

English edition

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2011/2002
of 11 November 2002**

amending Regulation (EC) No 603/1999 imposing a definitive anti-dumping duty on imports of polypropylene binder or baler twine originating in Poland, the Czech Republic and Hungary and collecting definitively the provisional duty imposed

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, and in particular Article 8 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURE

- (1) In March 1999, the Council, by Regulation (EC) No 603/1999 ⁽²⁾, imposed definitive anti-dumping duties on imports of polypropylene binder or baler twine originating in Poland, the Czech Republic and Hungary.
- (2) Within the framework of this proceeding, the Commission, by Decision 1999/215/EC of 16 March 1999 ⁽³⁾, accepted a price undertaking offered by, *inter alia*, the Hungarian company Tiszai Vegyi Kombinat Rt ('the company').
- (3) Imports of polypropylene binder or baler twine originating in Hungary exported to the Community by this company (TARIC Additional Code 8582) were exempted from the anti-dumping duty by Article 2(1) and (2) of Regulation (EC) No 603/1999.

B. VOLUNTARY WITHDRAWAL OF AN UNDERTAKING

- (4) Following changes in its trading activities, the company advised the Commission that it wished to withdraw its undertaking.

- (5) Accordingly, by Commission Decision 2002/890/EC ⁽⁴⁾, the undertaking by the company has been withdrawn and its name has been removed from the list of companies from which undertakings are accepted, in Article 1(1) of Decision 1999/215/EC.

C. DEFINITIVE DUTIES

- (6) The investigation which led to the undertaking offered by the company was concluded by a final determination as to dumping and injury by Regulation (EC) No 603/1999.
- (7) In accordance with Article 8(9) of Regulation (EC) No 384/96, the rate of the anti-dumping duty to be imposed on exports manufactured by the company must be based on the facts established within the context of the investigation which led to the undertaking. In this regard, and in consideration of the fact that the dumping margin established was lower than the injury margin, it is considered appropriate to set the definitive anti-dumping duty rate at a level of 26,4 % *ad valorem*, corresponding to the dumping margin found (see also recital 26 of Regulation (EC) No 603/1999).

D. AMENDMENT OF REGULATION (EC) No 603/1999

- (8) In view of the above, Article 1(2) and Article 2(2) of Regulation (EC) No 603/1999 listing the companies on which anti-dumping duties are imposed and those which are exempted from the anti-dumping duties should be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 603/1999 is hereby amended as follows:

⁽¹⁾ OJ L 56, 6.3.1996, p. 1, as last amended by Regulation (EC) No 1972/2002, (OJ L 305, 7.11.2002, p. 1).

⁽²⁾ OJ L 75, 20.3.1999, p. 1, as last amended by Regulation (EC) No 1657/2001, (OJ L 221, 17.8.2001, p. 1).

⁽³⁾ OJ L 75, 20.3.1999, p. 34, as amended by Decision 2000/324/EC, (OJ L 112, 11.5.2000, p. 65).

⁽⁴⁾ See page 20 of this Official Journal.

1. Article 1(2) shall be replaced by the following:

'2. The rate of the definitive anti-dumping duty applicable to the net free-at-Community-frontier prices before duty of the products manufactured by the companies listed below shall be as follows:

Country	Company	Rate of duty (%)	TARIC additional code
Poland	BZLP Beزالin	19,4	8450
	PAT Defalin s.a.	16,3	8569
	Industrial Chemistry Research Institute	12,8	8578
	Terplast sp z.o.o.	6,1	8579
	WKI Isoliertechnik Spolka z.o.o.	15,7	A091
	All other companies	20,3	8900
Czech Republic	All companies	24,8	8900
Hungary	Tiszai Vegyi Kombinat Rt	26,4	8582
	All other companies	32,9	8900'

2. Article 2(2) shall be replaced by the following:

'2. Imports made within the context of the undertakings offered and accepted shall be declared under the following TARIC additional codes:

Country	Company	TARIC additional code
Czech Republic	Juta a.s.	8596
	Lanex a.s.	8580
Hungary	Partium '70 Rt	8581
	Elso Magyar Kenderfono Rt	8583'

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, 11 November 2002.

For the Council

The President

B. MIKKELSEN

COUNCIL REGULATION (EC) No 2012/2002
of 11 November 2002
establishing the European Union Solidarity Fund

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the third paragraph of Article 159 and Article 308 thereof,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Having regard to the resolution of the Committee of the Regions ⁽⁴⁾,

Whereas:

- (1) In the event of major disasters, the Community should show its solidarity with the population of the regions concerned by providing financial assistance to contribute to a rapid return to normal living conditions in the disaster-stricken regions. The assistance should mainly be mobilised in case of natural disasters.
- (2) Existing economic and social cohesion instruments are able to finance risk-prevention measures and the repair of damaged infrastructure. However, provision should also be made for an additional instrument, to be distinguished from existing Community instruments, which enables the Community to act swiftly and efficiently to help, as quickly as possible, in mobilising emergency services to meet people's immediate needs and contribute to the short-term restoration of damaged key infrastructure so that economic activity can resume in the disaster-stricken regions.
- (3) The European Union should also show solidarity with the countries currently negotiating their accession. Extending this Regulation to cover those countries entails recourse to Article 308 of the Treaty.
- (4) Community aid should be complementary to the efforts of the States concerned and be used to cover a share of the public expenditure committed to dealing with the damage caused by a major disaster.
- (5) In line with the principle of subsidiarity, assistance under this instrument should be confined to major disasters with serious repercussions on living conditions, the natural environment or the economy.
- (6) A 'major disaster' within the meaning of this Regulation should mean any disaster, in at least one of the States concerned, resulting in important damage expressed in financial terms or as a percentage of the gross national income (GNI). In order to permit interventions in the case of disasters that, while important, do not reach the minimum scale required, assistance may also be granted under exceptional circumstances in case an eligible neighbouring country is affected by the same disaster, or whenever the major part of the population of a specific region is affected by a disaster with serious and lasting repercussions on living conditions.
- (7) Community action should not relieve third parties of their responsibility who, under the 'polluter-pays' principle, are liable in the first instance for the damage caused by them, or discourage preventive measures at both Member State and Community level.
- (8) This instrument should allow a rapid decision to be taken to commit specific financial resources and mobilise them as quickly as possible. Administrative procedures should be adjusted accordingly and confined to the minimum absolutely necessary. To this end, the European Parliament, the Council and the Commission have concluded on 7 November 2002 an Interinstitutional Agreement on the financing of the European Union Solidarity Fund, supplementing the Interinstitutional Agreement of 6 May 1999 on budgetary discipline and improvement of the budgetary procedure.

⁽¹⁾ Commission proposal of 20 September 2002 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 10 October 2002 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 24 October 2002 (not yet published in the Official Journal).

⁽⁴⁾ Resolution delivered on 10 October 2002 (not yet published in the Official Journal).

- (9) It may be desirable for the beneficiary State, in conformity with its specific constitutional, institutional, legal or financial context, to associate the regional or local authorities with the conclusion and the application of the implementation arrangements, the beneficiary State remaining in all cases responsible for the implementation of the assistance and for the management and control of the operations supported by Community financing.
- (10) The detailed rules for applying this instrument should be adapted to the urgency of the situation.
- (11) An operation funded by this instrument should not benefit for the same purpose from assistance under Council Regulation (EC) No 1164/94 of 16 May 1994 establishing a Cohesion Fund ⁽¹⁾, Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽²⁾, Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) ⁽³⁾, Council Regulation (EEC) No 3906/89 of 18 December 1989 on economic aid to the Republic of Hungary and the Polish People's Republic ⁽⁴⁾, Council Regulation (EC) No 1267/1999 of 21 June 1999 establishing an Instrument for Structural Policies for Pre-accession ⁽⁵⁾, Council Regulation (EC) No 1268/1999 of 21 June 1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of central and eastern Europe in the pre-accession period ⁽⁶⁾, Commission Regulation (EC) No 2760/98 of 18 December 1998 concerning the implementation of a programme for cross-border cooperation in the framework of the Phare programme ⁽⁷⁾, Council Regulation (EC) No 1266/1999 of 21 June 1999 on coordinating aid to the applicant countries in the framework of the pre-accession strategy and amending Regulation (EEC) No 3906/89 ⁽⁸⁾, Council Regulation (EC) No 555/2000 of 13 March 2000 on the implementation of operations in the framework of the pre-accession strategy for the Republic of Cyprus and the Republic of Malta ⁽⁹⁾, or Council Regulation (EC) No 2236/95 of 18 September 1995 laying down general rules for the granting of Community financial aid in the field of trans-European networks ⁽¹⁰⁾; damage repaired under Community or international instruments relating to the compensation of specific damages should not, for the same purpose, benefit from assistance under this instrument.
- (12) Maximum transparency is required in implementing the Community's financial assistance as well as proper monitoring of the use of resources.
- (13) Prudent financial management is required to ensure that the Community can be in a position to respond if several major disasters occur in the same year.
- (14) In exceptional cases and depending on the availability of financial resources under this instrument in the year of the occurrence of the disaster, provision should be made for possible supplementary grants from this instrument under the next year's Fund.
- (15) A deadline should be laid down for the use of the financial assistance awarded and provision should be made for the beneficiary States to justify the use made of the assistance they receive. Assistance received which is subsequently recovered from third parties, or which was received in excess of the final valuation of the damages, should be recovered.

⁽¹⁾ OJ L 130, 25.5.1994, p. 1. Regulation as last amended by Regulation (EC) No 1265/1999 (OJ L 161, 26.6.1999, p. 62).

⁽²⁾ OJ L 161, 26.6.1999, p. 80. Regulation as last amended by Regulation (EC) No 1447/2001 (OJ L 198, 21.7.2001, p. 1).

⁽³⁾ OJ L 160, 26.6.1999, p. 80.

⁽⁴⁾ OJ L 375, 23.12.1989, p. 11. Regulation as last amended by Regulation (EC) No 2500/2001 (OJ L 342, 27.12.2001, p. 1).

⁽⁵⁾ OJ L 161, 26.6.1999, p. 73. Regulation as last amended by Regulation (EC) No 2500/2001 (OJ L 342, 27.12.2001, p. 1).

⁽⁶⁾ OJ L 161, 26.6.1999, p. 87. Regulation as last amended by Regulation (EC) No 2500/2001 (OJ L 342, 27.12.2001, p. 1).

⁽⁷⁾ OJ L 345, 19.12.1998, p. 49. Regulation as last amended by Regulation (EC) No 1596/2002 (OJ L 240, 7.9.2002, p. 33).

⁽⁸⁾ OJ L 161, 26.6.1999, p. 68.

⁽⁹⁾ OJ L 68, 16.3.2000, p. 3. Regulation as last amended by Regulation (EC) No 2500/2001 (OJ L 342, 27.12.2001, p. 1).

⁽¹⁰⁾ OJ L 228, 23.9.1995, p. 1. Regulation as last amended by Regulation (EC) No 1655/1999 of the European Parliament and of the Council (OJ L 197, 29.7.1999, p. 1).

- (16) In view of the exceptional circumstances, countries affected by disasters from Summer 2002 onwards should qualify for assistance under this instrument.
- (17) In order to ensure rapid assistance to the countries affected by the recent floodings, it is very urgent to adopt this instrument; therefore, it is necessary to grant an exception to the six-week period for consideration by national parliaments referred to in Part I, point 3 of the Protocol on the role of national parliaments in the European Union, annexed to the Treaty on European Union and to the Treaties establishing the European Communities,

HAS ADOPTED THIS REGULATION:

Article 1

A European Union Solidarity Fund, hereinafter referred to as 'the Fund', is hereby established to enable the Community to respond in a rapid, efficient and flexible manner to emergency situations under the terms of this Regulation.

Article 2

1. At the request of a Member State or country involved in accession negotiations with the European Union, hereinafter referred to as 'beneficiary State', assistance from the Fund may be mainly mobilised when a major natural disaster with serious repercussions on living conditions, the natural environment or the economy in one or more regions or one or more countries occurs on the territory of that State.
2. A 'major disaster' within the meaning of this Regulation means any disaster resulting, in at least one of the States concerned, in damage estimated either at over EUR 3 billion in 2002 prices, or more than 0,6 % of its GNI.

By way of exception, a neighbouring Member State or country involved in accession negotiations with the European Union, which has been affected by the same disaster can also benefit from assistance from the Fund.

However, under exceptional circumstances, even when the quantitative criteria laid down in the first subparagraph are not met, a region could also benefit from assistance from the Fund, where that region has been affected by an extraordinary disaster, mainly a natural one, affecting the major part of its population, with serious and lasting repercussions on living conditions and the economic stability of the region. Total annual assistance under this subparagraph shall be limited to no more than 7,5 % of the annual amount available to the Fund. Particular focus will be on remote or isolated regions, such as the insular and outermost regions as defined in Article 299(2) of the Treaty. The Commission shall examine with the utmost rigour any requests which are submitted to it under this subparagraph.

Article 3

1. Assistance from the Fund shall take the form of a grant. For each recognised disaster a single grant shall be awarded to a beneficiary State.
2. The aim of the Fund is to complement the efforts of the States concerned and to cover a share of their public expenditure in order to help the beneficiary State to carry out the following essential emergency operations, depending on the type of disaster:
 - (a) immediate restoration to working order of infrastructure and plant in the fields of energy, water and waste water, telecommunications, transport, health and education;
 - (b) providing temporary accommodation and funding rescue services to meet the immediate needs of the population concerned;
 - (c) immediate securing of preventive infrastructures and measures of immediate protection of the cultural heritage;
 - (d) immediate cleaning up of disaster-stricken areas, including natural zones.
3. Payments from the Fund are in principle limited to finance measures alleviating non insurable damages and shall be recovered if the cost of repairing the damage is subsequently met by a third party in accordance with Article 8.

Article 4

1. As soon as possible and no later than ten weeks after the first damage caused by the disaster, a State may submit an application for assistance from the Fund to the Commission providing all available information on, among other factors:

- (a) the total damage caused by the disaster and its impact on the population and the economy concerned;
- (b) the estimated cost of the operations referred to in Article 3;
- (c) any other sources of Community funding;
- (d) any other sources of national or international funding, including public and private insurance coverage which might contribute to the costs of repairing the damage.

2. On the basis of this information, and any clarifications to be provided by the State concerned, the Commission shall assess if the conditions for mobilising the Fund are met and shall determine the proposed amount of any possible grant as quickly as possible within the limits of the financial resources available. On 1 October each year, at least one-quarter of the annual amount should remain available in order to cover needs arising until the end of the year.

The Commission ensures an equitable treatment of requests presented by the States.

3. The Commission shall submit to the budgetary authority the proposals needed to authorise the corresponding appropriations. These proposals shall include all available information referred to in paragraph 1 and all other relevant information in the possession of the Commission, a demonstration that the conditions of Article 2 are met and a justification of the amounts proposed.

4. Once the appropriations are made available by the budgetary authority, the Commission shall adopt a grant decision and shall pay that grant immediately and in a single instalment to the beneficiary State upon signature of the agreement referred to in Article 5.

5. The eligibility of expenditure shall begin on the date referred to in paragraph 1.

Article 5

1. In accordance with the specific constitutional, institutional, legal or financial provisions of the beneficiary State and of the Community, the Commission and the beneficiary State, shall conclude an agreement to implement the grant decision. That agreement shall describe in particular the type and location of operations to be financed by the Fund.

2. The Commission shall ensure that the same commitments as entered into by the Member States under this Regulation are also entered into by countries negotiating their accession to the European Union within the framework of the relevant agreements and instruments.

3. Responsibility for selecting individual operations and implementing the grant under the agreement shall lie with the beneficiary State, in compliance with the terms of this Regulation, the grant decision and the agreement. The beneficiary State shall exercise this responsibility without prejudice to the Commission's responsibility for the implementation of the general budget of the European Union and in accordance with the provisions of the Financial Regulation applicable to shared or decentralised management.

Article 6

1. The beneficiary State shall be responsible for coordinating the contribution of the Fund to the operations referred to in Article 3, on the one hand, with assistance from the European Investment Bank (EIB) and other Community financing instruments, on the other.

2. Operations assisted under this Regulation shall not benefit from assistance from the Funds and instruments governed by Regulations (EC) No 1164/94, (EC) No 1260/1999, (EC) No 1257/1999, (EC) No 1267/1999, (EC) No 1268/1999, (EEC) No 3906/89, (EC) No 2760/98, (EC) No 555/2000 and (EC) No 2236/95, and shall comply with Regulation (EC) No 1266/1999. The beneficiary State shall ensure compliance with this provision.

3. Damage repaired under Community or international instruments relating to the compensation of specific damages shall not, for the same purpose, benefit from assistance from the Fund.

Article 7

Operations financed by the Fund shall be compatible with the provisions of the Treaty and instruments adopted under it, with Community policies and measures and with pre-accession assistance instruments.

Article 8

1. A grant shall be used within one year of the date on which the Commission has disbursed the grant. Any part of a grant remaining unused by that deadline, in compliance with the terms of this Regulation, shall be recovered by the Commission from the beneficiary State.

Beneficiary States shall seek all possible compensation from third parties.

2. No later than six months after the expiry of the one-year period from the date of disbursement of the grant, the beneficiary State shall present a report on the financial execution of the grant with a statement justifying the expenditure, indicating any other source of funding received for the operations concerned, including insurance settlements and compensation from third parties. The report shall detail the preventive measures introduced or proposed by the beneficiary State in order to limit damage and to avoid, to the extent possible, a recurrence of similar disasters.

At the end of this procedure, the Commission shall wind up the assistance from the Fund.

3. Where the cost of repairing the damage is subsequently met by a third party, the Commission shall require the beneficiary State to reimburse a corresponding amount of the grant.

Article 9

Applications for assistance and the decisions to grant assistance from the Fund, as well as the financial agreement, reports and any other related documents shall express all amounts in euro.

Article 10

1. In exceptional cases and if the remaining financial resources available in the Fund in the year of the occurrence of the disaster are not sufficient to cover the amount of assistance deemed necessary by the budgetary authority, the Commission may propose that the difference be financed through the next year's Fund. The annual budgetary ceiling of the Fund in the year of the occurrence of the disaster and the following year shall under all circumstances be respected.

2. In case of significantly lower valuation of the damage incurred, as shown by new elements, the Commission shall require the beneficiary State to reimburse a corresponding amount of the grant.

Article 11

The financing decisions and all agreements and contracts resulting therefrom shall provide for checks by the Commission, through the Anti-Fraud Office (OLAF), and for on-the-spot checks to be carried out by the Commission and the Court of Auditors, in accordance with the appropriate procedures.

Article 12

Before 1 July the Commission shall present to the European Parliament and to the Council a report on the activity of the Fund in the previous year. This report shall in particular contain information relating to Articles 3, 4 and 8.

Article 13

Notwithstanding the deadline provided for in Article 4(1), the Member States and countries involved in accession negotiations with the European Union which have been affected by disasters, as defined in Article 2, from 1 August 2002 onwards may request assistance from the Fund within two months of the date of entry into force of this Regulation.

Article 14

The Council shall review this Regulation on the basis of a proposal from the Commission by 31 December 2006 at the latest.

Article 15

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, 11 November 2002.

For the Council
The President
B. MIKKELSEN

COMMISSION REGULATION (EC) No 2013/2002
of 13 November 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 1947/2002 ⁽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 14 November 2002.

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

Done at Brussels, 13 November 2002.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 13 November 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	58,0
	096	41,4
	204	54,7
	999	51,4
0707 00 05	052	103,8
	628	147,3
	999	125,6
0709 90 70	052	86,2
	999	86,2
0805 20 10	204	79,6
	999	79,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	62,0
	999	62,0
0805 50 10	052	68,9
	388	52,4
	600	81,6
	999	67,6
0806 10 10	052	134,5
	400	310,8
	508	372,9
	999	272,7
0808 10 20, 0808 10 50, 0808 10 90	052	113,5
	400	73,3
	404	110,5
	512	69,8
	999	91,8
0808 20 50	052	106,1
	400	133,9
	720	28,4
	999	89,5

⁽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 2014/2002
of 7 November 2002
concerning the classification of certain goods in the Combined Nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 969/2002⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 laid down the general rules for the interpretation of the Combined Nomenclature. Those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to the said general rules, the goods described in column 1 of the table set out in the Annex to this Regulation should be classified under the CN code(s) indicated in column 2, by virtue of the reasons set out in column 3.
- (4) It is appropriate that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature and which is not in accordance with the provisions

of this Regulation, can continue to be invoked by the holder, under the provisions of Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽³⁾, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council⁽⁴⁾, for a period of three months.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the table set out in the Annex are classified within the Combined Nomenclature under the CN code(s) indicated in column 2 of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States which is not in accordance with the provisions of this Regulation can continue to be invoked under the provisions of Article 12(6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 7 November 2002.

For the Commission
Frederik BOLKESTEIN
Member of the Commission

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.
⁽²⁾ OJ L 149, 7.6.2002, p. 20.

⁽³⁾ OJ L 302, 19.10.1992, p. 1.
⁽⁴⁾ OJ L 311, 12.12.2000, p. 17.

ANNEX

Description of goods	CN code	Reasons
(1)	(2)	(3)
Epoxide resin in the form of cylindrical tablets, the length of which does not exceed the diameter, composed of compressed powder These plastics are used for the encapsulation of semiconductors and electronic integrated circuits	3926 90 99	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 3926, 3926 90 and 3926 90 99 The plastic material presented in a cylindrical tablet form is not considered to be a primary form of headings 3901 to 3914, as described in note 6 to Chapter 39

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 5 November 2002

authorising Germany and France to apply a measure derogating from Article 3 of Directive 77/388/EEC on the harmonisation of the laws of the Member States relating to turnover taxes

(2002/888/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonisation of the laws of the Member States relating to turnover taxes — common system of value-added tax: uniform basis of assessment, and in particular Article 27(1) thereof ⁽¹⁾,

Having regard to the proposal from the Commission ⁽²⁾,

Whereas:

- (1) By two requests sent to the Commission on 28 December 2001 and 7 January 2002 respectively, Germany and France sought authorisation to apply a measure derogating from Article 3 of Directive 77/388/EEC in respect of the construction and maintenance of certain cross-border bridges on the Rhine.
- (2) By letter of 25 February 2002 the Commission asked the German and French authorities to give further information on the scope of the derogation.
- (3) The German authorities gave the Commission the supplementary information requested in a letter of 19 June 2002, endorsed by the French authorities, which was registered by the Commission's Secretariat-General on 22 July 2002.
- (4) The other Member States were informed of Germany and France's request and the supplementary information by letter dated 31 July 2002.

(5) The cross-border bridges on the Rhine concerned by this measure are bridges which will be built in future to link up with public highways not forming part of the network of motorways and trunk roads in France and with public highways not forming part of the Federal trunk road network in Germany.

(6) The derogation sought by Germany and France consists in deeming that, for the construction and maintenance of cross-border bridges on the Rhine, the territorial boundary between Germany and France lies in the middle of each bridge.

(7) In the absence of a specific measure, the place of taxation of construction and maintenance work on the cross-border bridges would be dictated by the geographical territorial boundary between the two Member States, which runs where the river is deepest. This boundary is difficult in practice to determine and also changes over time. The VAT arrangements applicable to construction and maintenance work on the cross-border bridges would be therefore be extremely complex for the operators carrying it out.

(8) The derogation requested, which fixes the territorial boundary between Germany and France in the middle of the cross-border bridges concerned, will therefore simplify the collection of VAT on the construction and maintenance of these bridges.

(9) The derogation will not reduce the taxable amount for VAT. It therefore does not adversely affect the Communities' own resources from VAT,

⁽¹⁾ OJ L 145, 13.6.1977, p. 1. Directive as last amended by Directive 2002/38/EC (OJ L 128, 15.5.2002, p. 41).

⁽²⁾ Proposal of 11 September 2002 (not yet published in the Official Journal).

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Article 3 of Directive 77/388/EEC Germany and France are hereby authorised, in the case of the cross-border bridges on the Rhine referred to in Article 2, to set the territorial boundary between the two States in the middle of the bridges concerned as the place of taxation for the supply of goods and services, intra-Community acquisitions and imports of goods for the construction and maintenance of these bridges, including winter maintenance and regular cleaning.

Article 2

The cross-border bridges on the Rhine to which this Decision applies are those to be built in future which will link up with

public highways not forming part of the network of motorways and trunk roads in France and with public highways not forming part of the Federal trunk road network in Germany.

Article 3

This Decision is addressed to the Federal Republic of Germany and the French Republic.

Done at Brussels, 5 November 2002.

For the Council

The President

T. PEDERSEN

Information relating to the entry into force of the Additional Protocol laying down the trade arrangements for certain fish and fishery products to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part

The Additional Protocol to the Europe Agreement with the Republic of Latvia, on trade in certain fish and fishery products, which the Council decided to conclude on 17 December 2001 ⁽¹⁾, entered into force on 1 October 2002, since notification of the accomplishment of the procedures specified in Article 3 of that Protocol was completed on 30 September 2002.

⁽¹⁾ OJ L 162, 20.6.2002, p. 22.

COMMISSION

COMMISSION DECISION of 13 November 2002

on a Community financial contribution to cover expenditure incurred by Greece, Spain, France, the Netherlands, Austria, Portugal and Finland for the purpose of combating organisms harmful to plants or plant products

(notified under document number C(2002) 4372)

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

(2002/889/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000⁽¹⁾ on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (the Directive), as amended by Commission Directive 2002/36/EC⁽²⁾, and in particular Article 23 thereof,

Whereas:

- (1) Pursuant to the Directive, a financial contribution from the Community may be granted to Member States to cover expenditure relating directly to the necessary measures which have been taken or are planned to be taken for the purpose of combating harmful organisms introduced from third countries or from other areas in the Community, in order to eradicate or, if that is not possible, to contain them.
- (2) Greece, Spain, France, the Netherlands, Austria, Portugal and Finland have each established a programme of actions to eradicate organisms harmful to plants introduced in their territories. These programmes specify the objectives to be achieved, the measures carried out, their duration and their cost. They have applied for the allocation of a Community financial contribution to these programmes within the time limit set out in the Directive.
- (3) The technical information provided for by Greece, Spain, France, the Netherlands, Austria, Portugal and Finland has enabled the Commission to analyse the situation

accurately and comprehensively. The information has also been considered by the Standing Committee on Plant Health. The Commission has concluded that the conditions for the grant of a financial contribution have been met.

- (4) Accordingly, it is appropriate to provide a Community financial contribution to cover the expenditure on these programmes.
- (5) The Community financial contribution may cover up to 50 % of eligible expenditure. Excluding those programmes for which degression has to be applied in accordance with the third paragraph of Article 23(5) of the Directive, the Community financial contribution for the purposes of this Decision should be set in general to 50 %, noting that the programmes received have been treated in equal way.
- (6) An extension of the period in which eradication measures have to take place, as foreseen in the third paragraph of Article 23(5) of the Directive, have been granted to certain existing programmes in Austria and Portugal, as the examination of the situation has led to the conclusion that the objective of these eradication measures is likely to be achieved within a reasonable period. The Community financial contribution for these programmes, have been progressively reduced in accordance with the third paragraph of Article 23(5).
- (7) The expenditure which Greece, Spain, France, the Netherlands, Austria, Portugal and Finland have incurred, and taken into account in this Decision, relates directly to the matters specified in Article 23(2)(a) and Article 23(2)(b) of the Directive.

⁽¹⁾ OJ L 169, 10.7.2000, p. 1.

⁽²⁾ OJ L 116, 3.5.2002, p. 16.

- (8) The contribution referred to in Article 2 of this Decision is without prejudice to further actions taken or to be taken and necessary for the achievement of the objective of eradication or control of the relevant harmful organisms.
- (9) The present Decision is without prejudice to the outcome of the verification by the Commission under Article 24 of the Directive on whether the introduction of the relevant harmful organism has been caused by inadequate examinations or inspections and the consequences of such verification.
- (10) In accordance with Article 3(2) of Council Regulation (EC) No 1258/1999⁽¹⁾, veterinary and plant health measures undertaken in accordance with Community rules shall be financed under the Guarantee section of the European Agricultural Guidance and Guarantee Fund. Financial control of these measures comes under Articles 8 and 9 of the above Regulation.
- (11) The measures provided in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

The allocation of a Community financial contribution to cover expenditure incurred by Greece, Spain, France, the Netherlands, Austria, Portugal and Finland relating directly to necessary measures as specified in Article 23(2) of Directive 2000/29/EC and taken for the purpose of combating the organisms concerned by the eradication programmes listed in the Annex to this Decision, is hereby approved.

Article 2

- The total amount of the financial contribution referred to in Article 1 is EUR 1 344 247.
- The maximum amounts of the Community financial contribution for each eradication programme and for each year of implementation of the eradication programme shall be as indicated in the Annex to this Decision.
- The resulting maximum Community financial contribution for the concerned Member States shall be as follows:
 - EUR 1 472 to Greece,
 - EUR 97 017 to Spain,
 - EUR 377 571 to France,
 - EUR 64 374 to the Netherlands,
 - EUR 57 873 to Austria,
 - EUR 662 793 to Portugal,
 - EUR 83 147 to Finland.

⁽¹⁾ OJ L 160, 26.6.1999, p. 103.

Article 3

- Subject to the verifications by the Commission under Article 24 of Directive 2000/29/EC, the Community financial contribution shall be paid only when evidence of the measures taken has been given to the Commission through documentation related to the occurrence and the eradication of the relevant harmful organisms.
- The documentation referred to in paragraph 1 shall be included in an application including (mandatory information):
 - general information on the appearance of the relevant harmful organism, including details as the date on which its presence was suspected or confirmed, and the presumed cause of the appearance;
 - a copy of the notification of the presence or of the appearance of the relevant organism, in accordance with Article 16(1) or (2) of Directive 2000/29/EC;
 - the necessary measures which have been taken or are planned for combating the relevant harmful organism, their expected duration and where available, the results obtained, the actual or estimated cost of the expenditure incurred or to be incurred, and the proportion of such expenditure covered or to be covered from public funds. The duration shall be no more than two years after the date of detection of the appearance of the relevant harmful organism, except in duly justified cases;
 - information on inspections, testing and other actions undertaken to determine the nature and extent of the appearance of the relevant harmful organism, including the method used for these actions;
 - the statutory notice requiring treatments like destruction, disinfection, disinfestation, sterilisation and other treatments to be carried out and an official description and assessment of their achievement/results, including the description of the methods used for these treatments;
 - information on the identity of the consignment in accordance with the provisions of Article 23(4) of Directive 2000/29/EC or if not possible the reasons why it cannot be identified.
- Moreover, Member States shall also submit the list of the amounts excluding VAT and taxes, paid or to be paid for carrying out the necessary measures for combating the relevant harmful organism and the part of these amounts covered by public funds. For each kind of such measures, the appropriate details shall be enclosed:
 - for inspections and analyses referred to in paragraph 2(d), through a summary table indicating, *inter alia*, their dates, places and the unit costs;
 - for treatments referred to in paragraph 2(e), the list of holdings/places treated, and the quantity of plants/areas treated.

Article 4

This Decision is addressed to the Hellenic Republic, the Kingdom of Spain, the French Republic, the Kingdom of the Netherlands, the Austrian Republic, the Portuguese Republic and the Finnish Republic.

Done at Brussels, 13 November 2002.

For the Commission
David BYRNE
Member of the Commission

ANNEX

ERADICATION PROGRAMMES

Section I

Programmes whose Community financial contribution corresponds to 50 % of eligible expenditure

Member State	Harmful organisms combated	Affected plants	Year	Eligible expenditure (EUR)	Maximum Community contribution (EUR) per programme
Greece	<i>Citrus tristeza virus</i>	Citrus	2001	2 943	1 472
Spain	<i>Erwinia amylovora</i>	Apple, pear	2000	135 602	67 801
			2001	58 431	29 216
France	<i>Ralstonia solanacearum</i>	Potato	2000 and 2001	755 141	377 571
The Netherlands	<i>Ralstonia solanacearum</i>	<i>Pelargonium</i>	2001	128 747	64 374
Finland	<i>Bemisia tabaci</i>	<i>Euphorbia pulcherrima</i>	2000	166 294	83 147

Section II

Programmes whose Community financial contribution rates differ, in application of degressivity

Member State	Harmful organisms combated	Affected plants	Year	a (*)	Eligible expenditure (EUR)	Rate	Maximum Community contribution (EUR) per year/ programme
Austria	<i>Erwinia amylovora</i>	Apple, pear, other Rosaceae	2000	3	144 682	40	57 873
Portugal	<i>Bursaphelenchus xylophilus</i>	Pinus trees	2001	3	1 656 982	40	662 793

(*) a = Year of implementation of the eradication programme.

Total Community contribution							EUR 1 344 247
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COMMISSION DECISION**of 21 October 2002****amending Decision 1999/215/EC accepting undertakings offered in connection with the anti-dumping proceeding concerning imports of polypropylene binder or baler twine originating in Poland, the Czech Republic and Hungary and terminating the proceeding in respect of such imports originating in Saudi Arabia**

(2002/890/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community ⁽¹⁾, as last amended by Regulation (EC) No 2238/2000 ⁽²⁾, and in particular Article 8 thereof,

After consulting the Advisory Committee,

Whereas:

A. PREVIOUS PROCEDURE

- (1) In March 1999, the Council, by Regulation (EC) No 603/1999 ⁽³⁾, as last amended by Regulation (EC) No 1657/2001 ⁽⁴⁾, imposed definitive anti-dumping duties on imports of polypropylene binder or baler twine originating in Poland, the Czech Republic and Hungary.
- (2) Within the framework of this proceeding, the Commission, by Decision 1999/215/EC ⁽⁵⁾, as last amended by Decision 2000/324/EC ⁽⁶⁾, accepted a price undertaking offered by, *inter alia*, the Hungarian company Tiszai Vegyi Kombinat Rt (the company).

B. VOLUNTARY WITHDRAWAL OF AN UNDERTAKING

- (3) Following changes in its trading activities, the company advised the Commission that it wished to withdraw its undertaking. Accordingly, the name of this company should be deleted from the list of companies from which undertakings were accepted in Article 1(1) of Decision 1999/215/EC.

C. AMENDMENT OF DECISION 1999/215/EC

- (4) In view of the above, the list of companies from which undertakings are accepted in Article 1(1) of Decision 2000/324/EC should be amended.
- (5) In parallel to this Decision, the Council, by Regulation (EC) No 2011/2002 ⁽⁷⁾ has withdrawn the exemption from the anti-dumping duties granted to the exports manufactured by the company and has imposed a definitive anti-dumping duty on them,

HAS ADOPTED THIS DECISION:

Article 1

The undertaking by Tiszai Vegyi Kombinat Rt is hereby withdrawn.

⁽¹⁾ OJ L 56, 6.3.1996, p. 1.⁽²⁾ OJ L 257, 11.10.2000, p. 2.⁽³⁾ OJ L 75, 20.3.1999, p. 1.⁽⁴⁾ OJ L 221, 17.8.2001, p. 1.⁽⁵⁾ OJ L 75, 20.3.1999, p. 34.⁽⁶⁾ OJ L 112, 11.5.2000, p. 65.⁽⁷⁾ See page 1 of this Official Journal.

Article 2

Article 1(1) of Decision 1999/215/EC is hereby replaced by the following:

'1. The undertakings offered by the producers mentioned below, in the framework of the anti-dumping proceedings concerning imports into the Community of polypropylene binder or baler twine originating in Poland, the Czech Republic and Hungary, are hereby accepted.

Country	Company	Taric additional code
Czech Republic	Juta a.s.	8596
	Lanex a.s.	8580
Hungary	Partium '70 Rt	8581
	Elso Magyar Kenderfono Rt	8583'

Article 3

This Decision shall take effect on the day following that of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 21 October 2002.

For the Commission

Pascal LAMY

Member of the Commission

DECISION No 2/2002
OF THE ACP-EC CUSTOMS COOPERATION COMMITTEE
of 28 October 2002

derogating from the concept of 'originating products' to take account of the special situation of the ACP States regarding the production of canned tuna and of tuna loins (HS heading ex 16.04)

(2002/891/EC)

THE ACP-EC CUSTOMS COOPERATION COMMITTEE,

Having regard to the ACP-EC Partnership Agreement signed at Cotonou on 23 June 2000, and in particular Article 38 of Protocol I thereto,

Whereas:

- (1) Article 1 of Decision 1/2000 of the ACP-EC Council of Ministers of 27 July 2000 on transitional measures valid from 2 August 2000 ⁽¹⁾ provides that the trade provisions of the ACP-EC Partnership Agreement, including Protocol 1 concerning the definition of the concept of 'originating products' and methods of administrative cooperation, apply from 2 August 2000.
- (2) Article 38(1) of the said Protocol provides for derogations from the rules of origin to be granted whenever the development of an existing industry or the establishment of a new one warrants it.
- (3) Article 38(8) of the said Protocol provides that the derogations are granted automatically within an annual quota of 8 000 tonnes for canned tuna and of 2 000 tonnes for tuna loins.
- (4) The ACP/EC Customs Cooperation Committee has allocated a share of these quotas to six individual African, Caribbean and Pacific States, hereinafter referred to as 'ACP States' ⁽²⁾.
- (5) In order to permit the effective and full utilisation of the quota available, the ACP States submitted on 18 June 2002 a request for a new global derogation, valid for all ACP States, and covering the full annual quantities, i.e. 8 000 tonnes of canned tuna and 2 000 tonnes of tuna loins, imported into the Community from 1 October 2002 to 28 February 2005.

- (6) The ACP States also requested that, in order to ensure the continuation of the benefit of the derogations for operators, the individual decisions that are still valid on 1 October 2002 be repealed, as the derogations provided for by these decisions should be covered by the new global decision from that date onwards.
- (7) The derogation is requested under the relevant provisions of Protocol 1, particularly with regard to Article 38(8) and, provided that the current decisions be repealed, the requested quantities fall within the limits of the annual quota which is granted automatically upon request of the ACP States.
- (8) Therefore, pursuant to Article 38(8), a new global derogation can be granted to the ACP States in respect of canned tuna and of tuna loins for the quantities and for the periods requested.
- (9) The quantities for which a derogation is adopted, should be managed by the Commission in collaboration with the customs authorities of the Member States and those of the ACP States. To that end, detailed rules should be adopted,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the special provisions in the list in Annex II to Protocol 1 of the ACP-EC Partnership Agreement, canned tuna and tuna loins of HS heading ex 16.04 produced in the ACP States from non-originating tuna shall be regarded as originating in the ACP States in accordance with the terms of this Decision.

Article 2

The derogation provided for in Article 1 shall apply to the products and the quantities shown in the Annex to this Decision which are imported into the Community from the ACP States during the period of 1 October 2002 to 28 February 2005.

⁽¹⁾ OJ L 195, 1.8.2000, p. 46.

⁽²⁾ Decision No 1/2000 of the ACP/EC Customs Cooperation Committee of 18 October 2000 derogating from the definition of 'originating products' to take account of the special situation of Fiji, Mauritius, Papua New Guinea and the Seychelles regarding the production of canned tuna and of tuna loins (HS heading ex 16.04) (OJ L 276, 28.10.2000, p. 89); Decision No 4/2001 of the ACP/EC Customs Cooperation Committee of 27 June 2001 derogating from the definition of 'originating products' to take account of the special situation of Senegal regarding the production of canned tuna (HS heading ex 16.04) (OJ L 192, 14.7.2001, p. 27); Decision No 5/2001 of the ACP/EC Customs Cooperation Committee of 7 December 2001 derogating from the definition of 'originating products' to take account of the special situation of Côte d'Ivoire and Papua New Guinea regarding the production of canned tuna (HS heading ex 16.04) (OJ L 334, 18.12.2001, p. 31); Decision No 1/2002 of the ACP/EC Customs Cooperation Committee of 26 June 2002 derogating from the definition of 'originating products' to take account of the special situation of the Seychelles regarding the production of tuna loins (HS heading ex 16.04) (OJ L 172, 2.7.2002, p. 65).

Article 3

1. The quantities set out in the Annex shall be managed by the Commission, which shall take all administrative action it deems advisable for their efficient management.

2. Where an importer presents, in a Member State, a declaration for release for free circulation, incorporating a request to benefit from this Decision, the Member State shall, if the declaration has been accepted by the customs authorities, notify the Commission of its wish to draw a quantity corresponding to its needs.

3. Requests for drawing, showing the date of acceptance of the declarations, shall be transmitted by the Member State concerned to the Commission without delay.

4. Drawings shall be granted by the Commission in order of the date of acceptance of the declarations of release for free circulation by the customs authorities of the Member States, provided that the available balance so permits.

5. If a Member State fails to use a drawing it shall return it, as soon as possible, to the appropriate quota.

6. If the quantities requested exceed the available balance of a given quota, the quantities shall be allocated on a pro rata basis. The Commission shall inform the Member States of drawings from the quotas.

7. Each Member State shall ensure that importers have continuous and equal access to the quantities available as long as the balance permits.

Article 4

1. The customs authorities of the ACP States shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 1. To that end, all the certificates they issue pursuant to this Decision shall bear a reference to it.

2. The competent authorities of those countries shall forward to the Commission every three months, via the Secretariat of the ACP Group, a statement of the quantities in respect of which movement certificates EUR.1 have been issued pursuant to this Decision and the serial numbers of those certificates.

Article 5

Box 7 of movement certificates EUR.1 issued under this Decision shall contain one of the following indications:

- Excepción — Decisión n° 2/2002
- Undtagelse — afgørelse nr. 2/2002
- Abweichung — Beschluss Nr. 2/2002
- Παρέκκλιση — Απόφαση αριθ. 2/2002
- Derogation — Decision No 2/2002
- Dérogation — Décision n° 2/2002

- Deroga — decisione n. 2/2002
- Afwijking — Besluit nr. 2/2002
- Derrogação — Decisão n.º 2/2002
- Poikkeus — päätös N:o 2/2002
- Undantag — beslut nr 2/2002.

Article 6

The ACP States, the Member States and the European Community shall take the measures necessary on their part to implement this Decision.

Article 7

1. The following decisions are hereby repealed:

- Decision No 4/2001 of the ACP/EC Customs Cooperation Committee of 27 June 2001 derogating from the definition of 'originating products' to take account of the special situation of Senegal regarding the production of canned tuna (HS heading ex 16.04),
- Decision No 5/2001 of the ACP/EC Customs Cooperation Committee of 7 December 2001 derogating from the definition of 'originating products' to take account of the special situation of Côte d'Ivoire and Papua New Guinea regarding the production of canned tuna (HS heading ex 16.04),
- Decision No 1/2002 of the ACP/EC Customs Cooperation Committee of 26 June 2002 derogating from the definition of 'originating products' to take account of the special situation of the Seychelles regarding the production of tuna loins (HS heading ex 16.04).

2. Where an importer presents, in a Member State, a declaration for release for free circulation, incorporating a request to benefit from one of the Decisions referred to in paragraph 1, that reference shall be deemed to refer to this Decision.

Article 8

This Decision shall enter into force on the date of its adoption.

This Decision shall apply from 1 October 2002.

Done at Brussels, 28 October 2002.

*For the ACP-EC Customs Cooperation
Committee*

The Joint Chairmen

Robert VERRUE

Edwin P.J. LAURENT

ANNEX

Order No	HS heading	Description of goods	Period	Quantities (in tonnes)
09.1635	ex 16.04	Canned tuna	1.10.2002 — 30.9.2003	8 000
			1.10.2003 — 30.9.2004	8 000
			1.10.2004 — 28.2.2005	3 333
09.1636	ex 16.04	Tuna loins	1.10.2002 — 30.9.2003	2 000
			1.10.2003 — 30.9.2004	2 000
			1.10.2004 — 28.2.2005	833