replaced with the following:  
'Eastern Turkistan Islamic Movement or East Turkistan Islamic Movement (ETIM) (aka Eastern Turkistan Islamic Party or Eastern Turkistan Islamic Party of Allah)'.
  2. The following natural persons shall be added to the heading 'Natural persons':
    - (a) Bahaji, Said, formerly resident at Bunatwiete 23, D-21073 Hamburg, Germany; date of birth 15 July 1975; place of birth: Haselünne (Lower Saxony), Germany; provisional German passport No 28 642 163 issued by the City of Hamburg;
    - (b) Binalshibh, Ramzi Mohamed Abdullah (aka Omar, Ramzi Mohamed Abdellah; aka Binalsheidah, Ramzi Mohamed Abdullah; aka Bin al Shibh, Ramzi); date of birth 1 May 1972 or 16 September 1973; place of birth: Hadramawt, Yemen or Khartoum, Sudan; citizenship: Sudan or Yemen; passport of Yemen No 00 085 243 issued on 12 November 1997 in Sanaa, Yemen;
    - (c) El Motassadeq, Mounir, Göschenstraße 13, D-21073 Hamburg, Germany; date of birth 3 April 1974; place of birth: Marrakesh, Morocco; citizenship: Morocco; Moroccan passport No H 236 483 issued on 24 October 2000 by the Embassy of Morocco in Berlin, Germany;
    - (d) Essabar, Zakarya (aka Essabar, Zakariya), Dortmunder Straße 38, D-22419 Hamburg, Germany; date of birth 3 April 1977; place of birth: Essaouria, Morocco; citizenship: Morocco; passport No M 271 351 issued on 24 October 2000 by the Embassy of Morocco in Berlin, Germany.
  3. The entry 'Wa'el Hamza Julaidan (aka Wa'il Hamza Julaidan, Wa'el Hamza Jaladin, Wa'il Hamza Jaladin, and Abu Al-Hasan al Madani); date of birth: 22 January 1958; place of birth: Al-Madinah, Saudi Arabia; Saudi passport No A-992535' under the heading 'Natural persons' shall be replaced with the following:  
'Wa'el Hamza Julaidan (aka Wa'il Hamza Julaidan, Wa'el Hamza Jalaidan, Wa'il Hamza Jalaidan, Wa'el Hamza Jaladin, Wa'il Hamza Jaladin, and Abu Al-Hasan al Madani); date of birth: 22 January 1958; place of birth: Al-Madinah, Saudi Arabia; Saudi passport No A-992535'.
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**COMMISSION REGULATION (EC) No 1755/2002**  
**of 1 October 2002**  
**on the issuing of system B export licences for 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 1961/2001 of 8 October 2001 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables <sup>(1)</sup>, as amended by Regulation (EC) No 1176/2002 <sup>(2)</sup>, and in particular Article 6(7) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1110/2002 <sup>(3)</sup> fixed the indicative quantities laid down for the issue of export licences in the fruit and vegetable sector other than those requested in the context of food aid.
- (2) In the light of information now available to the Commission, the indicative quantities have been exceeded in the case of oranges, table grapes and peaches.
- (3) Those overruns are without prejudice to compliance with the limits resulting from the agreements concluded in accordance with Article 300 of the Treaty. The rate of

refund for all products covered by licences applied for under system B between 1 July and 16 September 2002 should be the indicative rate,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The percentages for the issuing of system B export licences, as referred to in Article 6 of Regulation (EC) No 1961/2001, and applied for between 1 July and 16 September 2002, by which the quantities applied for and the rates of refund applicable must be multiplied, are as fixed in the Annex hereto.

2. Paragraph 1 does not apply to licences applied for in connection with food-aid operations as provided for in Article 10(4) of the Agreement on Agriculture concluded during the Uruguay Round of multilateral trade negotiations.

*Article 2*

This Regulation shall enter into force on 2 October 2002.

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

Done at Brussels, 1 October 2002.

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

<sup>(1)</sup> OJ L 268, 9.10.2001, p. 8.

<sup>(2)</sup> OJ L 170, 29.6.2002, p. 69.

<sup>(3)</sup> OJ L 168, 27.6.2002, p. 8.

## ANNEX

**Percentages for the issuing of licences and rates of refund applicable to system B licences applied for between 1 July and 16 September 2002**

Product	Percentage for the issuing of licences	Rate of refund (EUR/t net)
Tomatoes	100 %	14,0
Oranges	100 %	26,0
Table grapes	100 %	23,0
Apples	100 %	15,0
Peaches and nectarines	100 %	27,0