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*(Acts adopted pursuant to Title V of the Treaty on European Union)*

**COUNCIL DECISION**  
**of 9 April 2001**  
**appointing the Chairman of the Military Committee of the European Union**  
**(2001/309/CFSP)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 28(1) thereof,

Having regard to the Treaty establishing the European Community, and in particular Article 207 thereof,

Recalling Council Decision 2001/79/CFSP of 22 January 2001 setting up the Military Committee of the European Union <sup>(1)</sup>,

Whereas:

- (1) Pursuant to Article 3 of Decision 2001/79/CFSP, the Chairman of the Military Committee is to be appointed by the Council on the recommendation of the Committee meeting at the level of the Chiefs of Defence.
- (2) At its meeting on 26 March 2001, the Committee meeting at the level of the Chiefs of Defence recommended that Gen Hägglund be appointed Chairman of the Military Committee of the European Union,

HEREBY DECIDED AS FOLLOWS:

*Article 1*

General Gustav Hägglund, born on 6 September 1938 in Viborg, is appointed Chairman of the Military Committee of the European Union for a period of three years as from the date of adoption of this Decision.

*Article 2*

This Decision shall be published in the Official Journal.

Done at Luxembourg, 9 April 2001.

*For the Council*  
*The President*  
A. LINDH

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<sup>(1)</sup> OJ L 27, 30.1.2001, p. 4.

## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 747/2001****of 9 April 2001**

**providing for the management of Community tariff quotas and of reference quantities for products eligible for preferences by virtue of agreements with certain Mediterranean countries and repealing Regulations (EC) No 1981/94 and (EC) No 934/95**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) The Additional Protocols to the Cooperation Agreements between the European Economic Community, of the one part, and the People's Democratic Republic of Algeria <sup>(1)</sup>, the Arab Republic of Egypt <sup>(2)</sup>, the Hashemite Kingdom of Jordan <sup>(3)</sup>, the Syrian Arab Republic <sup>(4)</sup>, of the other part, and the supplementary Protocol to the Agreement establishing an association between the European Economic Community and Malta <sup>(5)</sup>, provide tariff concessions of which some fall within Community tariff quotas and reference quantities.
- (2) The Protocol laying down the conditions and procedures for the implementation of the second stage of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus and adapting certain provisions of the Agreement <sup>(6)</sup>, supplemented by Council Regulation (EC) No 3192/94 of 19 December 1994 amending the arrangements applying to imports into the Community of certain agricultural products originating in Cyprus <sup>(7)</sup>, also provide tariff concessions of which some fall within Community tariff quotas and reference quantities.
- (3) Council Regulation (EEC) No 1764/92 of 29 June 1992 amending the arrangements for the import into the Community of certain agricultural products originating

in Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Syria and Tunisia <sup>(8)</sup>, accelerated the tariff dismantling and provided for an increase of the volumes of the tariff quotas and reference quantities laid down in the Protocols to the Association or Cooperation Agreements with the Mediterranean countries in question.

- (4) The arrangements for importing oranges originating in Cyprus, in Egypt and in Israel into the Community has been adjusted by the Agreements in the form of an Exchange of Letters between the European Community and Cyprus <sup>(9)</sup>, between the European Community and the Arab Republic of Egypt <sup>(10)</sup> and between the European Community and Israel <sup>(11)</sup>.
- (5) Decision No 1/98 of the EC-Turkey Association Council of 25 February 1998 on the trade regime for agricultural products <sup>(12)</sup> provides for tariff concessions of which some are granted within tariff quotas.
- (6) The Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip <sup>(13)</sup>, of the other part, as well as the Euro-Mediterranean Agreements establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia <sup>(14)</sup>, the Kingdom of Morocco <sup>(15)</sup>, the State of Israel <sup>(16)</sup>, of the other part, provide tariff concessions of which some fall within Community tariff quotas and reference quantities.

<sup>(1)</sup> OJ L 297, 21.10.1987, p. 1.

<sup>(2)</sup> OJ L 297, 21.10.1987, p. 10.

<sup>(3)</sup> OJ L 297, 21.10.1987, p. 18.

<sup>(4)</sup> OJ L 327, 30.11.1988, p. 57.

<sup>(5)</sup> OJ L 81, 23.3.1989, p. 2.

<sup>(6)</sup> OJ L 393, 31.12.1987, p. 1.

<sup>(7)</sup> OJ L 337, 24.12.1994, p. 9.

<sup>(8)</sup> OJ L 181, 1.7.1992, p. 9.

<sup>(9)</sup> OJ L 89, 4.4.1997, p. 1.

<sup>(10)</sup> OJ L 292, 15.11.1996, p. 31.

<sup>(11)</sup> OJ L 327, 18.12.1996, p. 3.

<sup>(12)</sup> OJ L 86, 20.3.1998, p. 1.

<sup>(13)</sup> OJ L 187, 16.7.1997, p. 3.

<sup>(14)</sup> OJ L 97, 30.3.1998, p. 2.

<sup>(15)</sup> OJ L 70, 18.3.2000, p. 2.

<sup>(16)</sup> OJ L 147, 21.6.2000, p. 3.

- (7) These tariff concessions have been implemented by Council Regulation (EC) No 1981/94 of 25 July 1994, opening and providing for the administration of Community tariff quotas for certain products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas <sup>(1)</sup>, and by Council Regulation (EC) No 934/95 of 10 April 1995 establishing a Community statistical surveillance in the framework of reference quantities for a certain number of products originating in Cyprus, Egypt, Israel, Jordan, Malta, Morocco Syria, Tunisia, and the West Bank and the Gaza Strip <sup>(2)</sup>.
- (8) As both Council Regulations (EC) No 1981/94 and (EC) No 934/95 have been repeatedly and substantially amended, they now need to be recast and simplified in line with the Council Resolution of 25 October 1996 on the simplification and rationalisation of the Community's customs regulations and procedures <sup>(3)</sup>. In the interest of rationalising the implementation of the tariff measures concerned, the provisions relating to tariff quotas and reference quantities should be grouped together in one single regulation which takes account of subsequent amendments of Regulations (EC) No 1981/94 and (EC) No 934/95, together with amendments to the Combined Nomenclature codes and to the TARIC-subdivisions.
- (9) As the preferential agreements concerned are concluded for an unlimited period, it is appropriate not to limit the duration of this Regulation.
- (10) Entitlement to benefit from the tariff concessions is subject to presentation to the customs authorities of the relevant proof of origin as provided for in the preferential agreements in question between the European Community and Mediterranean countries.
- (11) The preferential agreements in question provide, when a reference quantity is exceeded, for the Community to have the possibility to replace in the following preferential period the concession granted within that reference quantity by a tariff quota of equal amount.
- (12) As a result of the agreements reached in the Uruguay Round multilateral negotiations the customs duties of the Common Customs Tariff became as favourable for certain products as the tariff concession granted for these products in the Mediterranean preferential agreements. It is therefore not necessary to continue providing for the management of the tariff quota for prepared or preserved turkey meat originating in Israel or of the reference quantity for peas for sowing originating in Morocco.
- (13) Council or Commission Decisions amending the Combined Nomenclature and TARIC codes do not entail any substantive changes. For the sake of simplification and of timely publication of regulations implementing the Community tariff quotas and reference quantities provided for in new preferential agreements, protocols, Exchanges of Letters or other acts concluded between the Community and Mediterranean countries, and insofar these acts already specify the products eligible for tariff preferences in the framework of tariff quotas and reference quantities, their volumes, duties, periods and any eligibility criteria, it is appropriate to provide that the Commission may, having consulted the Customs Code Committee, make any necessary changes and technical amendments to this Regulation. This does not affect the specific procedure provided in Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products <sup>(4)</sup>.
- (14) Commission Regulation (EC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code <sup>(5)</sup> codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations and for surveillance of preferential imports.
- (15) For reasons of speed and efficiency, communication between the Member States and the Commission should, as far as possible, take place by telematic link.
- (16) Entitlement to benefit from the tariff concessions for large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations is subject to compliance with the conditions of Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip <sup>(6)</sup>.

<sup>(1)</sup> OJ L 199, 2.8.1994, p. 1. Regulation as last amended by Commission Regulation (EC) No 563/2000 (OJ L 68, 16.3.2000, p. 46).

<sup>(2)</sup> OJ L 96, 28.4.1995, p. 6. Regulation as last amended by Commission Regulation (EC) No 800/2000 (OJ L 96, 18.4.2000, p. 33).

<sup>(3)</sup> OJ C 332, 7.11.1996, p. 1.

<sup>(4)</sup> OJ L 318, 20.12.1993, p. 18. Regulation as last amended by Regulation (EC) No 2580/2000 (OJ L 298, 25.11.2000, p. 5).

<sup>(5)</sup> OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 1602/2000 (OJ L 188, 26.7.2000, p. 1).

<sup>(6)</sup> OJ L 382, 31.12.1987, p. 22. Regulation as last amended by Regulation (EC) No 1300/1997 (OJ L 177, 5.7.1997, p. 1).

- (17) Wines originating in Algeria, Morocco and Tunisia and carrying a registered designation of origin, must be accompanied either by a certificate of designation of origin in accordance with the model specified in the preferential agreement or by the V I 1 document or a V I 2 extract annotated in compliance with Article 9 of Commission Regulation (EEC) No 3590/85 of 18 December 1985 on the certificate and analysis report required for the importation of wine, grape juice and grape must <sup>(1)</sup>.
- (18) Entitlement to benefit from the tariff quota for liqueur wines originating in Cyprus is subject to compliance with the condition that the wines be designated as 'liqueur wines' in the V I 1 document or a V I 2 extract provided for in Commission Regulation (EEC) No 3590/85.
- (19) Council Decision of 22 December 2000 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the Republic of Tunisia concerning reciprocal liberalisation measures and amendment of the Agricultural Protocols to the EC/Tunisia Association Agreement <sup>(2)</sup>, provides for new tariff concessions and for changes to existing concessions of which some fall within Community tariff quotas and reference quantities.
- (20) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission <sup>(3)</sup>,

HAS ADOPTED THIS REGULATION:

#### Article 1

#### **Tariff concessions within Community tariff quotas or within reference quantities**

When products originating in Algeria, Morocco, Tunisia, Egypt, Jordan, Syria, Israel, West Bank and the Gaza Strip, Turkey, Malta and Cyprus listed in Annexes I to XI are put into free circulation in the Community, they shall be eligible for exemption or reduced rates of customs duties within the limits of the Community tariff quotas or in the framework of the reference quantities, during the periods and in accordance with the provisions set out in this Regulation.

#### Article 2

#### **Special provisions for tariff quotas for fresh cut flowers and flower buds**

1. The application of the tariff quotas for fresh cut flowers and flower buds may, by Commission Regulation, be suspended and the Common Customs Tariff duty re-established for large-flowered roses, small-flowered roses, uniflorous

(bloom) carnations and multiflorous (spray) carnations if the price conditions laid down by Regulation (EEC) No 4088/87 are not being observed.

2. Imports into the Community of products on which the Common Customs Tariff duty has been re-established during the period of application of such re-establishment, shall not be eligible for benefit from the tariff quota concerned.

#### Article 3

#### **Special conditions for entitlement to the tariff quotas for certain wines**

1. To benefit from the Community tariff quotas mentioned in Annexes I to III under order numbers 09.1001, 09.1107 and 09.1205, the wines shall be accompanied either by a certificate of designation of origin issued by the relevant Algerian, Moroccan or Tunisian authority, in accordance with the model set out in Annex XII, or, by a V I 1 document or a V I 2 extract annotated in compliance with Article 9 of Regulation (EEC) No 3590/85.

2. Entitlement to benefit from the tariff quota under order number 09.1417 referred to in Annex XI for liqueur wines originating in Cyprus is subject to compliance with the condition that the wines be designated as 'liqueur wines' in the V I 1 document or a V I 2 extract provided for in Regulation (EEC) No 3590/85.

#### Article 4

#### **Management of tariff quotas and reference quantities**

1. The tariff quotas referred to in this Regulation shall be managed by the Commission in accordance with Articles 308a to 308c of Regulation (EEC) No 2454/93.

2. Products put into free circulation with the benefit of the preferential rates, in particular those provided within the reference quantities referred to in Article 1, shall be subject to Community surveillance in accordance with Article 308d of Regulation (EEC) No 2454/93. The Commission in consultation with the Member States shall decide on the products other than those covered by reference quantities to which surveillance applies.

3. Communication referring to the management of tariff quotas and reference quantities between the Member States and the Commission shall be effected, as far as possible, by telematic link.

#### Article 5

#### **Conferment of powers**

1. Without prejudice to the procedure laid down by Council Regulation (EC) No 3448/93, the Commission can, in accordance with the procedure referred to in Article 6(2) of this Regulation, adopt the provisions necessary for the application of this Regulation, notably:

<sup>(1)</sup> OJ L 343, 20.12.1985, p. 20. Regulation as last amended by Regulation (EC) No 960/1998 (OJ L 135, 8.5.1998, p. 4).

<sup>(2)</sup> OJ L 336, 30.12.2000, p. 92.

<sup>(3)</sup> OJ L 184, 17.7.1999, p. 23.

- (a) amendments and technical adjustments necessary following changes to the Combined Nomenclature codes and to the Taric-subdivisions;
  - (b) the necessary adaptations arising from the entry into force of new agreements, protocols, Exchanges of Letters or any other act concluded between the Community and Mediterranean countries and adopted by the Council, where such agreements, protocols, Exchanges of Letters or other Council acts specify the products eligible for tariff preferences in the framework of tariff quotas and reference quantities, their volumes, duties, periods and any eligibility criteria.
2. The provisions adopted in accordance with paragraph 1 do not authorise the Commission to:
- (a) carry over preferential quantities from one period to another;
  - (b) transfer quantities under one tariff quota or reference quantity to another tariff quota or reference quantity;
  - (c) transfer quantities from a tariff quota to a reference quantity and vice versa;
  - (d) change the timetables laid down in the agreements, protocols, Exchanges of Letters or other Council acts;
  - (e) adopt legislation affecting tariff quotas managed by means of import licences.

#### Article 6

##### Management Committee

1. The Commission shall be assisted by the Customs Code Committee set up by Article 248a of Regulation (EEC) No 2913/92 <sup>(1)</sup>, hereinafter referred to as the 'Committee'.

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

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

3. The Committee shall adopt its Rules of Procedure.

#### Article 7

##### Cooperation

The Member States and the Commission shall cooperate closely to ensure compliance with this Regulation.

#### Article 8

##### Repeals

Regulations (EC) No 1981/94 and (EC) No 934/95 are hereby repealed.

References to Regulations (EC) No 1981/94 and (EC) No 934/95 shall be deemed to refer to this Regulation and read according to the correspondence table in Annex XIII.

#### Article 9

##### Entry into force

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

It shall apply from 1 January 2001 for the tariff quotas mentioned in Annex III under order numbers 09.1211, 09.1215, 09.1217, 09.1218, 09.1219 and 09.1220.

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

Done at Luxembourg, 9 April 2001.

*For the Council*

*The President*

A. LINDH

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<sup>(1)</sup> OJ L 302, 19.10.1992, p.1. Regulation as last amended by Regulation (EC) No 2700/2000 (OJ L 311, 12.12.2000, p. 17).



## ANNEX I

## ALGERIA

## Tariff quotas

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

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume	Quota duty
09.1001	ex 2204 21 79 ex 2204 21 80 ex 2204 21 83 ex 2204 21 84	71 71 71 71	Wines entitled to one of the following designations of origin: Aïn Bessem-Bouira, Médéa, Coteaux du Zaccar, Dhara, Coteaux de mascara, Monts du Tessalah, Coteaux de Tlemcen, of an actual alcoholic strength by volume not exceeding 15 % vol, in containers holding 2 l or less	from 1.1 to 31.12	224 000 hl	Exemption
09.1003	2204 10 19 2204 10 99  2204 21 10 2204 21 79 ex 2204 21 80  2204 21 83 ex 2204 21 84  ex 2204 21 94 ex 2204 21 98 ex 2204 21 99 2204 29 10 2204 29 65 ex 2204 29 75 2204 29 83 ex 2204 29 84  ex 2204 29 94  ex 2204 29 98 ex 2204 29 99	    71 79 80  10 71 79 80 10 30 10 30 10  10 30 10 30 10 30 10	Other sparkling wine  Other wine of fresh grapes	from 1.1 to 31.12	224 000 hl	Exemption

## ANNEX II

## MOROCCO

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

PART A: **Tariff quotas**

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1135	0603 10 10 0603 10 40 0603 10 50 0603 10 20		Fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes: Roses Gladioli Chrysanthemums Carnations	from 15.10 to 14.5 from 15.10 to 14.5 from 15.10 to 14.5 from 15.10 to 31.5	3 000	Exemption
09.1136	0603 10 30 0603 10 80		Fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes: Orchids and other flowers	from 15.10 to 14.5	2 000	Exemption
09.1115	ex 0701 90 50 ex 0701 90 90	10	New potatoes and so-called 'new potatoes', fresh or chilled	from 1.12 to 30.4	120 000	Exemption
09.1116	0702 00 00		Tomatoes, fresh or chilled	from 1.1 to 31.12	168 757	Exemption <sup>(1)</sup>
09.1189	0702 00 00		Tomatoes, fresh or chilled	from 1.10 to 31.10	5 000 <sup>(2)</sup> <sup>(3)</sup>	<sup>(4)</sup>
09.1190				from 1.11 to 31.3	145 676 <sup>(2)</sup> <sup>(3)</sup>	<sup>(4)</sup>
09.1127	0703 10 11 0703 10 19 ex 0709 90 90	50	Onions, including wild onions of the species <i>Muscari comosum</i> , fresh or chilled	from 15.2 to 15.5	7 840	Exemption
09.1109	ex 0704 90 90	20	Chinese cabbage, fresh or chilled	from 1.11 to 31.12	120	Exemption
09.1111	ex 0705 11 00	10	'Iceberg' lettuce, fresh or chilled	from 1.11 to 31.12	120	Exemption
09.1139	0707 00		Cucumbers and gherkins, fresh or chilled	from 1.1 to 31.12	5 600	Exemption <sup>(1)</sup>
09.1137	0707 00 05		Cucumbers, fresh or chilled	from 1.11 to 31.5	5 000 <sup>(2)</sup> <sup>(3)</sup>	<sup>(5)</sup>

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1138	0709 10 00		Globe artichokes, fresh or chilled	from 1.11 to 31.12	500 <sup>(2)</sup> <sup>(3)</sup>	—
09.1132	0709 90 70		Courgettes, fresh or chilled	from 1.11 to 31.5	5 600	Exemption <sup>(1)</sup>
09.1133				from 1.10 to 20.4	5 600 <sup>(2)</sup> <sup>(3)</sup>	<sup>(6)</sup>
09.1141	0709 40 00 ex 0709 51 10 0709 51 30 0709 51 50 ex 0709 51 90 0709 70 00 ex 0709 90	90  90	Other vegetables, fresh or chilled:  Celery other than celeriac  Mushrooms, other than cultivated mushrooms  Spinach, New Zealand spinach and orache spinach (garden spinach)  Other vegetables, excluding courgettes of subheading 0709 90 70, okra and wild onions of subheading ex 0709 90 90	from 1.1 to 31.12	8 960	Exemption
09.1143	ex 0710		Vegetables (uncooked or cooked by steaming or boiling in water), frozen, excluding peas of subheadings 0710 21 00 and ex 0710 29 00 and excluding other fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i> of subheading 0710 80 59	from 1.1 to 31.12	6 720	Exemption
09.1121	0805 10 10 0805 10 30 0805 10 50 ex 0805 10 80	10	Fresh oranges	from 1.1 to 31.12	380 800	Exemption <sup>(1)</sup>
09.1122				from 1.12 to 31.5	300 000 <sup>(2)</sup> <sup>(3)</sup>	<sup>(7)</sup>
09.1129	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	05 05 05 05 05, 09	Mandarins (including tangerines and satsumas), clementines, wilkings and similar citrus hybrids, fresh	from 1.1 to 31.12	168 000	Exemption <sup>(1)</sup>
09.1130	ex 0805 20 10	05	Fresh clementines	from 1.11 to 28/29.2	110 000 <sup>(2)</sup> <sup>(3)</sup>	<sup>(8)</sup>
09.1145	0808 20 90		Fresh quinces	from 1.1 to 31.12	1 000	Exemption
09.1147	ex 2001 10 00	90	Gherkins, prepared or preserved by vinegar or acetic acid	from 1.1 to 31.12	3 584	Exemption
09.1119	2004 90 50 2005 40 00 2005 59 00		Peas ( <i>Pisum sativum</i> ) and immature beans in pod prepared or preserved otherwise than by vinegar or acetic acid, whether or not frozen	from 1.1 to 31.12	10 440	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1105	ex 2008 50 92 ex 2008 50 94	20 20	Apricot pulp, not containing added spirit or sugar, in immediate packings of a net content of 4,5 kg or more	from 1.1 to 31.12	9 899	Exemption
09.1149	2008 92 51 2008 92 59 2008 92 72 2008 92 74 2008 92 76 2008 92 78		Mixtures of fruit, containing added sugar, but not containing added spirit	from 1.1 to 31.12	100	Exemption
09.1123	2009 11 11 2009 11 19 2009 11 91 2009 11 99 2009 19 11 2009 19 19 2009 19 91 2009 19 99		Orange juice	from 1.1 to 31.12	37 640	Exemption
09.1124	ex 2009 11 11 ex 2009 11 19 ex 2009 11 91 ex 2009 11 99  ex 2009 19 11 ex 2009 19 19 ex 2009 19 91 ex 2009 19 99	10 10 10 11, 19 92, 94  10 10 10 10	of which:  Orange juice imported in packings of a capacity of 2 l or less	from 1.1 to 31.12	11 292	Exemption
09.1107	ex 2204 21 79 ex 2204 21 80 ex 2204 21 83 ex 2204 21 84	72 72 72 72	Wines entitled to one of the following designations of origin: Berkane, Saïs, Beni M'Tir, Guerrouane, Zemmour and Zennata, of an actual alcoholic strength by volume not exceeding 15 % vol and in containers holding 2 l or less	from 1.1 to 31.12	56 000 hl	Exemption
09.1131	2204 10 19 2204 10 99  2204 21 10 2204 21 79 ex 2204 21 80  2204 21 83 ex 2204 21 84  ex 2204 21 94  ex 2204 21 98  ex 2204 21 99 2204 29 10 2204 29 65	    72 79 80   10 72 79 80  10 30  10 30  10	Other sparkling wine  Other wine of fresh grapes	from 1.1 to 31.12	95 200 hl	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1131 (cont'd)	ex 2204 29 75 2204 29 83 ex 2204 29 84 ex 2204 29 94 ex 2204 29 98 ex 2204 29 99	10  10 30 10 30 10 30 10				

(<sup>1</sup>) The exemption applies only to the *ad valorem* duty.

(<sup>2</sup>) Within these tariff quotas, the specific duty provided in the Community's list of concessions to the WTO is reduced to zero, if the entry price is not less than the following between the European Community and Morocco agreed entry price:

(a) for tomatoes, EUR 461/tonne from 1 October to 31 March;

(b) for cucumbers, EUR 449/tonne from 1 November to 31 May;

(c) for globe artichokes, EUR 571/tonne from 1 November to 31 December;

(d) for courgettes:

— EUR 424/tonne from 1 to 31 January, from 1 to 20 April and from 1 October to 31 December,

— during the period from 1 February to 31 March the 'WTO' entry price which is more favourable than the agreed entry price shall apply;

(e) for oranges: EUR 264/tonne, from 1 December to 31 May;

(f) for clementines, EUR 484/tonne from 1 November to the end of February.

(<sup>3</sup>) If the entry price for a consignment is 2, 4, 6 or 8 % lower than the agreed entry price as specified in footnote (<sup>2</sup>), the specific customs quota duty shall be equal respectively to 2, 4, 6 or 8 % of this agreed entry price. If the entry price of a consignment is less than 92 % of the agreed entry price, the specific customs duty bound within the WTO shall apply.

(<sup>4</sup>) Also exemption of the *ad valorem* duty, in the framework of the tariff quota under order No 09.1116.

(<sup>5</sup>) Also exemption of the *ad valorem* duty, in the framework of the tariff quota under order No 09.1139.

(<sup>6</sup>) Also exemption of the *ad valorem* duty during the period from 1 November to 20 April, in the framework of the tariff quota under order No 09.1132.

(<sup>7</sup>) Also exemption of the *ad valorem* duty, in the framework of the tariff quota under order No 09.1121.

(<sup>8</sup>) Also exemption of the *ad valorem* duty, in the framework of the tariff quota under order No 09.1129.

#### PART B: Reference quantities

Order No	CN code	TARIC subdivision	Description of goods	Reference quantity period	Reference quantity volume (in tonnes)	Reference quantity duty
18.0005	ex 0602		Other live plants (including their roots), cuttings and slips; mushroom spawn; excluding roses of subheading No 0602 40	from 1.1 to 31.12	336	Exemption
18.0020	0703 10 90 0703 20 00 0703 90 00		Shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled	from 1.1 to 31.12	168	Exemption
18.0035	ex 0704  0705  0706		Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled, excluding Chinese cabbage  Lettuce ( <i>Lactuca sativa</i> ) and chicory ( <i>Cichorium spp.</i> ), fresh or chilled  Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled	from 1.1 to 31.12	560	Exemption
18.0070	0709 60 10		Sweet peppers, fresh or chilled	from 1.1 to 31.12	3 360	Exemption
18.0075	0711 10 00 0711 40 00 ex 0711 90		Onions, cucumbers and gherkins, other vegetables and mixtures of vegetables, provisionally preserved, but unsuitable in that state for immediate consumption, excluding fruits of the genus <i>Capsicum</i> or of the genus <i>Pimenta</i>	from 1.1 to 31.12	560	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Reference quantity period	Reference quantity volume (in tonnes)	Reference quantity duty
18.0085	ex 0712		Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared, excluding onions and olives	from 1.1 to 31.12	560	Exemption
18.0115	0804 20		Figs, fresh or dried	from 1.1 to 31.12	336	Exemption
18.0127	ex 0805 10 80 ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90 ex 0805 30 10 ex 0805 30 90	90 99 99 99 99 91, 99 99 91, 99	Oranges, other than fresh Mandarins (including tangerines and satsumas), clementines, wilkings and similar citrus hybrids, other than fresh  Lemons and limes, other than fresh	from 1.1 to 31.12	1 120	Exemption <sup>(1)</sup>
18.0147	0809 10 00 0809 20 0809 30		Fresh apricots Fresh cherries Peaches, including nectarines, fresh	from 1.1 to 31.12	560	Exemption
18.0150	0810 50 00		Fresh kiwi-fruit	from 1.1 to 30.4	240	Exemption
18.0200	2008 50 61 2008 50 69		Apricots, otherwise prepared or preserved, not containing added spirit, containing added sugar and in immediate packings of a net content exceeding 1 kg	from 1.1 to 31.12	7 560	Exemption
18.0230	ex 2008 50 99 ex 2008 70 99	10 10	Apricot halves and peach halves (including nectarines), otherwise prepared or preserved, not containing added spirit nor sugar, in immediate packings of a net content of less than 4,5 kg	from 1.1 to 31.12	7 200	Exemption
18.0245	2009 20 99		Grapefruit juice	from 1.1 to 31.12	960	Exemption

<sup>(1)</sup> The exemption applies only to the *ad valorem* duty.

## ANNEX III

## TUNISIA

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

## PART A: Tariff quotas

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1218	0409 00 00		Natural honey	from 1.1 to 31.12	50	Exemption
09.1211	0603 10		Fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	from 1.1 to 31.12	1 000 <sup>(1)</sup>	Exemption
09.1213	ex 0701 90 50		New potatoes, fresh or chilled	from 1.1 to 31.3	16 800 <sup>(1)</sup>	Exemption
09.1219	0711 20 10		Olives provisionally preserved, for uses other than the production of oil <sup>(2)</sup>	from 1.1 to 31.12	10	Exemption
09.1207	0805 10 10 0805 10 30 0805 10 50 ex 0805 10 80	10	Fresh oranges	from 1.1 to 31.12	35 123 <sup>(1)</sup>	Exemption <sup>(3)</sup>
09.1201	ex 1604 13 11 ex 1604 13 19 ex 1604 20 50	20 20 10	Prepared or preserved sardines of the species <i>Sardina pilchardus</i>	from 1.1 to 31.12	100	Exemption
09.1215	2002 90 31 2002 90 39 2002 90 91 2002 90 99		Tomatoes prepared or preserved otherwise than by vinegar or acetic acid, other than whole or in pieces, with a dry matter content of not less than 12 %	from 1.1 to 31.12	2 500 <sup>(4)</sup>	Exemption
09.1220	2003 20 00		Truffles, prepared or preserved otherwise than by vinegar or acetic acid	from 1.1 to 31.12	5	Exemption
09.1203	ex 2008 50 92 ex 2008 50 94	20 20	Apricot pulp, not containing added spirit or sugar, in immediate packings of a net content of 4,5 kg or more	from 1.1 to 31.12	5 160	Exemption
09.1217	2008 92 51 2008 92 59 2008 92 72 2008 92 74 2008 92 76 2008 92 78		Mixtures of fruit, not containing added spirit, containing added sugar	from 1.1 to 31.12	1 000	Exemption
09.1205	ex 2204 21 79 ex 2204 21 80 ex 2204 21 83 ex 2204 21 84	73 73 73 73	Wines entitled to one of the following designations of origin: Coteaux de Tebourda, Coteaux d'Utique, Sidi-Salem, Kelibia, Thibar, Mornag, Grand cru Mornag, of an actual alcoholic strength by volume of 15 % vol or less and in containers holding 2 l or less	from 1.1 to 31.12	56 000 hl	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1209	2204 10 19		Other sparkling wine	from 1.1 to 31.12	179 200 hl	Exemption
	2204 10 99		Other wine of fresh grapes			
	2204 21 10					
	2204 21 79					
	ex 2204 21 80	73				
		79				
		80				
	2204 21 83					
	ex 2204 21 84	10				
		73				
		79				
		80				
	ex 2204 21 94	10				
		30				
	ex 2204 21 98	10				
		30				
	ex 2204 21 99	10				
	2204 29 10					
	2204 29 65					
	ex 2204 29 75	10				
	2204 29 83					
	ex 2204 29 84	10				
		30				
	ex 2204 29 94	10				
		30				
	ex 2204 29 98	10				
		30				
	ex 2204 29 99	10				

(<sup>1</sup>) This quota volume shall be increased from 1 January 2002 to 1 January 2005 on the basis of 4 equal instalments each corresponding to 3 % of this volume.

(<sup>2</sup>) Entry under this subheading is subject to conditions laid down in the relevant Community provisions (see Articles 291 to 300 of Commission Regulation (EEC) No 2454/93 (OJ L 253, 11.10.1993, p. 71) and subsequent amendments).

(<sup>3</sup>) The exemption applies only to the *ad valorem* duty.

(<sup>4</sup>) This quota volume shall be increased to 2 875 tonnes on 1 January 2002, to 3 250 tonnes on 1 January 2003, to 3 625 tonnes on 1 January 2004 and to 4 000 tonnes from 1 January 2005.

#### PART B: Reference quantities

Order No	CN code	TARIC subdivision	Description of goods	Reference quantity period	Reference quantity volume (in tonnes)	Reference quantity duty
18.0110	0802 11 90 0802 12 90		Almonds, other than bitter almonds, whether or not shelled	from 1.1 to 31.12	1 120 ( <sup>1</sup> )	Exemption ( <sup>1</sup> )
18.0125	ex 0805 10 80	90	Oranges, other than fresh	from 1.1 to 31.12	1 680 ( <sup>1</sup> )	Exemption
18.0145	0809 10 00		Apricots, fresh	from 1.1 to 31.12	2 240 ( <sup>1</sup> )	Exemption ( <sup>2</sup> )

(<sup>1</sup>) This reference quantity volume shall be increased from 1 January 2002 to 1 January 2005 on the basis of 4 equal instalments each corresponding to 3 % of this volume.

(<sup>2</sup>) The exemption applies only to the *ad valorem* duty.



## ANNEX IV

## EGYPT

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

## PART A: Tariff quotas

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1705	ex 0701 90 50		New potatoes, fresh or chilled	from 1.1 to 31.3	109 760	Exemption
09.1703	0703 10 11 0703 10 19 ex 0709 90 90	50	Onions, including wild onions of the species <i>Muscari comosum</i> , fresh or chilled	from 1.2 to 15.5	12 120	Exemption
09.1709	ex 0708 20 00	10, 20	Beans ( <i>Phaseolus</i> spp.), fresh or chilled	from 1.11 to 30.4	7 680	Exemption
09.1701	0712 20 00		Dried onions, whole, cut, sliced, broken or in powder, but not further prepared	from 1.1 to 31.12	5 880	Exemption
09.1707	0805 10 10 0805 10 30 0805 10 50 ex 0805 10 80	10	Fresh oranges	from 1.7 to 30.6	7 840	Exemption <sup>(1)</sup>
09.1711				from 1.12 to 31.5	8 000 <sup>(2)</sup>	<sup>(3)</sup>

<sup>(1)</sup> The exemption applies only to the *ad valorem* duty.

<sup>(2)</sup> Within this tariff quota, the specific duty provided in the Community's list of concessions to the WTO is reduced to zero, if the entry price is not less than EUR 264/tonne, being the entry price agreed between the European Community and Egypt. If the entry price for a consignment is 2, 4, 6 or 8 % lower than the agreed entry price, the specific customs quota duty shall be equal respectively to 2, 4, 6 or 8 % of this agreed entry price. If the entry price of a consignment is less than 92 % of the agreed entry price, the specific customs duty bound within the WTO shall apply.

<sup>(3)</sup> Also exemption of the *ad valorem* duty, in the framework of the tariff quota with order No 09.1707.

## PART B: Reference quantities

Order No	CN code	TARIC Subdivision	Description of goods	Reference quantity period	Reference quantity volume (in tonnes)	Reference quantity duty
18.0030	0703 20 00		Garlic, fresh or chilled	from 1.2 to 31.5	1 920	Exemption
18.0040	ex 0707 00 05	10, 90	Cucumbers of a length not exceeding 15 cm, fresh or chilled	from 1.1 to 28/29.2	120	Exemption <sup>(1)</sup>
18.0050	0709 10 00		Globe artichokes, fresh or chilled	from 1.10 to 31.12	120	Exemption <sup>(1)</sup>

Order No	CN code	TARIC Subdivision	Description of goods	Reference quantity period	Reference quantity volume (in tonnes)	Reference quantity duty
18.0090	ex 0712 90 90	20	Dried garlic	from 1.1 to 31.12	1 200	Exemption
18.0140	ex 0807 19 00	10, 91	Other melons weighing 600 grams or less, fresh	from 1.1 to 31.3	120	Exemption

(<sup>1</sup>) The exemption applies only to the *ad valorem* duty.

## ANNEX V

## JORDAN

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

PART A: **Tariff quota**

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1152	0603 10		Fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	from 1.11 to 31.10	56	Exemption

PART B: **Reference quantities**

Order No	CN code	TARIC subdivision	Description of goods	Reference quantity period	Reference quantity volume (in tonnes)	Reference quantity duty
18.0040	ex 0707 00 05	10, 90	Cucumbers of a length not exceeding 15 cm, fresh or chilled	from 1.1 to 28/29.2	120	Exemption <sup>(1)</sup>
18.0140	ex 0807 19 00	10, 91	Other melons weighing 600 grams or less, fresh	from 1.1 to 31.3	120	Exemption

<sup>(1)</sup> The exemption applies only to the *ad valorem* duty.

## ANNEX VI

## SYRIA

**Reference quantity**

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

Order No	CN code	TARIC subdivision	Description of goods	Reference quantity period	Reference quantity volume (in tonnes)	Reference quantity duty
18.0080	0712 20 00		Dried onions, whole, cut, sliced, broken or in powder, but not further prepared	from 1.1 to 31.12	840	Exemption

## ANNEX VII

## ISRAEL

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

## PART A: Tariff quotas

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1306	0603 10		Fresh cut flowers and flowers buds of a kind suitable for bouquets or for ornamental purposes	from 1.1 to 31.12	19 500	Exemption
09.1341	0603 10 80		Other fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	from 1.11 to 15.4	5 000	Exemption
09.1351	0603 90 00		Cut flowers and flower buds, dried, dyed, bleached, impregnated or otherwise prepared	from 1.1 to 31.12	100	Exemption
09.1309	ex 0701 90 50		New potatoes, fresh or chilled	from 1.1 to 31.3	22 400	Exemption
09.1342	0702 00 00		Tomatoes, fresh or chilled	from 1.1 to 31.12	1 000	Exemption <sup>(1)</sup>
09.1335	0703 10 11 0703 10 19 ex 0709 90 90	50	Onions, including wild onions of the species <i>Muscari comosum</i> , fresh or chilled	from 15.2 to 15.5	13 400	Exemption
09.1311	ex 0704 90 90	20	Chinese cabbage, fresh or chilled	from 1.11 to 31.3	1 120	Exemption
09.1313	0705 11 00		Cabbage lettuce (head lettuce), fresh or chilled	from 1.11 to 31.3	336	Exemption
09.1317	ex 0706 10 00	10	Carrots, fresh or chilled	from 1.1 to 30.4	6 832	Exemption
09.1321	ex 0709 40 00	10	Celery sticks, fresh or chilled	from 1.1 to 30.4	13 000	Exemption
09.1303	0709 60 10		Sweet peppers, fresh or chilled	from 1.1 to 31.12	8 900	Exemption
09.1343	0709 90 90 0810 90 85		Other fresh fruits and fresh or chilled vegetables	from 1.1 to 31.12	2 240	Exemption
09.1353	0710 40 00 2004 90 10		Sweet corn, frozen	from 1.1 to 31.12	10 600	70 % of the specific duty
09.1354	0711 90 30 2001 90 30 2005 80 00		Sweet corn, not frozen	from 1.1 to 31.12	5 400	70 % of the specific duty
09.1344	0712 90 30 0712 90 50 0712 90 90		Tomatoes, carrots and other vegetables, dried, whole, cut, sliced, broken or in powder, but not further prepared	from 1.1 to 31.12	100	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1323	0805 10 10 0805 10 30 0805 10 50 ex 0805 10 80	10	Fresh oranges	from 1.7 to 30.6	200 000	Exemption <sup>(1)</sup> <sup>(2)</sup>
09.1325	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	05 05 05 05 05, 09	Mandarins (including tangarines and satsumas), clementines, wilkings and similar citrus hybrids, fresh	from 1.1 to 31.12	21 000	Exemption <sup>(1)</sup>
09.1345	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	05 05 05 05 05, 09	Mandarins (including tangerines and satsumas), clementines, wilkings and similar citrus hybrids, fresh	from 15.3 to 30.9	14 000	Exemption <sup>(1)</sup>
09.1315	ex 0805 30 10	05	Fresh lemons	from 1.1 to 31.12	7 700	Exemption <sup>(1)</sup>
09.1346	ex 0805 30 90	11, 19	Fresh limes	from 1.1 to 31.12	1 000	Exemption
09.1327	0807 11 00		Watermelons, fresh	from 1.4 to 15.6	9 400	Exemption
09.1329	0807 19 00		Other melons, fresh	from 1.11 to 31.5	11 400	Exemption
09.1339	0810 10 00		Strawberries, fresh	from 1.11 to 31.3	2 600	Exemption
09.1337	ex 0812 90 20	10	Oranges, comminuted, provisionally preserved	from 1.1 to 31.12	10 000	Exemption
09.1355	1704 90 30		White chocolate	from 1.1 to 31.12	100	70 % of the specific duty
09.1356	1806		Chocolate and other food preparations containing cocoa	from 1.1 to 31.12	2 500	85 % of the specific duty or of the agricultural component
09.1357	ex 1901 10 00  ex 1901 90 99  ex 2106 10 80 ex 2106 90 98	22, 26, 30, 34, 38, 42, 46, 50, 54, 58, 62, 66, 14, 20, 52, 56, 80, 84, 20, 23, 27, 33, 37, 43, 47	Preparations for infants use, containing milk and milk products	from 1.1 to 31.12	100	70 % of the agricultural component
09.1358	1904		Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes), cereals (other than maize (corn)), in grain form or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included.	from 1.1 to 31.12	200	70 % of the specific duty or of the agricultural component

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1359	1905		Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	from 1.1 to 31.12	3 200	70 % of the specific duty or of the agricultural component
09.1307	2002 10 10		Peeled tomatoes, prepared or preserved otherwise than by vinegar or acetic acid	from 1.1 to 31.12	3 500	Exemption
09.1348	2004 90 98		Other vegetables, prepared or preserved otherwise than by vinegar or acetic acid, frozen	from 1.1 to 31.12	1 000	Exemption
09.1349	ex 2008 40 71 ex 2008 50 71 ex 2008 70 71 ex 2008 92 74 ex 2008 92 78 ex 2008 99 68	10 10 10 13 30 30	Slices of apples, of pears, of apricots, of peaches and mixtures of sliced fruits, fried in oil	from 1.1 to 31.12	100	Exemption
09.1301	ex 2008 50 92 ex 2008 50 94	20 20	Apricot pulp, not containing added spirit or sugar, in immediate packings of a net content of 4,5 kg or more	from 1.1 to 31.12	180	Exemption
09.1350	2008 92 51 2008 92 59 2008 92 72 2008 92 74 2008 92 76 2008 92 78		Mixtures of fruit, not containing added spirit, containing added sugar	from 1.1 to 31.12	250	Exemption
09.1331	2009 11 11 2009 11 19 2009 11 91 2009 11 99 2009 19 11 2009 19 19 2009 19 91 2009 19 99		Orange juice	from 1.1 to 31.12	92 600	Exemption <sup>(1)</sup>
09.1333	ex 2009 11 11 ex 2009 11 19 ex 2009 11 91 ex 2009 11 99  ex 2009 19 11 ex 2009 19 19 ex 2009 19 91 ex 2009 19 99	10 10 10 11, 19 92, 94 10 10 10 10	of which: Orange juice imported in packings of a capacity of 2 l or less	from 1.1 to 31.12	22 400	Exemption <sup>(1)</sup>
09.1319	2009 50		Tomato juice	from 1.1 to 31.12	10 200	Exemption
09.1352	2204 21 10 ex 2204 21 79 ex 2204 21 80 ex 2204 21 83 ex 2204 21 84 ex 2204 21 94 ex 2204 21 98 ex 2204 21 99	79, 80 79, 80 10, 79, 80 10, 79, 80 10, 30 10, 30 10	Other wine of fresh grapes	from 1.1 to 31.12	1 610 hl	Exemption

<sup>(1)</sup> The exemption applies only to the *ad valorem* duty.

<sup>(2)</sup> Within this tariff quota, the specific duty provided in the Community's list of concessions to the WTO is reduced to zero, for the period from 1 December to 31 May, if the entry price is not less than EUR 264/tonne, being the entry price agreed between the European Community and Israel. If the entry price for a consignment is 2, 4, 6 or 8 % lower than the agreed entry price, the specific customs quota duty shall be equal respectively to 2, 4, 6 or 8 % of this agreed entry price. If the entry price of a consignment is less than 92 % of the agreed entry price, the specific customs duty bound within the WTO shall apply.

PART B: **Reference quantities**

Order No	CN code	TARIC Subdivision	Description of goods	Reference quantity period	Reference quantity volume (in tonnes)	Reference quantity duty
18.0060	0709 30 00		Aubergines (egg-plants), fresh or chilled	from 1.12 to 30.4	1 440	Exemption
18.0120	0804 40 00		Avocados, fresh or dried	from 1.1 to 31.12	37 200	Exemption
18.0130	ex 0806 10 10	91, 99	Table grapes, fresh	from 15.5 to 11.7	2 280	Exemption
18.0150	0810 50 00		Kiwifruit, fresh	from 1.1 to 30.4	240	Exemption
18.0160	ex 0812 90 95	11, 20	Other citrus fruit, comminuted, provisionally preserved	from 1.1 to 31.12	1 320	Exemption
18.0190	2008 30 51 2008 30 71		Grapefruit and pomelo segments	from 1.1 to 31.12	16 440	Exemption
18.0215	ex 2008 30 79	10	Grapefruit and pomelos, other than in segments	from 1.1 to 31.12	2 400	Exemption
18.0220	ex 2008 30 91	11, 12, 13, 19, 91, 92	Grapefruit and pomelo, citrus pulp and comminuted ground citrus fruit	from 1.1 to 31.12	3 480	Exemption
18.0225	ex 2008 30 99	11	Grapefruit and pomelo segments	from 1.1 to 31.12	5 000	Exemption
18.0240	2009 20 11 2009 20 19 2009 20 99		Grapefruit and pomelo juice	from 1.1 to 31.12	34 440	Exemption

## ANNEX VIII

## WEST BANK AND THE GAZA STRIP

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

PART A: **Tariff quotas**

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1382	0603 10		Fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	from 1.1 to 31.12	1 500	Exemption
09.1381	0810 10 00		Strawberries, fresh	from 1.11 to 31.3	1 200	Exemption

PART B: **Reference quantities**

Order No	CN code	TARIC subdivision	Description of goods	Reference quantity period	Reference quantity volume (in tonnes)	Reference quantity duty
18.0310	0702 00 00		Tomatoes, fresh or chilled	from 1.12 to 31.3	1 000	Exemption <sup>(1)</sup>
18.0320	0709 30 00		Aubergines (egg-plants), fresh or chilled	from 15.1 to 30.4	3 000	Exemption
18.0330	0709 60 10		Sweet peppers, fresh or chilled	from 1.1 to 31.12	1 000	Exemption
18.0340	0709 90 70		Courgettes, fresh or chilled	from 1.12 to 28/29.2	300	Exemption <sup>(1)</sup>
18.0350	0805 10 10 0805 10 30 0805 10 50 ex 0805 10 80	10	Fresh oranges	from 1.1 to 31.12	25 000	Exemption <sup>(1)</sup>
18.0360	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	05 05 05 05 05, 09	Mandarins (including tangerines and satsumas), clementines, wilkings and similar citrus hybrids, fresh	from 1.1 to 31.12	500	Exemption <sup>(1)</sup>
18.0370	ex 0805 30 10	05	Fresh lemons	from 1.1 to 31.12	800	Exemption <sup>(1)</sup>
18.0380	0807 19 00		Other melons, fresh	from 1.11 to 31.5	10 000	Exemption

<sup>(1)</sup> The exemption applies only to the *ad valorem* duty.



## ANNEX IX

## TURKEY

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

## Tariff quotas

Order No	CN Code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.0211	0703 10 11 0703 10 19		Onions, fresh or chilled	from 16.5 to 14.2	2 000	Exemption
09.0213	0709 30 00		Aubergines (egg-plants), fresh or chilled	from 1.5 to 14.1	1 000	Exemption
09.0215	0709 90 70		Courgettes, fresh or chilled	from 1.3 to 30.11	500	Exemption <sup>(1)</sup>
09.0217 <sup>(2)</sup>	0807 11 00		Watermelons, fresh	from 16.6 to 31.3	14 000	Exemption
09.0219	0811 10 11 0811 20 11 0811 90 19		Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, with a sugar content exceeding 13 % by weight: Strawberries Raspberries, blackberries, mulberries, loganberries, black-, white- or redcurrants and gooseberries Other	from 1.1 to 31.12	100	Exemption
09.0221	2002 10 2002 90 11 2002 90 19		Tomatoes prepared or preserved otherwise than by vinegar or acetic acid: whole or in pieces other, with a dry matter content of less than 12 % by weight	from 1.1 to 31.12	8 000	Exemption <sup>(1)</sup>
09.0207 <sup>(2)</sup>	2002 90 31 2002 90 39 2002 90 91 2002 90 99		Tomatoes prepared or preserved otherwise than by vinegar or acetic acid, other than whole or in pieces, with a dry matter content of not less than 12 % by weight	from 1.1 to 30.6	15 000, of a dry matter content of 28 to 30 % by weight <sup>(3)</sup>	Exemption
09.0209 <sup>(2)</sup>	2002 90 31 2002 90 39 2002 90 91 2002 90 99		Tomatoes prepared or preserved otherwise than by vinegar or acetic acid, other than whole or in pieces, with a dry matter content of not less than 12 % by weight	from 1.7 to 31.12	15 000, of a dry matter content of 28 to 30 % by weight <sup>(3)</sup>	Exemption
09.0223	2007 91 30		Jams, fruit jellies, marmalades, fruit purée and fruit pastes, being cooked preparations of citrus fruit, with a sugar content exceeding 13 % but not exceeding 30 % by weight, other than homogenised preparations	from 1.1 to 31.12	100	Exemption

Order No	CN Code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.0225	2007 99 39		Other preparations of fruit and nuts, with a sugar content exceeding 30 % by weight	from 1.1 to 31.12	100	Exemption
09.0203	ex 2008 50 92 ex 2008 50 94	20 20	Apricot pulp, not containing added spirit or sugar, in immediate packings of a net content of 4,5 kg or more	from 1.1 to 31.12	600	Exemption

(<sup>1</sup>) The exemption applies only to the *ad valorem* duty.

(<sup>2</sup>) Suspended by Council Regulation (EC) No 1506/98 (OJ L 200, 16.7.1998, p. 1).

(<sup>3</sup>) For the administration of these Community tariff quotas, the following coefficients shall be applied to imports of products with a dry matter content other than 28-30 % by weight:

Dry matter content by weight		Coefficients
not less than:	but less than:	
12	14	0,44828
14	16	0,51724
16	18	0,58621
18	20	0,65517
20	22	0,72414
22	24	0,7931
24	26	0,86207
26	28	0,93103
28	30	1
30	32	1,06897
32	34	1,13793
34	36	1,20689
36	38	1,27586
38	40	1,34483
40	42	1,41379
42	93	1,44828
93	100	3,32759

## ANNEX X

## MALTA

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

PART A: **Tariff quota**

Order No	CN code	TARIC Subdivision	Description of goods	Quota period	Quota volume	Quota duty
09.1451	2203 00		Beer made from malt	from 1.1 to 31.12	5 000 hl	Exemption

PART B: **Reference quantities**

Order No	CN code	TARIC subdivision	Description of goods	Reference quantity period	Reference quantity volume (in tonnes)	Reference quantity duty
18.0015	ex 0701 90 50		New potatoes, fresh or chilled	from 1.1 to 31.5	3 360	Exemption
18.0040	ex 0707 00 95	10, 90	Cucumbers of a length not exceeding 15 cm, fresh or chilled	from 1.1 to 28/29.2	60	Exemption <sup>(1)</sup>

<sup>(1)</sup> The exemption applies only to the *ad valorem* duty.

## ANNEX XI

## CYPRUS

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

PART A: **Tariff quotas**

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1420	0603 10		Fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	from 1.11 to 31.10	75	Exemption
09.1401	ex 0701 90 50		New potatoes, fresh or chilled	from 16.5 to 30.6	110 000	Exemption
09.1425	ex 0704 90 90	20	Chinese cabbage, fresh or chilled	from 1.11 to 31.12	150	Exemption
09.1427	ex 0705 11 00	10	'Iceberg' lettuce, fresh or chilled	from 1.11 to 31.12	150	Exemption
09.1403	ex 0706 10 00	10	Carrots, fresh or chilled	from 1.4 to 15.5	3 750	Exemption
09.1411	ex 0706 90 90	20	Salad betroots, fresh or chilled	from 1.1 to 31.12	2 250	Exemption
09.1405	0709 30 00		Aubergines (egg-plants), fresh or chilled	from 1.10 to 30.11	450	Exemption
09.1409	0709 60 10		Sweet peppers, fresh or chilled	from 1.1 to 31.12	450	Exemption
09.1431	0805 10 10 0805 10 30 0805 10 50		Fresh oranges	from 1.12 to 31.5	48 200	Exemption <sup>(1)</sup>
09.1407	ex 0806 10 10	91, 99	Fresh table grapes	from 8.6 to 9.8	11 000	Exemption <sup>(2)</sup>
09.1413	0806 20 11 0806 20 12 0806 20 18 ex 0806 20 91 ex 0806 20 92 ex 0806 20 98	10 10 10	Dried grapes, immediate containers of a net capacity not exceeding 15 kg	from 1.1 to 31.12	2 250	Exemption
09.1429	2008 99 43 2008 99 53		Grapes, otherwise prepared or preserved, not containing added spirit, containing added sugar, not elsewhere specified or included	from 1.1 to 31.12	2 500	Exemption
09.1421	2009 60 51 2009 60 71 ex 2009 60 90 2204 30 92	10	Concentrated grape juice (including grape must)	from 1.1 to 31.12	4 950	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes)	Quota duty
09.1415	2204 21 79 ex 2204 21 80 ex 2204 21 83 ex 2204 21 84	79, 80 79, 80 79, 80	Other wine of fresh grapes, in containers holding 2 litres or less, of an actual alcoholic strength by volume not exceeding 15 % vol, other than liqueur wines of an actual alcoholic strength by volume of 15 % vol	from 1.1 to 31.12	52 500 hl	Exemption <sup>(2)</sup>
09.1423	2204 29 65 ex 2204 29 75 ex 2204 29 83 ex 2204 29 84	10 80 30	Other wine of fresh grapes, in containers holding more than 2 litres, of an actual alcoholic strength by volume not exceeding 15 % vol, other than liqueur wines of an actual alcoholic strength by volume of 15 % vol	from 1.1 to 31.12	29 120 hl	Exemption
09.1417	ex 2204 21 83 ex 2204 21 84 ex 2204 21 94 ex 2204 21 98 ex 2204 29 83 ex 2204 29 84 ex 2204 29 94 ex 2204 29 98	10 10 10 10 10 10 10 10	Liqueur wines of an actual alcoholic strength by volume of not less than 15 % vol	from 1.1 to 31.12	225 000 hl	Exemption

<sup>(1)</sup> Within this tariff quota, the specific duty provided in the Community's list of concessions to the WTO is reduced to zero, if the entry price is not less than EUR 264/tonne, being the entry price agreed between the European Community and Cyprus. If the entry price for a consignment is 2, 4, 6 or 8 % lower than the agreed entry price, the specific customs quota duty shall be equal respectively to 2, 4, 6 or 8 % of this agreed entry price. If the entry price of a consignment is less than 92 % of the agreed entry price, the specific customs duty bound within the WTO shall apply.

<sup>(2)</sup> The exemption applies only to the *ad valorem* duty.

#### PART B: Reference quantities

Order No	CN code	TARIC subdivision	Description of goods	Reference quantity period	Reference quantity volume (in tonnes)	Reference quantity duty
18.0050	0709 10 00		Globe artichokes, fresh or chilled	from 1.10 to 31.12	120	Exemption <sup>(1)</sup>
18.0150	0810 50 00		Kiwifruit, fresh	from 1.1 to 30.4	240	Exemption

<sup>(1)</sup> The exemption applies only to the *ad valorem* duty.

## ANNEX XII

## Certificate of designation of origin referred to in Article 3(1)

1. Exporter (Name, full address, country):	2. Number	00000	
4. Consignee (Name, full address, country):	3. Name of the authority guaranteeing the designation of origin:		
	5. <b>CERTIFICATE OF DESIGNATION OF ORIGIN</b>		
6. Means of transport:	7. Designation of origin		
8. Place of unloading:			
9. Marks and numbers — number and kind of packages	10. Gross weight	11. Litres	
12. Litres (in words):			
13. Certificate of the issuing authority:  14. Customs stamp:  <div style="text-align: right;">(See the translation under No 15)</div>			
15. We hereby certify that the wine described in this certificate is wine produced within the wine district of ..... and is considered by Algerian/Moroccan/Tunisian legislation as entitled to the designation of origin '.....'. The alcohol added to this wine is alcohol of vinous origin.			
16. (¹)			

(¹) Space reserved for additional details given in the exporting country.



## ANNEX XIII

## CORRELATION TABLE

## PART A

Council Regulation (EC) No 1981/94	Present Regulation
Article 1	Article 1
Article 2	Article 3
Article 3	Article 2
Article 4	Article 4(1)(3)
Article 6	Article 5
Article 7	Article 6
Article 8	Article 7
Article 9	Article 9
Annex I	Annex IX
Annex II	Annex VII — Part A
Annex III	Annex V — Part A
Annex IV	Annex II — Part A
Annex V	Annex XI — Part A
Annex VI	Annex IV — Part A
Annex VII	Annex III — Part A
Annex VIII	Annex I
Annex IX	Annex X — Part A
Annex X	Annex VIII — Part A
Annex XI	Annex XII

## PART B

Council Regulation (EC) No 1981/94	Present Regulation
Article 2	Article 1 and Article 4(3)
Article 3	Article 5
Article 4	Article 6
Article 5(1)	Article 7
Article 5(2)	Article 4(3)(4)
Article 6	Article 9
Annex	Annex VI and part B of Annexes II to V, VII, VIII, and XI



**COMMISSION REGULATION (EC) No 748/2001**  
**of 18 April 2001**  
**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 19 April 2001.

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

Done at Brussels, 18 April 2001.

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

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

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

## ANNEX

**to the Commission Regulation of 18 April 2001 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	109,0
	204	87,2
	212	63,2
	999	86,5
0707 00 05	052	101,1
	999	101,1
0709 90 70	052	92,2
	204	46,2
	999	69,2
0805 10 10, 0805 10 30, 0805 10 50	052	80,5
	204	48,9
	212	46,5
	220	66,1
	600	59,6
	624	60,9
	999	60,4
0808 10 20, 0808 10 50, 0808 10 90	388	91,9
	400	90,5
	404	88,0
	508	79,7
	512	82,2
	524	95,5
	528	84,3
	720	131,9
	804	114,6
	999	95,4
0808 20 50	388	77,0
	512	79,9
	528	71,0
	999	76,0

<sup>(1)</sup> Country nomenclature as fixed by Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14). Code '999' stands for 'of other origin'.

**COMMISSION REGULATION (EC) No 749/2001****of 18 April 2001****amending Annex 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 2908/2000 <sup>(2)</sup>, and in particular Articles 7 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 inter-

national 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) Thiamylal and thiopental sodium should be inserted into Annex II to Regulation (EEC) No 2377/90.

(7) 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 Council Directive 81/851/EEC <sup>(3)</sup>, as last amended by Commission Directive 2000/37/EC <sup>(4)</sup>, to take account of the provisions of this Regulation.

(8) 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*

Annex II to Regulation (EEC) No 2377/90 is 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 60th day following its publication.

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

<sup>(2)</sup> OJ L 336, 30.12.2000, p. 72.

<sup>(3)</sup> OJ L 317, 6.11.1981, p. 1.

<sup>(4)</sup> OJ L 139, 10.6.2000, p. 25.

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

Done at Brussels, 18 April 2001.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

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Annex II to Regulation (EEC) No 2377/90 is amended as follows:

2. Organic compounds

Pharmacologically active substance(s)	Animal species	Other provisions
Thiamylal	All mammalian food producing species	For intravenous administration only
Thiopental sodium	All food-producing species	For intravenous administration only'

**COMMISSION REGULATION (EC) No 750/2001****of 18 April 2001****amending Annex II to 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 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 749/2001 <sup>(2)</sup> and in particular Articles 7 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 inter-

national 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) Acetylsalicylic acid, acetylsalicylic acid DL-lysine, carbasalate calcium and sodium acetylsalicylate should be inserted into Annex II to Regulation (EEC) No 2377/90.
- (7) 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 Council Directive 81/851/EEC <sup>(3)</sup>, as last amended by Commission Directive 2000/37/EC <sup>(4)</sup>, to take account of the provisions of this Regulation.
- (8) 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*

Annex II to Regulation (EEC) No 2377/90 is 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 60th day following its publication.

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

<sup>(2)</sup> See page 32 of this Official Journal.

<sup>(3)</sup> OJ L 317, 6.11.1981, p. 1.

<sup>(4)</sup> OJ L 139, 10.6.2000, p. 25.

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

Done at Brussels, 18 April 2001.

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

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## ANNEX

Annex II to Regulation (EEC) No 2377/90 is amended as follows:

2. Organic compounds

Pharmacologically active substance(s)	Animal species	Other provisions
'Acetylsalicylic acid	Bovine Porcine Chicken	Not for use in animals from which milk is produced for human consumption Not for use in animals from which eggs are produced for human consumption
Acetylsalicylic acid DL-lysine	Bovine Porcine Chicken	Not for use in animals from which milk is produced for human consumption Not for use in animals from which eggs are produced for human consumption
Carbasalate calcium	Bovine Porcine Chicken	Not for use in animals from which milk is produced for human consumption Not for use in animals from which eggs are produced for human consumption
Sodium acetylsalicylate	Bovine Porcine Chicken	Not for use in animals from which milk is produced for human consumption Not for use in animals from which eggs are produced for human consumption'



**COMMISSION REGULATION (EC) No 751/2001  
of 18 April 2001**

**fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip <sup>(1)</sup>, as last amended by Regulation (EC) No 1300/97 <sup>(2)</sup>, and in particular Article 5(2) (a) thereof,

Whereas:

Pursuant to Article 2 (2) and Article 3 of abovementioned Regulation (EEC) No 4088/87, Community import and producer prices are fixed each fortnight for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses and apply for two-weekly periods. Pursuant to Article 1b of Commission Regulation (EEC) No 700/88 of 17 March 1988 laying down detailed rules for the application of the arrangements for the import into the Community of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the

Gaza Strip <sup>(3)</sup>, as last amended by Regulation (EC) No 2062/97 <sup>(4)</sup>, those prices are determined for fortnightly periods on the basis of weighted prices provided by the Member States. Those prices should be fixed immediately so the customs duties applicable can be determined. To that end, provision should be made for this Regulation to enter into force immediately,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Community producer and import prices for uniflorous (bloom) carnations, multiflorous (spray) carnations, large-flowered roses and small-flowered roses as referred to in Article 1b of Regulation (EEC) No 700/88 for a fortnightly period shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 19 April 2001.

It shall apply from 18 April to 1 May 2001.

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

Done at Brussels, 18 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 382, 31.12.1987, p. 22.  
<sup>(2)</sup> OJ L 177, 5.7.1997, p. 1.

<sup>(3)</sup> OJ L 72, 18.3.1988, p. 16.  
<sup>(4)</sup> OJ L 289, 22.10.1997, p. 1.

## ANNEX

**to the Commission Regulation of 18 April 2001 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

(EUR/100 pieces)

Period: from 18 April to 1 May 2001

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	14,78	10,67	24,15	15,00
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	10,42	7,57	10,53	11,89
Morocco	14,74	14,68	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	—	—	—	—

**COMMISSION REGULATION (EC) No 752/2001****of 18 April 2001****suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of uniflorous (bloom) carnations originating in Israel**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco and the West Bank and the Gaza Strip <sup>(1)</sup>, as last amended by Regulation (EC) No 1300/97 <sup>(2)</sup>, and in particular Article 5(2)(b) thereof,

Whereas:

(1) Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers.

(2) Council Regulation (EC) No 1981/94 <sup>(3)</sup>, as last amended by Commission Regulation (EC) No 563/2000 <sup>(4)</sup>, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas.

(3) Commission Regulation (EC) No 751/2001 <sup>(5)</sup> fixes the Community producer and import prices for carnations and roses for the application of the import arrangements.

(4) Commission Regulation (EEC) No 700/88 <sup>(6)</sup>, as last amended by Regulation (EC) No 2062/97 <sup>(7)</sup>, lays down the detailed rules for the application of the arrangements.

(5) On the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2(2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for uniflorous (bloom) carnations originating in Israel; whereas the Common Customs Tariff duty should be re-established.

(6) The quota for the products in question covers the period 1 January to 31 December 2001; whereas, as a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest.

(7) In between meetings of the Management Committee for Live Plants and Floriculture Products, the Commission must adopt such measures,

HAS ADOPTED THIS REGULATION:

*Article 1*

For imports of uniflorous (bloom) carnations (CN code ex 0603 10 20) originating in Israel, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

*Article 2*

This Regulation shall enter into force on 19 April 2001.

<sup>(1)</sup> OJ L 382, 31.12.1987, p. 22.

<sup>(2)</sup> OJ L 177, 5.7.1997, p. 1.

<sup>(3)</sup> OJ L 199, 2.8.1994, p. 1.

<sup>(4)</sup> OJ L 68, 16.3.2000, p. 46.

<sup>(5)</sup> See page 38 of this Official Journal.

<sup>(6)</sup> OJ L 72, 18.3.1988, p. 16.

<sup>(7)</sup> OJ L 289, 22.10.1997, p. 1.

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

Done at Brussels, 18 April 2001.

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

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**COMMISSION REGULATION (EC) No 753/2001****of 18 April 2001****suspending the preferential customs duties and re-establishing the Common Customs Tariff duty  
on imports of multiflorous (spray) carnations originating in Israel**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco and the West Bank and the Gaza Strip <sup>(1)</sup>, as last amended by Regulation (EC) No 1300/97 <sup>(2)</sup>, and in particular Article 5(2)(b) thereof,

Whereas:

(1) Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers.

(2) Council Regulation (EC) No 1981/94 <sup>(3)</sup>, as last amended by Commission Regulation (EC) No 563/2000 <sup>(4)</sup>, opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Egypt, Israel, Malta, Morocco and the West Bank and the Gaza Strip.

(3) Commission Regulation (EC) No 751/2001 <sup>(5)</sup> fixes the Community producer and import prices for carnations and roses for the application of the import arrangements.

(4) Commission Regulation (EEC) No 700/88 <sup>(6)</sup>, as last amended by Regulation (EC) No 2062/97 <sup>(7)</sup>, lays down the detailed rules for the application of the arrangements.

(5) On the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2(2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for multiflorous (spray) carnations originating in Israel. The Common Customs Tariff duty should be re-established.

(6) The quota for the products in question covers the period 1 January to 31 December 2001; whereas, as a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest.

(7) In between meetings of the Management Committee for Live Plants and Floriculture Products, the Commission must adopt such measures,

HAS ADOPTED THIS REGULATION:

*Article 1*

For imports of multiflorous (spray) carnations (CN code ex 0603 10 20) originating in Israel, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

*Article 2*

This Regulation shall enter into force on 19 April 2001.

<sup>(1)</sup> OJ L 382, 31.12.1987, p. 22.

<sup>(2)</sup> OJ L 177, 5.7.1997, p. 1.

<sup>(3)</sup> OJ L 199, 2.8.1994, p. 1.

<sup>(4)</sup> OJ L 68, 16.3.2000, p. 46.

<sup>(5)</sup> See page 38 of this Official Journal.

<sup>(6)</sup> OJ L 72, 18.3.1988, p. 16.

<sup>(7)</sup> OJ L 289, 22.10.1997, p. 71.

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

Done at Brussels, 18 April 2001.

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

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**COMMISSION REGULATION (EC) No 754/2001****of 18 April 2001****suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of small-flowered roses originating in Israel**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco and the West Bank and the Gaza Strip <sup>(1)</sup>, as last amended by Regulation (EC) No 1300/97 <sup>(2)</sup>, and in particular Article 5(2)(b) thereof,

Whereas:

(1) Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers.

(2) Council Regulation (EC) No 1981/94 <sup>(3)</sup>, as last amended by Commission Regulation (EC) No 563/2000 <sup>(4)</sup>, opens and provides for the administration of Community tariff quotas for certain products originating in Algeria, Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey and providing detailed rules for extending and adapting these tariff quotas.

(3) Commission Regulation (EC) No 751/2001 <sup>(5)</sup> fixes the Community producer and import prices for carnations and roses for the application of the import arrangements.

(4) Commission Regulation (EEC) No 700/88 <sup>(6)</sup>, as last amended by Regulation (EC) No 2062/97 <sup>(7)</sup>, lays down the detailed rules for the application of the arrangements.

(5) On the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2(3) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for small-flowered roses originating in Israel. The Common Customs Tariff duty should be re-established.

(6) The quota for the products in question covers the period 1 January to 31 December 2001. As a result, the suspension of the preferential duty and the reintroduction of the Common Customs Tariff duty apply up to the end of that period at the latest.

(7) In between meetings of the Management Committee for Live Plants and Floriculture Products, the Commission must adopt such measures,

HAS ADOPTED THIS REGULATION:

*Article 1*

For imports of small-flowered roses (CN code ex 0603 10 10) originating in Israel, the preferential customs duty fixed by Regulation (EC) No 1981/94 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

*Article 2*

This Regulation shall enter into force on 19 April 2001.

<sup>(1)</sup> OJ L 382, 31.12.1987, p. 22.

<sup>(2)</sup> OJ L 177, 5.7.1997, p. 1.

<sup>(3)</sup> OJ L 199, 2.8.1994, p. 1.

<sup>(4)</sup> OJ L 68, 16.3.2000, p. 46.

<sup>(5)</sup> See page 38 of this Official Journal.

<sup>(6)</sup> OJ L 72, 18.3.1988, p. 16.

<sup>(7)</sup> OJ L 289, 22.10.1997, p. 1.

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

Done at Brussels, 18 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 755/2001**  
**of 18 April 2001**  
**fixing the export refunds on olive oil**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats <sup>(1)</sup>, as last amended by Regulation (EC) No 2826/2000 <sup>(2)</sup>, and in particular Article 3(3) thereof,

Whereas:

- (1) Article 3 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries.
- (2) The detailed rules for fixing and granting export refunds on olive oil are contained in Commission Regulation (EEC) No 616/72 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2962/77 <sup>(4)</sup>.
- (3) Article 3(3) of Regulation No 136/66/EEC provides that the refund must be the same for the whole Community.
- (4) In accordance with Article 3(4) of Regulation No 136/66/EEC, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market. However, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period. The amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take

account of export costs for the products on the world market.

- (5) In accordance with Article 3(3) third indent, point (b) of Regulation No 136/66/EEC, it may be decided that the refund shall be fixed by tender. The tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations.
- (6) The second indent of Article 3(3) of Regulation No 136/66/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary.
- (7) The refund must be fixed at least once every month. It may, if necessary, be altered in the intervening period.
- (8) It follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto.
- (9) The Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1(2)(c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 19 April 2001.

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

Done at Brussels, 18 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ 172, 30.9.1966, p. 3025/66.

<sup>(2)</sup> OJ L 328, 23.12.2000, p. 2.

<sup>(3)</sup> OJ L 78, 31.3.1972, p. 1.

<sup>(4)</sup> OJ L 348, 30.12.1977, p. 53.

## ANNEX

**to the Commission Regulation of 18 April 2001 fixing the export refunds on olive oil**

Product code	Destination	Unit of measurement	Amount of refund
1509 10 90 9100	A00	EUR/100 kg	0,00
1509 10 90 9900	A00	EUR/100 kg	0,00
1509 90 00 9100	A00	EUR/100 kg	0,00
1509 90 00 9900	A00	EUR/100 kg	0,00
1510 00 90 9100	A00	EUR/100 kg	0,00
1510 00 90 9900	A00	EUR/100 kg	0,00

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

The numeric destination codes are set out in Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14).

**COMMISSION REGULATION (EC) No 756/2001****of 18 April 2001****on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1706/98 of 20 July 1998 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EEC) No 715/90 <sup>(1)</sup>, and in particular Article 30 thereof,

Having regard to Commission Regulation (EC) No 1918/98 of 9 September 1998 laying down detailed rules for the application in the beef and veal sector of Council Regulation (EC) No 1706/98 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and repealing Regulation (EC) No 589/96 <sup>(2)</sup>, and in particular Article 4 thereof,

Whereas:

- (1) Article 1 of Regulation (EC) No 1918/98 provides for the possibility of issuing import licences for beef and veal products. However, imports must take place within the limits of the quantities specified for each of these exporting non-member countries.
- (2) The applications for import licences submitted between 1 and 10 April 2001, expressed in terms of boned meat, in accordance with Regulation (EC) No 1918/98, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from those States. It is therefore possible to issue import licences in respect of the quantities applied for.
- (3) The quantities in respect of which licences may be applied for from 1 May 2001 should be fixed within the scope of the total quantity of 52 100 tonnes.
- (4) This Regulation is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine,

ovine and caprine animals and swine, fresh meat or meat products from third countries <sup>(3)</sup>, as last amended by Directive 97/79/CE <sup>(4)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

The following Member States shall issue on 21 April 2001 import licences for beef and veal products, expressed as boned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

*United Kingdom:*

- 900 tonnes originating in Botswana,
- 1 006 tonnes originating in Namibia,
- 250 tonnes originating in Zimbabwe;

*Germany:*

- 100 tonnes originating in Botswana,
- 20 tonnes originating in Namibia.

*Article 2*

Licence applications may be submitted, pursuant to Article 3(2) of Regulation (EC) No 1918/98, during the first 10 days of May 2001 for the following quantities of boned beef and veal:

Botswana:	12 786 tonnes,
Kenya:	142 tonnes,
Madagascar:	7 579 tonnes,
Swaziland:	3 363 tonnes,
Zimbabwe:	4 850,050 tonnes,
Namibia:	10 084 tonnes.

*Article 3*

This Regulation shall enter into force on 21 April 2001.

<sup>(1)</sup> OJ L 215, 1.8.1998, p. 12.

<sup>(2)</sup> OJ L 250, 10.9.1998, p. 16.

<sup>(3)</sup> OJ L 302, 31.12.1972, p. 28.

<sup>(4)</sup> OJ L 24, 30.1.1998, p. 31.

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

Done at Brussels, 18 April 2001.

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

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**COMMISSION REGULATION (EC) No 757/2001****of 18 April 2001****fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector <sup>(1)</sup>, as amended by Commission Regulation (EC) No 1527/2000 <sup>(2)</sup>, and in particular point (a) of the second subparagraph of Article 18(5) thereof,

Whereas:

- (1) Article 18 of Regulation (EC) No 2038/1999 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 2038/1999 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 19 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account.
- (3) The refund on raw sugar must be fixed in respect of the standard quality; the latter is defined in Article 1 of Council Regulation (EC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar <sup>(3)</sup>, as amended by Regulation (EC) No 3290/94 <sup>(4)</sup>; furthermore, this refund should be fixed in accordance with Article 19(4) of Regulation (EC) No 2038/1999; candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995

laying down detailed rules of application for the grant of export refunds in the sugar sector <sup>(5)</sup>; the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination.
- (5) In special cases, the amount of the refund may be fixed by other legal instruments.
- (6) The refund must be fixed every two weeks; whereas it may be altered in the intervening period.
- (7) It follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 2038/1999, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 19 April 2001.

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

Done at Brussels, 18 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 252, 25.9.1999, p. 1.

<sup>(2)</sup> OJ L 175, 14.7.2000, p. 59.

<sup>(3)</sup> OJ L 89, 10.4.1968, p. 3.

<sup>(4)</sup> OJ L 349, 31.12.1994, p. 105.

<sup>(5)</sup> OJ L 214, 8.9.1995, p. 16.

## ANNEX

**to the Commission Regulation of 18 April 2001 fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	36,89 <sup>(1)</sup>
1701 11 90 9910	A00	EUR/100 kg	35,37 <sup>(1)</sup>
1701 11 90 9950	A00	EUR/100 kg	<sup>(2)</sup>
1701 12 90 9100	A00	EUR/100 kg	36,89 <sup>(1)</sup>
1701 12 90 9910	A00	EUR/100 kg	35,37 <sup>(1)</sup>
1701 12 90 9950	A00	EUR/100 kg	<sup>(2)</sup>
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4010
1701 99 10 9100	A00	EUR/100 kg	40,10
1701 99 10 9910	A00	EUR/100 kg	41,37
1701 99 10 9950	A00	EUR/100 kg	41,37
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4010

<sup>(1)</sup> Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 19 (4) of Regulation (EC) No 2038/1999.

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

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

The numeric destination codes are set out in Commission Regulation (EC) No 2032/2000 (OJ L 243, 28.9.2000, p. 14).

**COMMISSION REGULATION (EC) No 758/2001  
of 18 April 2001**

**fixing the maximum export refund for white sugar for the 35th partial invitation to tender issued  
within the framework of the standing invitation to tender provided for in Regulation (EC) No  
1531/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector <sup>(1)</sup>, as amended by Commission Regulation (EC) No 1527/2000 <sup>(2)</sup>, and in particular the second subparagraph of Article 18(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1531/2000 of 13 July 2000 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar <sup>(3)</sup>, requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1531/2000 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community

and world markets in sugar, for the partial invitation to tender in question.

- (3) Following an examination of the tenders submitted in response to the 35th partial invitation to tender, the provisions set out in Article 1 should be adopted.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 35th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1531/2000 the maximum amount of the export refund is fixed at 44,445 EUR/100 kg.

*Article 2*

This Regulation shall enter into force on 19 April 2001.

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

Done at Brussels, 18 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 252, 25.9.1999, p. 1.

<sup>(2)</sup> OJ L 175, 14.7.2000, p. 59.

<sup>(3)</sup> OJ L 175, 14.7.2000, p. 69.

**COMMISSION REGULATION (EC) No 759/2001****of 18 April 2001****fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the market in sugar <sup>(1)</sup>, as amended by Commission Regulation 1527/2000 <sup>(2)</sup>,

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 19 April 2001.

<sup>(1)</sup> OJ L 252, 25.9.1999, p. 1.

<sup>(2)</sup> OJ L 175, 14.7.2000, p. 59.

<sup>(3)</sup> OJ L 141, 24.6.1995, p. 12.

<sup>(4)</sup> OJ L 145, 27.6.1968, p. 12.



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

Done at Brussels, 18 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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ANNEX

**to the Commission Regulation of 18 April 2001 fixing the representative prices and additional import duties to imports of molasses in the sugar sector**

(in EUR)

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 <sup>(2)</sup>
1703 10 00 <sup>(1)</sup>	9,40	—	0
1703 90 00 <sup>(1)</sup>	11,94	—	0

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

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

**COMMISSION REGULATION (EC) No 760/2001****of 18 April 2001****laying down to what extent applications for issue of export licences submitted during April 2001 for beef products which may benefit from special import treatment in a third country may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*Having regard to Commission Regulation (EC) No 1445/95 of 26 June 1995 on rules of application for import and export licences in the beef sector and repealing Regulation (EEC) No 2377/80 <sup>(1)</sup>, as last amended by Regulation (EC) No 1659/2000 <sup>(2)</sup>, and in particular Article 12(8) thereof,

No applications for export licences were lodged for the beef referred to in Regulation (EEC) No 2973/79 for the second quarter of 2001.

Whereas:

*Article 2*(1) Regulation (EC) No 1445/95 lays down, in Article 12, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79 <sup>(3)</sup>, as last amended by Regulation (EEC) No 3434/87 <sup>(4)</sup>.

Applications for licences in respect of the meat referred to in Article 1 may be lodged in accordance with Article 12 of Regulation (EC) No 1445/95 during the first 10 days of the third quarter of 2001 the total quantity available being 3 750 t.

(2) Regulation (EEC) No 2973/79 fixed the quantities of meat which might be exported on special terms for the second quarter of 2001. No applications were submitted for export licences for beef,

*Article 3*

This Regulation shall enter into force on 19 April 2001.

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

Done at Brussels, 18 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*<sup>(1)</sup> OJ L 143, 27.6.1995, p. 35.<sup>(2)</sup> OJ L 192, 28.7.2000, p. 19.<sup>(3)</sup> OJ L 336, 29.12.1979, p. 44.<sup>(4)</sup> OJ L 327, 18.11.1987, p. 7.

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION RECOMMENDATION

**of 4 April 2001**

**on the principles for out-of-court bodies involved in the consensual resolution of consumer disputes**

*(notified under document number C(2001) 1016)*

**(Text with EEA relevance)**

(2001/310/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 211 thereof,

Whereas:

- (1) In order to ensure a high level of consumer protection and to promote consumer confidence, the Community should ensure that consumers have simple and effective access to justice and encourage and facilitate the settling of consumer disputes at an earlier stage.
- (2) The continuing development of new forms of commercial practices involving consumers such as electronic commerce, and the expected increase in cross-border transactions, require that particular attention be paid to generating the confidence of consumers, in particular by ensuring easy access to practical, effective and inexpensive means of redress, including access by electronic means. The e-Europe Action Plan, agreed by the Feira European Council on 19 and 20 June 2000, recognised that for e-commerce to reach its full potential consumer confidence must be enhanced, in partnership with consumer groups, industry and Member States, by promoting access to alternative dispute resolution systems.
- (3) On 30 March 1998 the Commission adopted Recommendation 98/257/EC on the principles applicable to the bodies responsible for out-of-court settlement of consumer disputes <sup>(1)</sup>. However the scope of that Recommendation was limited to procedures which, no matter what they are called, lead to the settlement of a dispute through the active intervention of a third party, who proposes or imposes a solution. It did not concern procedures that merely involve an attempt to bring the parties together to convince them to find a solution by common consent.
- (4) The Council, in its Resolution of 25 May 2000 on a Community-wide network of national bodies for the extra-judicial settlement of consumer disputes <sup>(2)</sup>, noted that those out-of-court bodies falling outside the scope of Recommendation 98/257/EC play a useful role for the consumer and invited

<sup>(1)</sup> Commission Recommendation of 30 March 1998 on the principles applicable to the bodies responsible for out-of-court settlement of consumer disputes (OJ L 115, 17.4.1998, p. 31).

<sup>(2)</sup> OJ C 155, 6.6.2000, p. 1.

the Commission to develop in close cooperation with Member States common criteria for the assessment of such bodies which should ensure, *inter alia*, their quality, fairness and effectiveness. In particular it indicated that Member States apply such criteria to include such bodies or schemes in the network referred to in Commission working document on the creation of a European extra-judicial network (EEJ-Net) <sup>(1)</sup>.

- (5) Article 17 of Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce in the internet market <sup>(2)</sup> stipulates that Member States should ensure their legislation does not hamper the use of out-of-court schemes available under national law, for dispute settlement.
- (6) Electronic commerce facilitates cross-border transactions between business and consumers. Such transactions are frequently of low value and therefore the resolution of any dispute needs to be simple, quick and inexpensive. New technology can contribute to the development of electronic dispute settlement systems, providing a mechanism to effectively settle disputes across different jurisdictions without the need for face-to-face contact, and therefore should be encouraged through principles ensuring consistent and reliable standards to give all users confidence.
- (7) The Council, in conclusions adopted on 29 May 2000 <sup>(3)</sup>, invited the Commission to draw up a Green Paper on alternative methods of settling disputes under civil and commercial law to take stock of and review the existing situation and initiate wide-ranging consultation.
- (8) The European Parliament in its opinion on the proposal for a regulation on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters <sup>(4)</sup>, called for the extensive use of extra-judicial dispute resolution for consumers transactions, in particular where the parties are domiciled in different Member States and in view of the cost and delay associated with going to court. The Council and Commission in their statement for the adoption of the above-mentioned Regulation stressed that in general it is in the interest of consumers and undertakings to try to settle their disputes amicably before resorting to the courts and reiterated the importance of continuing the work on alternative methods of dispute settlement at European Community level.
- (9) The principles set out in this Recommendation do not affect the principles laid down in Commission Recommendation 98/257/EC which should be respected by those out-of-court procedures which, no matter what they are called, lead to the settling of a dispute through the active intervention of a third party, who proposes or imposes a solution, usually by means of a binding or non-binding formal decision, upon the parties. The present principles should be respected by any other third party procedures, no matter what they are called, which facilitate the resolution of a consumer dispute by bringing the parties together and assisting them, for example by making informal suggestions on settlement options, in reaching a solution by common consent. The principles are limited to consumer dispute resolution procedures which are designed as an alternative to resolving the dispute in a court. Therefore customer complaint mechanisms operated by a business and conducted directly with the consumer, or where a third party carries out such services by or on behalf of a business, are excluded as they form part of the usual discussions between the parties prior to any dispute materialising that would be referred to a third party body responsible for dispute resolution or a court.
- (10) The impartiality of these dispute resolution procedures must be guaranteed to ensure that all parties have confidence in its fairness. Whether it is an individual or a group responsible for the dispute resolution procedure, appropriate measures should be taken to ensure impartiality and to ensure the disclosure of information to the parties demonstrating their impartiality and competence to allow the parties to make an informed choice as to whether to participate in the procedure.

<sup>(1)</sup> SEC(2000) 405. See Internet site:  
[http://europa.eu.int/comm/consumers/policy/developments/acce\\_just/acce\\_just06\\_en.pdf](http://europa.eu.int/comm/consumers/policy/developments/acce_just/acce_just06_en.pdf)

<sup>(2)</sup> OJ L 178, 17.7.2000, p. 1.

<sup>(3)</sup> SI (2000) 519.

<sup>(4)</sup> Opinion delivered on 21 September 2000 regarding Regulation (EC) No 44/2001 (OJ L 12, 16.1.2001, p. 1).

- (11) In order to ensure that both parties have access to the information they need, the transparency of the procedure must be guaranteed. The agreed solution resolving the dispute should be recorded and made available to the parties by the body responsible for the procedure to avoid later uncertainty or misunderstanding.
- (12) In order to enhance the effectiveness of these procedures in resolving cross-border disputes, they need to be easily accessible and available to both parties wherever they are situated. In particular electronic measures to facilitate this should be encouraged.
- (13) If such procedures are to provide a realistic alternative to a dispute going through the courts, they should aim to overcome the associated problems of cost, delay, complexity and representation. Measures guaranteeing proportionate or no costs, easier access, efficiency, the monitoring of the progression of the dispute and keeping the parties informed are necessary to ensure its effectiveness.
- (14) In accordance with Article 6 of the European Human Rights Convention, access to the courts is a fundamental right. Since Community law guarantees free movement of goods and services in the common market, it is a corollary of those freedoms that operators, including consumers, must be able, in order to resolve any disputes arising from their economic activities, to bring actions in the courts of a Member State in the same way as nationals of that State. Consumer dispute resolution procedures cannot be designed to replace court procedures. Therefore use of such procedures may not deprive consumers of their right to bring the matter before the courts unless they expressly agree to do so, in full awareness of the facts and only after the dispute has materialised.
- (15) The fairness of the procedures should be safeguarded by allowing the parties to provide any necessary and relevant information. Depending on the organisation of the procedure, information provided by the parties should be treated as confidential unless they expressly agree otherwise, or, if an adversarial approach is used at any stage appropriate measures should ensure its fairness. Measures should be envisaged to encourage and monitor the parties' cooperation with the procedure, in particular by requiring information that may be necessary for the fair resolution of the dispute.
- (16) Before the parties agree to a suggested solution on how to settle the dispute they should be allowed a reasonable amount of time to consider the details and any possible conditions or terms.
- (17) In order to ensure that procedures are fair and flexible and that consumers have the opportunity to make a fully informed choice, they must be given clear and understandable information in order that they can reflect on whether to agree to a suggested solution, obtain advice if they wish or to consider other options.
- (18) The Commission will include in its database of the out-of-court bodies responsible for resolving consumer disputes information provided by Member States regarding the use of such principles by consumer dispute resolution bodies falling within the scope of this recommendation in order to participate in the European extra-judicial network (EEJ-Net).
- (19) Finally, the setting out of principles for bodies responsible for consumer dispute resolution procedures not covered by the principles in Recommendation 98/257/EC seems, in these circumstances, necessary at Community level to support and supplement, in an essential area, the initiatives taken by the Member States in order to realise, in accordance with Article 153 of the Treaty, a high level of consumer protection. It does not go beyond what is necessary to ensure the smooth operation of consumer dispute resolution procedures. It is therefore consistent with the principle of subsidiarity,

HEREBY RECOMMENDS:

That the principles set out in Part II are respected by all existing and future bodies providing out-of-court consumer dispute resolution procedures falling within the scope of this recommendation as defined in Part I:

## I. SCOPE

1. This recommendation applies to third party bodies responsible for out-of-court consumer dispute resolution procedures that, no matter what they are called, attempt to resolve a dispute by bringing the parties together to convince them to find a solution by common consent.
2. It does not apply to customer complaint mechanisms operated by a business and concluded directly with the consumer or to such mechanisms carrying out such services operated by or on behalf of a business.

## II. PRINCIPLES

### A. Impartiality

Impartiality should be guaranteed by ensuring that those responsible for the procedure:

- (a) are appointed for a fixed term and shall not be liable to be relieved from their duties without just cause;
- (b) have no perceived or actual conflict of interest with either party;
- (c) provide information about their impartiality and competence to both parties prior to the commencement of the procedure.

### B. Transparency

1. The transparency of the procedure should be guaranteed.
2. Information about the contact details, functioning and availability of the procedure should be readily available to the parties in simple terms so that they can access and retain it before submitting a dispute.
3. In particular, information should be made available on:
  - (a) how the procedure will operate, the types of disputes that can be dealt by it and any restrictions on its operation;
  - (b) the rules governing any preliminary requirements that the parties may have to meet, and other procedural rules, notably those concerning the operation of the procedure and the languages in which the procedure will be conducted;
  - (c) the cost, if any, to be borne by the parties;
  - (d) the timetable applicable to the procedure, particularly with regard to the type of dispute in question;
  - (e) any substantive rules that may be applicable (legal provisions, industry best practice, considerations of equity, codes of conduct);
  - (f) the role of the procedure in bringing about the resolution of a dispute;
  - (g) the status of any agreed solution for resolving the dispute.
4. Any agreed solution for resolving the dispute by the parties should be recorded on a durable medium and should clearly state the terms and the grounds on which it is based. That record should be made available to both parties.
5. Information on the performance of the procedure should be made publicly available, including:
  - (a) the number and types of complaints it has received and their outcome;

- (b) the time taken to resolve complaints;
- (c) any systematic problems arising from complaints;
- (d) the compliance record, if known, of agreed solutions.

### **C. Effectiveness**

1. The effectiveness of the procedure should be guaranteed.
2. It should be easily accessible and available to both parties, for instance by electronic means, irrespective of where the parties are situated.
3. The procedure should be either free of charge to consumers, or any necessary costs should be both proportionate to the amount in dispute and moderate.
4. The parties should have access to the procedure without being obliged to use a legal representative. Nonetheless the parties should not be prevented from being represented or assisted by a third party at any or all stages of the procedure.
5. Once a dispute has been submitted it should be dealt with in the shortest possible time commensurate with the nature of the dispute. The body responsible for the procedure should periodically review its progress to ensure the parties' dispute is being dealt with expeditiously and appropriately.
6. The conduct of the parties should be reviewed by the body responsible for the procedure to ensure they are committed to seeking a proper, fair and timely resolution of the dispute. If one party's conduct is unsatisfactory, both parties should be informed in order to enable them to consider whether to continue the dispute resolution procedure.

### **D. Fairness**

1. The fairness of the procedure should be guaranteed. In particular:
  - (a) the parties should be informed of their right to refuse to participate or to withdraw from the procedure at any time and access the legal system or other out-of-court redress mechanisms at any stage if they are dissatisfied with the performance or operation of the procedure;
  - (b) both parties should be able to freely and easily submit any arguments, information or evidence relevant to their case on a confidential basis to the procedure unless agreement has been given by the parties to pass such information to the other party. If at any stage, the third party suggests possible solutions for resolving the dispute, then each party should have the opportunity to present their viewpoint and comment on any argument, information or evidence presented by the other party;
  - (c) both parties should be encouraged to fully cooperate with the procedure, in particular by providing any information necessary for a fair resolution of the dispute;
  - (d) prior to the parties agreeing to a suggested solution for resolving the dispute, they should be allowed a reasonable period of time to consider this solution.
2. The consumer should be informed in clear und understandable language, before agreeing to a suggested solution, of the following points:
  - (a) he has the choice as to whether or not to agree to the suggested solution;
  - (b) the suggested solution may be less favourable than an outcome determined by a court applying legal rules;
  - (c) before agreeing to or rejecting the suggested solution he has the right to seek independent advice;
  - (d) use of the procedure does not preclude the option of referring his dispute to another out-of-court dispute resolution mechanism, in particular within the scope of Recommendation 98/257/EC, or of seeking legal redress through his own judicial system;
  - (e) the status of an agreed solution.

## THIS RECOMMENDATION

is addressed to Member States in so far as it affects them, in relation to those procedures designed to facilitate the out-of-court settlement of consumer disputes and to any natural or legal person responsible for the creation or operation of such procedures.

Done at Brussels, 4 April 2001.

*For the Commission*

David BYRNE

*Member of the Commission*

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**COMMISSION DECISION**  
**of 4 April 2001**  
**amending for the seventh time Decision 95/124/EC establishing the list of approved fish farms in**  
**Germany**

(notified under document number C(2001) 1017)

(Text with EEA relevance)

(2001/311/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products <sup>(1)</sup>, as last amended by Directive 98/45/EC <sup>(2)</sup>, and in particular Article 6 thereof,

Whereas:

- (1) The Member States may obtain the status of approved free of infectious haematopoietic necrosis (IHN) and viral haemorrhagic septicaemia (VHS) for fish farms located in zones which are non-approved in respect of IHN and VHS.
- (2) The list of approved fish farms in Germany was established by Commission Decision 95/124/EC <sup>(3)</sup>, as last amended by Decision 2001/188/EC <sup>(4)</sup>.
- (3) Germany has submitted to the Commission the justifications for obtaining the status of approved farm in a non-approved zone in respect of IHN and VHS for one certain fish farm in Saxony, as well as the national rules ensuring compliance with the requirements for maintenance of the approved status.
- (4) The Commission and the Member States examined the justifications notified by Germany for the farm concerned.

(5) The result of this examination is that this farm meets the requirements of Article 6 of Directive 91/67/EEC.

(6) Therefore, this farm accordingly qualifies for the status of approved farm situated in a non-approved zone and should be added to the list of approved farms in Saxony.

(7) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

The Annex to Decision 95/124/EC is hereby replaced by the Annex hereto.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 4 April 2001.

*For the Commission*

David BYRNE

*Member of the Commission*

<sup>(1)</sup> OJ L 46, 19.2.1991, p. 1.

<sup>(2)</sup> OJ L 189, 3.7.1998, p. 12.

<sup>(3)</sup> OJ L 84, 14.4.1995, p. 6.

<sup>(4)</sup> OJ L 67, 9.3.2001, p. 83.

## ANNEX

## I. FARMS IN LOWER SAXONY

1. **Jochen Moeller**  
Fischzucht Harkenbleck  
D-30966 Hemmingen-Harkenbleck
2. **Versuchsgut Rellehausen der Universität Göttingen**  
(hatchery only)  
D-37586 Dassel
3. **Dr. R. Rosengarten**  
Forellenzucht Sieben Quellen  
D-49124 Georgsmarienhütte
4. **Klaus Kröger**  
Fischzucht Klaus Kröger  
D-21256 Handeloh Wörme
5. **Ingeborg Riggert-Schlumbohm**  
Forellenzucht W. Riggert  
D-29465 Schnega
6. **Volker Buchtmann**  
Fischzucht Nordbach  
D-21441 Garstedt
7. **Sven Kramer**  
Forellenzucht Kaierde  
D-31073 Delligsen
8. **Hans-Peter Klusak**  
Fischzucht Grönegau  
D-49328 Melle
9. **Feuerhake**  
Forellenzucht Rheden  
D-31039 Rheden

## II. FARMS IN THURINGIA

1. **Firma Tautenhahn**  
D-98646 Trostadt
2. **Thüringer Forstamt Leinefelde**  
Fischzucht Worbis  
D-37327 Leinefelde
3. **Fischzucht Salza GmbH**  
D-99734 Nordhausen-Salza
4. **Fischzucht Kindelbrück GmbH**  
D-99638 Kindelbrück
5. **Reinhardt Strecker**  
Forellenzucht Orgelmühle  
D-37351 Dingelstadt

## III. FARMS IN BADEN-WÜRTTEMBERG

1. **Heiner Feldmann**  
Riedlingen/Neufra  
D-88630 Pfullendorf
2. **Walter Dietmayer**  
Forellenzucht Walter Dietmayer, Hettingen  
D-72501 Gammertingen
3. **Heiner Feldmann**  
Bad Waldsee  
D-88630 Pfullendorf
4. **Heiner Feldmann**  
Bergatreute  
D-88630 Pfullendorf
5. **Oliver Fricke**  
Anlage Wuchzenhofen, Boschenmühle  
D-87764 Mariasteinbach Legau 13 1/2
6. **Peter Schmaus**  
Fischzucht Schmaus, Steinental  
D-88410 Steinental/Hauerz
7. **Josef Schnetz**  
Fenkenmühle  
D-88263 Horgenzell
8. **Erwin Steinhart**  
Quellwasseranlage Steinhart, Hettingen  
D-72513 Hettingen
9. **Hugo Strobel**  
Quellwasseranlage Otterswang, Sägmühle  
D-72505 Hausen am Andelsbach
10. **Reinhard Lenz**  
Forsthaus, Gaimühle  
D-64759 Sensbachtal
11. **Peter Hofer**  
Sulzbach  
D-78727 Aistaig/Oberndorf
12. **Stephan Hofer**  
Oberer Lautenbach  
D-78727 Aistaig/Oberndorf
13. **Stephan Hofer**  
Unterer Lautenbach  
D-78727 Aistaig/Oberndorf
14. **Stephan Hofer**  
Schelklingen  
D-78727 Aistaig/Oberndorf
15. **Hubert Schuppert**  
Brutanlage: Obere Fischzucht  
Mastanlage: Untere Fischzucht  
D-88454 Unteressendorf
16. **Johannes Dreier**  
Brunnentobel  
D-88299 Leutkich/Hebrachhofen
17. **Peter Störk**  
Wagenhausen  
D-88348 Saulgau
18. **Erwin Steinhart**  
Geislingen/St.  
D-73312 Geislingen/St.

19. **Joachim Schindler**  
Forellenzucht Lohmühle  
D-72275 Alpirsbach
20. **Heribert Wolf**  
Forellenzucht Sohnus  
D-72160 Horb-Diessen
21. **Claus Lehr**  
Forellenzucht Reinerzau  
D-72275 Alpirsbach-Reinerzau
22. **Hugo Hager**  
Bruthausanlage  
D-88639 Walbertsweiler
23. **Hugo Hager**  
Waldanlage  
D-88639 Walbertsweiler
24. **Gumpper und Stöll GmbH**  
Forellenhof Rössle, Honau  
D-72805 Liechtenstein
25. **Ulrich Ibele**  
Pfrungen  
D-88271 Pfrungen
26. **Hans Schmutz**  
Brutanlage 1, Brutanlage 2, Brut- und  
Setzlingsanlage 3 (Hausanlage)  
D-89155 Erbach
27. **Wilhelm Drafeh**  
Obersimonswald  
D-77960 Seelbach
28. **Wilhelm Drafeh**  
Brutanlage Seelbach  
D-77960 Seelbach
29. **Franz Schwarz**  
Oberharmersbach  
D-77784 Oberharmersbach
30. **Meinrad Nuber**  
Langenenslingen  
D-88515 Langenenslingen
31. **Anton Spieß**  
Höhmühle  
D-88353 Kießleg
32. **Karl Servay**  
Osterhofen  
D-88339 Bad Waldsee
33. **Kreissportfischereiverein Biberach**  
Warthausen  
D-88400 Biberach
34. **Hans Schmutz**  
Gossenzugen  
D-89155 Erbach
35. **Reinhard Rösch**  
Haigerach  
D-77723 Gengenbach
36. **Harald Tress**  
Unterlauchringen  
D-79787 Unterlauchringen
37. **Alfred Tröndle**  
Tiefenstein  
D-79774 Albrück
38. **Alfred Tröndle**  
Unteralpfen  
D-79774 Unteralpfen
39. **Peter Hofer**  
Schenkenbach  
D-78727 Aistaig/Oberndorf
40. **Heiner Feldmann**  
Bainders  
D-88630 Pfullendorf
41. **Andreas Zordel**  
Fischzucht Im Gänsebrunnen  
D-75305 Neuenbürg
42. **Hans Fischböck**  
Forellenzucht am Kocherursprung  
D-73447 Oberkochen
43. **Hans Fischböck**  
Fischzucht  
D-73447 Oberkochen
44. **Josef Dürr**  
Forellenzucht Igersheim  
D-97980 Bad Mergentheim
45. **Kurt Englerth und Sohn GBR**  
Anlage Berneck  
D-72297 Seewald
46. **A. J. Kisslegg**  
Anlage Rohrsee
47. **Staatliches Forstamt Wangen**  
Anlage Karssee
48. **Simon Phillipson**  
Anlage Weissenbrunnen  
D-88364 Wolfegg
49. **Hans Klaiber**  
Anlage Bad Wildbad  
D-75337 Enzklösterle
50. **Josef Hönig**  
Forellenzucht Hönig  
D-76646 Bruchsal-Heidelberg
51. **Werner Baur**  
Blitzenreute  
D-88273 Fronreute-Blitzenreute
52. **Gerhard Weihmann**  
Mägerkingen  
D-72574 Bad Urach-Seeburg

#### IV. FARMS IN NORTH RHINE-WESTPHALIA

1. **Wolfgang Lindhorst-Emme**  
Hirschquelle  
D-33758 Schloss Holte-Stukenbrock
2. **Wolfgang Lindhorst-Emme**  
Am Oelbach  
D-33758 Schloss Holte-Stukenbrock
3. **Hugo Rameil und Söhne**  
Sauerländer Forellenzucht  
D-57368 Lennestadt-Gleierbrück
4. **Peter Horres**  
Ovenhausen, Jätzer Mühle  
D-37671 Höxter

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**V. FARMS IN BAVARIA**

1. **Gerstner Peter**  
(Forellenzuchtbetrieb Juraquell)  
Wellheim  
D-97332 Volkach
2. **Werner Ruf**  
Fischzucht Wildbad  
D-86925 Fuchstal-Leeder
3. **Rogg**  
Fisch Rogg  
D-87751 Heimertingen

**VI. FARMS IN SAXONY**

1. **Anglerverband Südsachsen 'Mulde/Elster' e.V.**  
Forellenanlage Schlettau  
D-09487 Schlettau
  2. **H. und G. Ermisch GbR**  
Forellen- und Lachszucht  
D-01844 Langburkersdorf
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## COMMISSION DECISION

of 4 April 2001

**amending Decision 2000/574/EC on certain protective measures in respect of infectious salmon anaemia in salmonids in the Faeroe Islands***(notified under document number C(2001) 1019)***(Text with EEA relevance)**

(2001/312/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from non-member countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC <sup>(1)</sup>, as last amended by Directive 96/43/EC <sup>(2)</sup>, and in particular Article 18(7) thereof,Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from non-member countries <sup>(3)</sup>, and in particular Article 22 thereof,

Whereas:

- (1) In September 2000 the Commission adopted Decision 2000/574/EC on certain protective measures in respect of infectious salmon anaemia (ISA) in salmonids in the Faeroe Islands <sup>(4)</sup>.
- (2) The measures adopted are applicable until 1 April 2001.
- (3) In the light of the epidemiological situation with regard to ISA in the Faeroe Islands, the measures of Decision 2000/574/EC shall be extended to 1 February 2002.

- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

In Article 4 of Decision 2000/574/EC the words '1 April 2001' are replaced by '1 February 2002'.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 4 April 2001.

*For the Commission*

David BYRNE

*Member of the Commission*<sup>(1)</sup> OJ L 268, 24.9.1991, p. 56.<sup>(2)</sup> OJ L 162, 1.7.1996, p. 1.<sup>(3)</sup> OJ L 24, 30.1.1998, p. 9.<sup>(4)</sup> OJ L 240, 23.9.2000, p. 26.

## COMMISSION DECISION

of 4 April 2001

**amending for the second time Decision 1999/766/EC on certain protective measures in respect of infectious salmon anaemia in salmonids in Norway**

(notified under document number C(2001) 1027)

(Text with EEA relevance)

(2001/313/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from non-member countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC <sup>(1)</sup>, as last amended by Directive 96/43/EC <sup>(2)</sup>, and in particular Article 18(7) thereof,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from non-member countries <sup>(3)</sup>, and in particular Article 22(6) thereof,

Whereas:

- (1) In July 1999 the Commission adopted Decision 1999/766/EC on certain protective measures in respect of infectious salmon anaemia (ISA) in salmonids in Norway <sup>(4)</sup>. This was subsequently amended by Decision 2000/431/EC <sup>(5)</sup>. The measures include a ban on the imports into the Community of live salmon and stringent conditions for the importation of salmon products for human consumption. These measures apply until 1 April 2001.
- (2) Norway has during 2000 reported 17 outbreaks of ISA and three outbreaks during January to mid-February 2001. Special protective measures have been taken. At

present, 19 different restriction zones regarding ISA — including 18 municipalities — are in place.

- (3) In the light of the disease situation in Norway the measures of Decision 1999/766/EC should be extended until 1 February 2002.
- (4) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

In Article 4 of Decision 1999/766/EC the words '1 April 2001' are replaced by '1 February 2002' and the words '31 December 1999' are replaced by '31 December 2001'.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 4 April 2001.

*For the Commission*

David BYRNE

*Member of the Commission*

<sup>(1)</sup> OJ L 268, 24.9.1991, p. 56.

<sup>(2)</sup> OJ L 162, 1.7.1996, p. 1.

<sup>(3)</sup> OJ L 24, 30.1.1998, p. 9.

<sup>(4)</sup> OJ L 302, 25.11.1999, p. 23.

<sup>(5)</sup> OJ L 170, 11.7.2000, p. 15.

**COMMISSION DECISION**  
**of 10 April 2001**  
**on the inventory of wine production potential presented by Luxembourg pursuant to Council**  
**Regulation (EC) No 1493/1999**

(notified under document number C(2001) 1045)

(Only the French text is authentic)

(2001/314/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999, of 17 May 1999, on the common organisation of the market in wine <sup>(1)</sup>, amended by Regulation (EC) No 2826/2000 <sup>(2)</sup>, and in particular Article 23(4) thereof,

Whereas:

- (1) Article 16 of Regulation (EC) No 1493/1999 provides for the presentation of an inventory of wine production potential. Access to the regularisation of unlawfully planted areas, the increase in planting rights and support for restructuring and conversion is subject to prior presentation of this inventory.
- (2) Article 19 of Commission Regulation (EC) No 1227/2000 of 31 May 2000 laying down detailed rules for the application of Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine, as regards production potential <sup>(3)</sup> sets out details of the information to be included in the inventory.
- (3) By letters of 12 December 2000 and 4 January 2001 Luxembourg sent the Commission the information referred to in Article 16 of Regulation (EC) No 1493/1999. Examination of this information shows that Luxembourg has compiled the inventory.

(4) This Decision does not entail recognition by the Commission of the accuracy of the information contained in the inventory or of the compatibility of the legislation referred to in the inventory with Community law. It is without prejudice to any future Commission decision on these points.

(5) The measures provided for in this Decision are in accordance with the opinion of the Management Committee for Wine,

HAS ADOPTED THIS DECISION:

*Article 1*

The Commission notes that Luxembourg has compiled the inventory referred to in Article 16 of Regulation (EC) No 1493/1999.

*Article 2*

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 10 April 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 179, 14.7.1999, p. 1.

<sup>(2)</sup> OJ L 328, 23.12.2000, p. 2.

<sup>(3)</sup> OJ L 143, 16.6.2000, p. 1.

## COMMISSION DECISION

of 18 April 2001

**making it possible for Member States to extend provisional authorisations granted for the new active substances flupyrsulfuron-methyl, carfentrazone-ethyl, famoxadone, prosulfuron, isoxaflutole, flurtamone, ethoxysulfuron, *paecilomyces fumosoroseus*, and cyclanilide**

(notified under document number C(2001) 1090)

(Text with EEA relevance)

(2001/315/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market <sup>(1)</sup>, as last amended by Commission Directive 2000/80/EC <sup>(2)</sup>, and in particular Article 8(1) fourth subparagraph thereof,

Whereas:

- (1) Directive 91/414/EEC (hereinafter 'the Directive') has provided for the development of a Community list of active substances authorised for use in plant protection products.
- (2) The applicant Du Pont de Nemours submitted a dossier for the new active substance flupyrsulfuron-methyl to France on 26 October 1995.
- (3) The applicant FMC Europe NV submitted a dossier for the new active substance carfentrazone-ethyl to France on 14 February 1996.
- (4) The applicant Du Pont de Nemours submitted a dossier for the new active substance famoxadone to France on 2 October 1996.
- (5) The applicant Novartis submitted a dossier for the new active substance prosulfuron to France on 14 May 1995.
- (6) The applicant Rhone-Poulenc submitted a dossier for the new active substance isoxaflutole to the Netherlands on 6 March 1996.
- (7) The applicant Rhone-Poulenc submitted a dossier for the new active substance flurtamone to France on 15 February 1994.
- (8) The applicant AgrEvo submitted a dossier for the new active substance ethoxysulfuron to Italy on 3 July 1996.
- (9) The applicant Thermo Trilogy Corporation submitted a dossier for the new active substance *paecilomyces fumosoroseus* to Belgium on 18 May 1994.

- (10) The applicant Rhone-Poulenc Agrochimie SA submitted a dossier for the new active substance cyclanilide to Greece on 27 March 1996.

- (11) In accordance with the provisions of Article 6(3) of the Directive, the Commission confirmed in its Decision 97/164/EC <sup>(3)</sup> that the dossier submitted for flupyrsulfuron-methyl could be considered as satisfying, in principle, the data and information requirements of Annex II and for a plant protection product containing this active substance, of Annex III to the Directive.

- (12) In accordance with the provisions of Article 6(3) of the Directive, the Commission confirmed in its Decision 97/362/EC <sup>(4)</sup> that the dossier submitted for carfentrazone-ethyl could be considered as satisfying, in principle, the data and information requirements of Annex II and for a plant protection product containing this active substance, of Annex III to the Directive.

- (13) In accordance with the provisions of Article 6(3) of the Directive, the Commission confirmed in its Decision 97/591/EC <sup>(5)</sup> that the dossier submitted for famoxadone could be considered as satisfying, in principle, the data and information requirements of Annex II and for a plant protection product containing this active substance, of Annex III to the Directive.

- (14) In accordance with the provisions of Article 6(3) of the Directive, the Commission confirmed in its Decision 97/137/EC <sup>(6)</sup> that the dossier submitted for prosulfuron could be considered as satisfying, in principle, the data and information requirements of Annex II and for a plant protection product containing this active substance, of Annex III to the Directive.

- (15) In accordance with the provisions of Article 6(3) of the Directive, the Commission confirmed in its Decision 97/524/EC <sup>(7)</sup> that the dossier submitted for isoxaflutole could be considered as satisfying, in principle, the data and information requirements of Annex II and for a plant protection product containing this active substance, of Annex III to the Directive.

<sup>(1)</sup> OJ L 230, 19.8.1991, p. 1.

<sup>(2)</sup> OJ L 309, 9.12.2000, p. 14.

<sup>(3)</sup> OJ L 64, 5.3.1997, p. 17.

<sup>(4)</sup> OJ L 152, 11.6.1997, p. 31.

<sup>(5)</sup> OJ L 239, 30.8.1997, p. 48.

<sup>(6)</sup> OJ L 52, 22.2.1997, p. 20.

<sup>(7)</sup> OJ L 220, 30.8.1996, p. 27.



- (16) In accordance with the provisions of Article 6(3) of the Directive, the Commission confirmed in its Decision 97/341/EC <sup>(1)</sup> that the dossier submitted for flurtamone could be considered as satisfying, in principle, the data and information requirements of Annex II and for a plant protection product containing this active substance, of Annex III to the Directive.
- (17) In accordance with the provisions of Article 6(3) of the Directive, the Commission confirmed in its Decision 97/591/EC that the dossier submitted for ethoxysulfuron could be considered as satisfying, in principle, the data and information requirements of Annex II and for a plant protection product containing this active substance, of Annex III to the Directive.
- (18) In accordance with the provisions of Article 6(3) of the Directive, the Commission confirmed in its Decision 97/164/EC of 17 February 1997 that the dossier submitted for *paecilomyces fumosoroseus* could be considered as satisfying, in principle, the data and information requirements of Annex II and for a plant protection product containing this active substance, of Annex III to the Directive.
- (19) In accordance with the provisions of Article 6(3) of the Directive, the Commission confirmed in its Decision 97/137/EC of 3 February 1997 that the dossier submitted for cyclanilide could be considered as satisfying, in principle, the data and information requirements of Annex II and for a plant protection product containing this active substance, of Annex III to the Directive.
- (20) Such confirmation of data and information is necessary to permit a detailed examination of the dossier and to allow Member States the possibility to grant provisional authorisations, for a period up to three years, for plant protection products containing the active substance concerned, while complying with the conditions laid down in Articles 8(1) of the Directive and, in particular, the condition relating to the detailed assessment of the active substance and the plant protection product in the light of the requirements laid down by the Directive.
- (21) For flupyrsulfuron-methyl the effects on human health and the environment are being assessed, in accordance with the provisions of Article 6(2) and (4) of the Directive, for the uses proposed by the applicant. France acting as nominated rapporteur Member State submitted to the Commission on 2 December 1997 the draft assessment report concerned. The submitted report is being reviewed by the Member States and the Commission within the framework of the Standing Committee on Plant Health and in Working Groups thereof.
- (22) For carfentrazone-ethyl, the effects on human health and the environment are being assessed, in accordance with the provisions of Article 6(2) and (4) of the Directive, for the uses proposed by the applicant. France acting as nominated rapporteur Member State submitted to the Commission on 14 May 1998 the draft assessment report concerned. The submitted report is being reviewed by the Member States and the Commission within the framework of the Standing Committee on Plant Health and in Working Groups thereof.
- (23) For famoxadone, the effects on human health and the environment are being assessed, in accordance with the provisions of Article 6(2) and (4) of the Directive, for the uses proposed by the applicant. France acting as nominated rapporteur Member State submitted to the Commission on 5 August 1998 the draft assessment report concerned. The submitted report is being reviewed by the Member States and the Commission within the framework of the Standing Committee on Plant Health and in Working Groups thereof.
- (24) For prosulfuron, the effects on human health and the environment are being assessed, in accordance with the provisions of Article 6(2) and (4) of the Directive, for the uses proposed by the applicant. France acting as nominated rapporteur Member State submitted to the Commission on 18 January 1999 the draft assessment report concerned. The submitted report is being reviewed by the Member States and the Commission within the framework of the Standing Committee on Plant Health and in Working Groups thereof.
- (25) For isoxaflutole, the effects on human health and the environment are being assessed, in accordance with the provisions of Article 6(2) and (4) of the Directive, for the uses proposed by the applicant. The Netherlands acting as nominated rapporteur Member State submitted to the Commission on 26 February 1997 the draft assessment report concerned. The submitted report is being reviewed by the Member States and the Commission within the framework of the Standing Committee on Plant Health and in Working Groups thereof.
- (26) For flurtamone, the effects on human health and the environment are being assessed, in accordance with the provisions of Article 6(2) and (4) of the Directive, for the uses proposed by the applicant. France acting as nominated rapporteur Member State submitted to the Commission on 21 May 1997 the draft assessment report concerned. The submitted report is being reviewed by the Member States and the Commission within the framework of the Standing Committee on Plant Health and in Working Groups thereof.

<sup>(1)</sup> OJ L 130, 31.5.1996, p. 20.

- (27) For ethoxysulfuron, the effects on human health and the environment are being assessed, in accordance with the provisions of Article 6(2) and (4) of the Directive, for the uses proposed by the applicant. Italy acting as nominated rapporteur Member State submitted to the Commission on 20 May 1997 the draft assessment report concerned. The submitted report is being reviewed by the Member States and the Commission within the framework of the Standing Committee on Plant Health and in Working Groups thereof.
- (28) For *paecilomyces fumosoroseus*, the effects on human health and the environment are being assessed, in accordance with the provisions of Article 6(2) and (4) of the Directive, for the uses proposed by the applicant. Belgium acting as nominated rapporteur Member State submitted to the Commission on 9 December 1997 the draft assessment report concerned. The submitted report is being reviewed by the Member States and the Commission within the framework of the Standing Committee on Plant Health and in Working Groups thereof.
- (29) For cyclanilide, the effects on human health and the environment are being assessed, in accordance with the provisions of Article 6(2) and (4) of the Directive, for the uses proposed by the applicant. Greece acting as nominated rapporteur Member State submitted to the Commission on 11 February 1998 the draft assessment report concerned. The submitted report is being reviewed by the Member States and the Commission within the framework of the Standing Committee on Plant Health and in Working Groups thereof.
- (30) It will not be possible to complete the evaluation of the dossiers within three years of the adoption of the decisions on completeness referred to above because the examination of the dossiers after submission of the draft assessment reports by the respective rapporteur Member States has taken longer than three years.
- (31) Member States should be given the possibility of prolonging provisional authorisations of plant protection products containing these active substances for a period of 12 months in accordance with the provisions of Article 8 of the Directive so as to enable examination of the dossiers to continue. It is expected that within 12 months the completion of the evaluation and decision making process with respect to a decision on possible Annex I inclusion for each of the active substances concerned will have been completed.
- (32) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

*Article 1*

Member States may extend provisional authorisations for plant protection products containing flupyrsulfuron-methyl, carfentrazone-ethyl, famoxadone, prosulfuron, isoxaflutole, flurtamone, ethoxysulfuron, *paecilomyces fumosoroseus*, and cyclanilide for a period not exceeding 12 months from the date of adoption of this Decision.

*Article 2*

The present Decision is addressed to the Member States.

Done at Brussels, 18 April 2001.

*For the Commission*

David BYRNE

*Member of the Commission*

## COMMISSION DECISION

of 17 April 2001

**amending for the sixth time Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom**

(notified under document number C(2001) 1121)

(Text with EEA relevance)

(2001/316/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market <sup>(1)</sup>, as last amended by Directive 92/118/EEC <sup>(2)</sup>, and in particular Article 10 thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market <sup>(3)</sup>, as last amended by Directive 92/118/EEC, and in particular Article 9 thereof,

Whereas:

- (1) Following the reports of outbreaks of foot-and-mouth disease in the United Kingdom, the Commission adopted Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom <sup>(4)</sup>, as last amended by Decision 2001/263/EC <sup>(5)</sup>.
- (2) Following the reports of outbreaks of foot-and-mouth disease in Ireland, the Commission adopted Decision 2001/234/EC <sup>(6)</sup> concerning certain protection measures with regard to foot-and-mouth disease in Ireland, as last amended by Decision 2001/267/EC <sup>(7)</sup>.
- (3) Northern Ireland and Ireland have taken measures in the framework of Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease <sup>(8)</sup>, as last amended by the Act of Accession of Austria, Finland and Sweden, and furthermore have introduced further measures within the affected areas, including the measures laid down in Decision 2001/263/EC.
- (4) The geographic scope for the areas subjected to the measures provided for in this Decision should not be

maintained any longer than necessary under objectively defined circumstances.

- (5) The requirements for the surveillance to be carried out in areas under restriction in accordance with Article 9 of Directive 85/511/EEC prior to the release of the measures are detailed in Commission Decision 2001/295/EC <sup>(9)</sup>.
- (6) An additional treatment of blood products should be authorised and the requirements for certification should be specified for certain treated and shelf stable products.
- (7) The measures introduced by Decision 2001/172/EC should be prolonged.
- (8) The situation shall be reviewed at the meeting of the Standing Veterinary Committee scheduled for 10 April 2001 and the measures adapted where necessary.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

Commission Decision 2001/172/EC is amended as follows:

1. Article 3 is amended as follows:

- (a) The words 'or to meat products heat treated in hermetically sealed containers so as to ensure that they are shelf stable' are added accordingly to the end of paragraph 2.
- (b) The words 'are consigned in hermetically sealed containers or' are deleted in paragraph 5.
- (c) A sixth paragraph is added as follows:

'6. Derogating from the provisions in paragraph 4 it shall be sufficient in the case of meat products heat treated in hermetically sealed containers so as to ensure that they are shelf stable to be accompanied by a commercial document stating the heat treatment applied.'

<sup>(1)</sup> OJ L 224, 18.8.1990, p. 29.

<sup>(2)</sup> OJ L 62, 15.3.1993, p. 49.

<sup>(3)</sup> OJ L 395, 30.12.1989, p. 13.

<sup>(4)</sup> OJ L 62, 2.3.2001, p. 22.

<sup>(5)</sup> OJ L 93, 3.4.2001, p. 59.

<sup>(6)</sup> OJ L 84, 23.3.2001, p. 62.

<sup>(7)</sup> OJ L 94, 4.4.2001, p. 26.

<sup>(8)</sup> OJ L 315, 26.11.1985, p. 11.

<sup>(9)</sup> OJ L 100, 11.4.2001, p. 35.

2. Article 4 is amended as follows:

(a) The words 'is consigned in hermetically sealed containers or' are deleted in paragraph 5.

(b) A sixth paragraph is added as follows:

'6. Derogating from the provisions in paragraph 4 it shall be sufficient in the case of milk which conforms to the requirements in paragraph 2(a) or (b) and which has been treated in hermetically sealed containers so as to ensure that it is shelf stable to be accompanied by a commercial document stating the heat treatment applied.'

3. Article 5 is amended as follows:

(a) The words 'are consigned in hermetically sealed containers or' are deleted in paragraph 5.

(b) A sixth paragraph is added as follows:

'6. Derogating from the provisions in paragraph 4 it shall be sufficient in the case of milk products which conform to the requirements of paragraph 2 and which have been treated in hermetically sealed containers so as to ensure that they are shelf stable to be accompanied by a commercial document stating the heat treatment applied.'

4. Article 8 is amended as follows:

(a) A fourth indent is added to paragraph (2)(b) as follows:  
'— a treatment as provided for in Chapter 4 of Annex I to Directive 92/118/EEC;'

(b) A new subparagraph is added to paragraph 2 accordingly as follows:

'(i) packed products intended for use as in-vitro diagnostic or laboratory reagents.'

(c) A seventh paragraph is added as follows:

'7. Derogating from the provisions in paragraph 3 it shall be sufficient in the case of products mentioned in paragraph 2(i) to be accompanied by a commercial document stating that the products are for use as in-vitro diagnostic or laboratory reagents, provided that the products are clearly labelled "for in-vitro diagnostic use only" or "for laboratory use only".'

5. A third paragraph is added to Article 11a as follows:

'3. However, the Commission shall amend this Decision to the effect that the measures provided for in relation to the areas in Northern Ireland listed in Annex I and II can be released without prejudice to Directive 85/511/EEC as follows:

If, as of 19 April 2001, Northern Ireland notify the Commission that:

(a) no further outbreak of foot-and-mouth disease was reported in Northern Ireland during the period between 22 March 2001 and 17:00 on 19 April 2001, and

(b) all the clinical examinations and laboratory tests have been carried out in accordance with Decision 2001/295/EC with negative results in each case:

— on holdings where the presence of this disease has been suspected in relation to the outbreak confirmed in Northern Ireland in March 2001, and,

— in each holding where susceptible animals are kept and which is located in the respective protection and surveillance zones established in the areas listed in Annex I of this Decision following the outbreak confirmed in March 2001,

the Commission shall immediately inform all Member States and amend this Decision accordingly with immediate effect. The Member States shall adapt the conditions they apply to trade so as to bring them in line with the new situation.'

6. The date in Article 14 is replaced by '18 May 2001'.

#### Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 April 2001.

*For the Commission*

David BYRNE

*Member of the Commission*

## COMMISSION DECISION

of 18 April 2001

**amending for the second time Decision 2001/263/EC concerning restrictions to the movement of animals of susceptible species in all Member States with regard to foot-and-mouth disease**

(notified under document number C(2001) 1116)

(Text with EEA relevance)

(2001/317/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market <sup>(1)</sup>, as last amended by Directive 92/118/EEC <sup>(2)</sup>, and in particular Article 10 thereof,

Whereas:

- (1) Following the reports of outbreaks of foot-and-mouth disease in the United Kingdom, France, the Netherlands and Ireland, the Commission adopted Decisions 2001/172/EC <sup>(3)</sup>, 2001/208/EC <sup>(4)</sup>, 2001/223/EC <sup>(5)</sup> and 2001/234/EC <sup>(6)</sup> concerning certain protection measures with regard to foot-and-mouth disease in the respective Member State.
- (2) The foot-and-mouth disease situation in certain parts of the Community is liable to endanger the herds in other parts of the Community in view of the placing on the market and trade in live biungulate animals.
- (3) All Member States have implemented the restrictions to the movement of animals of susceptible species laid down in Decision 2001/263/EC <sup>(7)</sup>, as last amended by Decision 2001/302/EC <sup>(8)</sup>.
- (4) In the light of the disease evolution and the findings of the epidemiological investigations carried out in the affected Member States in close cooperation with the other Member States, it appears appropriate to further ease the restrictions on movement of susceptible animals within the Community.

(5) The situation shall be reviewed at the meeting of the Standing Veterinary Committee scheduled for 19 April 2001 and the measures adapted where necessary.

(6) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

The following indents are inserted between the first and second indent in the second subparagraph in Article 1(1) of Commission Decision 2001/263/EC:

- through an approved assembly centre to one holding of destination for fattening, except in the case of bovine and porcine animals for fattening which may be dispatched from the assembly centre to a maximum of six holdings of destination, subject to authorisation by the competent authorities of the place of departure and destination, or
- to an assembly point to group herds or flocks for transhumance to designated pastures, subject to authorisation by the competent authorities of the place of departure and destination, or.

*Article 2*

This Decision is addressed to the Members States.

Done at Brussels, 18 April 2001.

*For the Commission*

David BYRNE

*Member of the Commission*

<sup>(1)</sup> OJ L 224, 18.8.1990, p. 29.

<sup>(2)</sup> OJ L 62, 15.3.1993, p. 49.

<sup>(3)</sup> OJ L 62, 2.3.2001, p. 22.

<sup>(4)</sup> OJ L 73, 15.3.2001, p. 38.

<sup>(5)</sup> OJ L 82, 22.3.2001, p. 29.

<sup>(6)</sup> OJ L 84, 23.3.2001, p. 62.

<sup>(7)</sup> OJ L 93, 3.4.2001, p. 59.

<sup>(8)</sup> OJ L 104, 13.4.2001, p. 1.

## COMMISSION DECISION

of 18 April 2001

**amending for the seventh time Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom**

(notified under document number C(2001) 1134)

(Text with EEA relevance)

(2001/318/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market <sup>(1)</sup>, as last amended by Directive 92/118/EEC <sup>(2)</sup>, and in particular Article 10 thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market <sup>(3)</sup>, as last amended by Directive 92/118/EEC, and in particular Article 9 thereof,

Whereas:

- (1) Following the reports of outbreaks of foot-and-mouth disease in the United Kingdom, the Commission adopted Decision 2001/172/EC concerning certain protection measures with regard to foot-and-mouth disease in the United Kingdom <sup>(4)</sup>, as last amended by Decision 2001/316/EC <sup>(5)</sup>.
- (2) Following new reports of outbreaks of foot-and-mouth disease in Northern Ireland, the competent authorities of Northern Ireland have banned the dispatch of susceptible animals and untreated products from such animals from the whole of Northern Ireland.

- (3) It appears therefore appropriate to extent the measures provided for in Decision 2001/172/EC to the whole of the territory of Northern Ireland.

- (4) The situation shall be reviewed at the meeting of the Standing Veterinary Committee scheduled for 15 and 16 May 2001 and the measures adapted where necessary.

- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

In Annex I to Decision 2001/172/EC the words 'Great Britain and the district Newry and Mourne in County Armagh in Northern Ireland' are replaced by 'Great Britain, Northern Ireland'.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 18 April 2001.

*For the Commission*

David BYRNE

*Member of the Commission*

<sup>(1)</sup> OJ L 224, 18.8.1990, p. 29.

<sup>(2)</sup> OJ L 62, 15.3.1993, p. 49.

<sup>(3)</sup> OJ L 395, 30.12.1989, p. 13.

<sup>(4)</sup> OJ L 62, 2.3.2001, p. 22.

<sup>(5)</sup> See page 72 of this Official Journal.

**CORRIGENDA**

**Corrigendum to Commission Regulation (EC) No 609/2001 of 28 March 2001 laying down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards operational programmes, operational funds and Community financial assistance, and repealing Regulation (EC) No 411/97**

*(Official Journal of the European Communities L 90 of 30 March 2001)*

On page 9, in Article 8(2)(b)(iii):

*for:* '(iii) environmental measures (including re-usable packaging),'

*read:* '(iii) environmental measures (including recyclable and/or re-usable packaging),'

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