

Official Journal

of the European Communities

ISSN 0378-6978

L 234

Volume 44

1 September 2001

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ **Regulation (EC) No 1724/2001 of the European Parliament and of the Council of 23 July 2001 concerning action against anti-personnel landmines in developing countries** 1
- ★ **Council Regulation (EC) No 1725/2001 of 23 July 2001 concerning action against anti-personnel landmines in third countries other than developing countries** 6
- ★ **Regulation (EC) No 1726/2001 of the European Parliament and of the Council of 23 July 2001 amending Article 21 of Council Regulation (EC) No 1292/96 on food-aid policy and food-aid management and special operations in support of food security** 10
- Commission Regulation (EC) No 1727/2001 of 31 August 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables 11
- Commission Regulation (EC) No 1728/2001 of 31 August 2001 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid 13
- Commission Regulation (EC) No 1729/2001 of 31 August 2001 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments 15
- Commission Regulation (EC) No 1730/2001 of 31 August 2001 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira 17
- Commission Regulation (EC) No 1731/2001 of 31 August 2001 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands 19
- Commission Regulation (EC) No 1732/2001 of 31 August 2001 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira 21

Commission Regulation (EC) No 1733/2001 of 31 August 2001 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands	23
Commission Regulation (EC) No 1734/2001 of 31 August 2001 fixing the import duties in the cereals sector	25
Commission Regulation (EC) No 1735/2001 of 31 August 2001 fixing the export refunds on syrups and certain other sugar products exported in the natural state	28
Commission Regulation (EC) No 1736/2001 of 31 August 2001 altering the export refunds on white sugar and raw sugar exported in the natural state	31
Commission Regulation (EC) No 1737/2001 of 31 August 2001 fixing the production refund on white sugar used in the chemical industry	33
Commission Regulation (EC) No 1738/2001 of 31 August 2001 determining the world market price for unginned cotton	35
Commission Regulation (EC) No 1739/2001 of 31 August 2001 fixing the import duties in the rice sector	36
Commission Regulation (EC) No 1740/2001 of 31 August 2001 fixing the corrective amount applicable to the refund on malt	39
Commission Regulation (EC) No 1741/2001 of 31 August 2001 fixing the corrective amount applicable to the refund on cereals	41
Commission Regulation (EC) No 1742/2001 of 31 August 2001 fixing the maximum aid for concentrated butter for the 253rd special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90	43
Commission Regulation (EC) No 1743/2001 of 31 August 2001 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 81st individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97	44
Commission Regulation (EC) No 1744/2001 of 31 August 2001 fixing the maximum purchasing price for butter for the 34th invitation to tender carried out under the standing invitation to tender governed by Regulation (EC) No 2771/1999	46
Commission Regulation (EC) No 1745/2001 of 31 August 2001 suspending the buying-in of butter in certain Member States	47
Commission Regulation (EC) No 1746/2001 of 31 August 2001 fixing the export refunds on rice and broken rice and suspending the issue of export licences	48
Commission Regulation (EC) No 1747/2001 of 31 August 2001 fixing the maximum purchase price for beef under the ninth partial invitation to tender pursuant to Regulation (EC) No 690/2001	51
Commission Regulation (EC) No 1748/2001 of 31 August 2001 fixing the maximum buying-in price and the quantities of beef to be bought in under the 273rd partial invitation to tender as a general intervention measure pursuant to Regulation (EEC) No 1627/89	52
Commission Regulation (EC) No 1749/2001 of 31 August 2001 on the issue of system B export licences in the fruit and vegetables sector	54

★ Directive 2001/46/EC of the European Parliament and of the Council of 23 July 2001 amending Council Directive 95/53/EC fixing the principles governing the organisation of official inspections in the field of animal nutrition and Directives 70/524/EEC, 96/25/EC and 1999/29/EC on animal nutrition	55
★ Council Directive 2001/64/EC of 31 August 2001 amending Directive 66/401/EEC on the marketing of fodder plant seed and Directive 66/402/EEC on the marketing of cereal seed	60

II Acts whose publication is not obligatory

Commission

2001/668/EC:

★ Commission Decision of 22 August 2001 amending Decision 97/778/EC as regards the list of border inspection posts (BIPs) agreed for veterinary checks on products and animals from third countries ⁽¹⁾ (notified under document number C(2001) 2580)	62
---	----

Corrigenda

★ Corrigendum to Commission Regulation (EC) No 1704/2001 of 29 August 2001 establishing unit values for the determination of the customs value of certain perishable goods (OJ L 232 of 30.8.2001)	64
---	----

I

(Acts whose publication is obligatory)

**REGULATION (EC) No 1724/2001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 23 July 2001
concerning action against anti-personnel landmines in developing countries**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,

Having regard to the Treaty establishing the European
Community, and in particular Article 179(1) thereof,

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

Acting in accordance with the procedure referred to in Article
251 of the Treaty ⁽²⁾,

Whereas:

- (1) The European Community is concerned by the presence of anti-personnel land-mines and other unexploded devices in areas where civil communities are trying to recover from armed conflict.
- (2) Anti-personnel landmines cause suffering and casualties, particularly in the poorest parts of the world, and constitute a serious obstacle to economic development, inhibit the return of refugees and displaced persons, and obstruct humanitarian aid operations, reconstruction and rehabilitation and the restoration of normal social conditions.
- (3) The Community is determined to make a full contribution towards the goal of total elimination of anti-personnel landmines world-wide in the coming years.
- (4) The Community and its Member States have provided the largest contribution to the wider international effort to overcome the tragedy of anti-personnel landmines.
- (5) Action to achieve the total elimination of anti-personnel landmines is still at an early stage and therefore the Community should continue to exercise determined leadership until that goal is fully achieved.

(6) This Regulation is a direct response to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention).

(7) Therefore, financial aid should, as a priority, benefit those developing countries which are committed to the fight against anti-personnel landmines and are parties to the Ottawa Convention.

(8) Community mine action is often an integral part of humanitarian aid, rehabilitation, reconstruction or development activities, whilst being a discrete and specialised activity responding to distinct priorities, operational requirements and political imperatives.

(9) As part of such activities, as well as in the case of framework programmes for the research and development of mine action technology, new and existing actions will continue to be funded from specific budget lines, supported, complemented and coordinated under this Regulation where appropriate.

(10) For the Community to be able to contribute effectively to preventive actions on mines, it will be necessary to allow for Community action to destroy anti-personnel landmines in stockpiles in conjunction with operations to destroy anti-personnel landmines in the ground.

(11) Scientific research should be intensified with the aim of developing technologies to facilitate mine detection and identification of the affected areas with greater precision.

(12) The Community needs to be in a position to ascertain that the mine clearance actions which it has financed have been effective. It must therefore employ the appropriate technical means, including military technology where necessary.

⁽¹⁾ OJ C 248 E, 29.8.2000, p. 115 and
OJ C 120 E, 24.4.2001, p. 168.

⁽²⁾ Opinion of the European Parliament of 25 October 2000 (not yet published in the Official Journal), Council Common Position of 31 May 2001 (OJ C 213, 31.7.2001, p. 1) and Decision of the European Parliament of 4 July 2001.

- (13) This Regulation is designed to provide the basis for a coherent and efficient approach for the Community mine action in developing countries, through advancement of an integrating strategy, in close coordination between the Commission, the Member States and the international community at all stages of mine actions.
- (14) Such an approach should not prevent a Community response to humanitarian emergencies wherever they occur.
- (15) It is necessary to ensure that these actions are consistent with the European Union's foreign policy as a whole, including the Common Foreign and Security Policy.
- (16) 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 ⁽¹⁾.
- (17) The anti-personnel landmine problem, by its life-threatening nature and its global extent, requires efficient, flexible and, where necessary, rapid decision-making procedures for the financing of Community actions.
- (18) This Regulation establishes, for its entire duration, a financial framework which is to be the principal point of reference for the budgetary authority, within the meaning of point 33 of the Interinstitutional Agreement between the European Parliament, the Council and the Commission of 6 May 1999 on budgetary discipline and improvement of the budgetary procedure ⁽²⁾.
- (19) The Community should ensure maximum transparency in the implementation of the financial assistance and stringent controls in the use of appropriations.
- (20) The protection of the Communities' financial interests as well as the fight against fraud and irregularities constitute an inherent part of this Regulation,

HAVE ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down the procedures for the implementation of Community operations against anti-personnel landmines within the framework of Community development cooperation policy, while advancing a consistent and coherent humanitarian mine clearance strategy in response to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of anti-personnel Mines and on their Destruction (hereinafter referred to as the 'Ottawa Convention').
2. The operations referred to in this Regulation shall be implemented in the territory of developing countries or shall be directly related to situations arising in developing countries,

particularly in those most vulnerable amongst them and in those which are recovering from conflicts.

Mine actions shall be integrated into all country strategies for those developing countries which suffer from the consequences of antipersonnel landmines.

Article 2

1. Community action under this Regulation shall be aimed at assisting countries which suffer from the consequences of anti-personnel landmines, to create the conditions necessary for their economic and social development, by

- (a) supporting the elaboration, monitoring and implementation of a civilian mine action strategy;
- (b) assisting afflicted countries in their implementation of the Ottawa Convention;
- (c) creating and sustaining international structures and local capabilities within the afflicted countries to carry out mine actions with maximum effectiveness;
- (d) responding to humanitarian emergency, preventing casualties and assisting the rehabilitation of mine victims;
- (e) supporting the in-country trial and introduction into operational use of appropriate mine action equipment and techniques;
- (f) promoting coordination with end users of the mine clearance equipment at the early stages of research and supporting the use of these technologies in the poorest mine-affected countries;
- (g) encouraging mine clearance actions that are compatible with the local environment and consistent with the sustainable development of the affected region;
- (h) supporting coordination among international mine action actors.

2. The operations financed under this Regulation may comprise all activities related to action against anti-personnel landmines which will support objectives necessary for economic and social development, including:

- (a) mine awareness education;
- (b) training of specialist personnel;
- (c) survey and marking of suspected areas;
- (d) detection and identification of antipersonnel landmines;
- (e) mine clearance to humanitarian standards and destruction of anti-personnel landmines in the ground and in conjunction therewith the destruction of anti-personnel landmines in stockpiles;
- (f) victim assistance, rehabilitation and socio-economic reintegration of mine victims;
- (g) information management, including geographical information systems;

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

⁽²⁾ OJ C 172, 18.6.1999, p. 1.

(h) other activities, which contribute to the reduction of the human, economic, and environmental impact of anti-personnel landmines.

3. In the context of paragraph 2, priority shall be given to operations in the most seriously mine afflicted countries, where anti-personnel landmines or, in conjunction therewith, other unexploded ordnance cause many civilian casualties or where the presence or suspected presence of these devices is a major obstacle to the restoration of economic and social activity or to development and thus requires a specific long-term commitment that emergency humanitarian or reconstruction aid are unable to provide.

4. In order to ensure coherence, complementarity and synergy within regional cooperation programmes and in the context of humanitarian aid, rehabilitation, reconstruction and development projects, mine actions which can be financed within the framework of any of those programmes or projects shall continue to be financed from the budget line on which the principal action is financed. Where necessary, these activities may be complemented or supported by mine actions financed under this Regulation.

Article 3

The operations financed under this Regulation shall in principle benefit those countries which are committed to the fight against antipersonnel landmines and are parties to the Ottawa Convention. Exceptions may be made for humanitarian emergency, for assistance to mine victims and for actions in direct support of vulnerable civil communities, such as refugees and displaced persons, or where the national administration is not functioning.

Article 4

1. Partners eligible for financial support under this Regulation may include regional and international organisations and agencies, non-governmental organisations (NGOs), national, provincial and local governments, their departments and agencies, institutes and public and private operators with appropriate specialised expertise and experience.

2. Participation in invitations to tender and the award of contracts shall be open on equal terms to natural and legal persons of the Member States and of the beneficiary country. In exceptional cases which are fully justified, participation may be extended to third countries.

3. Companies and other organisations tendering for contracts shall show that they have an operations policy that does not put their employees unduly at risk, and that such policy is supported by adequate employee accident and liability insurance.

Article 5

1. Community aid under this Regulation may be used to finance technical assistance, training, personnel or other services related to mine action; trials of equipment and tech-

niques; logistical support, procurement, provision and storage of any equipment, supplies and works needed for the implementation of mine actions; studies and conferences and measures to strengthen international coordination of mine action; evaluation and monitoring missions; activities to raise public awareness; as well as the costs of highlighting the Community nature of the aid.

2. Community financing under this Regulation shall take the form of grants.

3. Where operations are the subject of financial agreements between Community and beneficiary countries, such agreements shall stipulate that the payment of taxes, duties or any other charges is not to be covered by the Community.

Article 6

The financial framework for the implementation of Community mine actions during the period 2002 to 2009, under all applicable regulations in the context of Article 2(4), shall be EUR 240 million. Out of this amount, EUR 140 million shall be available for mine actions under this Regulation and Council Regulation (EC) No 1725/2001 of 23 July 2001 concerning action against anti-personnel landmines in third countries other than developing countries ⁽¹⁾.

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

Article 7

1. The Commission shall be assisted by the relevant geographical committee.

2. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

Article 8

1. The Commission shall, on the basis of a regular exchange of information, including the exchange of information on the spot, facilitate effective coordination of the assistance efforts undertaken by the Community and individual Member States, in order to increase the coherence and complementarity of their programmes.

2. The Commission may seek opportunities for co-financing with other providers of funds, especially with Member States.

3. The Commission shall promote coordination and cooperation with international contributors and actors, in particular those which form part of the United Nations system and with NGOs, as well as with relevant centres such as the Geneva International Centre for Humanitarian Demining.

4. The necessary measures shall be taken to give visibility to the contribution by the Community.

⁽¹⁾ See page 6 of this Official Journal.

Article 9

1. The Commission shall appraise, decide, and administer operations covered by this Regulation in accordance with the budgetary and other procedures in force, and in particular those laid down in Articles 116 and 118 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽¹⁾.

2. Financing decisions exceeding EUR 3 million shall be taken under the procedure laid down in Article 7(2).

3. The Commission shall inform the relevant Committee referred to in Article 7(1) of any financing decision of less than EUR 3 million in value. This information shall be made available no later than one week before the adoption of the financing decision.

4. The Commission may take decisions amending financing decisions adopted in accordance with the procedure laid down in Article 7(2), where they do not entail any substantial amendments or additional commitments in excess of 20 % of the initial commitment.

Article 10

1. Projects shall form part of the wider development or reconstruction framework of the country or region in question, and be prioritised and appraised in terms of their positive impact and cost effectiveness.

2. Wherever possible, the project should be clearly integrated within a national anti-personnel landmines programme coordinated by the beneficiary government or by local society in cooperation with NGOs, or by an international institution mandated for that purpose. The aim should be for the project to be taken over, in due course, by the beneficiary government itself or by local society or NGOs in order to enhance local capacity and the sustainability of the project.

Article 11

All financing agreements or contracts concluded under this Regulation shall provide for the Commission and the Court of Auditors to conduct on-the-spot checks according to the usual procedures laid down by the Commission under the rules in force, and in particular those of the Financial Regulation.

In addition, the Commission may carry out on-the-spot checks and inspections in conformity with Council Regulation (Euratom, EC) No 2185/96 ⁽²⁾. The measures taken by the

Commission shall provide for adequate protection of the financial interests of the Community in conformity with Council Regulation (EC, Euratom) No 2988/95 ⁽³⁾.

Article 12

To facilitate multi-annual mine action coordination and programming, an Anti-personnel Landmine (APL) Strategy Paper comprising horizontal guidelines and priorities for Community mine action and the benchmarks for their achievement shall regularly be presented to a joint meeting of the Committees referred to in Article 7(1), for consideration in accordance with the procedures laid down in Article 7(2). The APL Strategy Paper shall cover issues such as a multi-annual indicative programme and shall refer to existing mine action programmes at country and regional levels, to the contributions of other donors including Member States and to Community mine actions funded from other budget lines. The APL Strategy Paper shall also be transmitted to the European Parliament for information.

Article 13

1. The Commission shall regularly assess operations financed by the Community in order to establish whether the objectives of the operations have been achieved and to provide guidelines for improving the effectiveness of future operations.

2. The Commission shall present in its annual report on EC development cooperation to the European Parliament and the Council information on the progress of all Community operations as well as on the results of assessments made. The report shall specify which actions have been implemented and indicate the respective amounts from the different budget lines.

Article 14

Every three years after entry into force of this Regulation, the Commission shall submit to the European Parliament and the Council an overall assessment of all Community mine actions, together with suggestions for the future of this Regulation and, as necessary, proposals for amendments to it.

Article 15

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

It shall apply until 31 December 2009.

⁽¹⁾ OJ L 356, 31.12.1977, p. 1. Regulation as last amended by Council Regulation (EC, ECSC, Euratom) No 762/2001 (OJ L 111, 20.4.2001, p. 1).

⁽²⁾ OJ L 292, 15.11.1996, p. 2.

⁽³⁾ OJ L 312, 23.12.1995, p. 1.

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

Done at Brussels, 23 July 2001.

For the European Parliament

The President

N. FONTAINE

For the Council

The President

A. NEYTS-UYTTEBROECK

COUNCIL REGULATION (EC) No 1725/2001**of 23 July 2001****concerning action against anti-personnel landmines in third countries other than developing countries**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

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

Having regard to the opinion of the European Parliament,

Whereas:

- (1) The European Community is concerned by the presence of anti-personnel land-mines and other unexploded devices in areas where civil communities are trying to recover from armed conflict.
- (2) Anti-personnel landmines cause suffering and casualties and constitute a serious obstacle to economic development, inhibit the return of refugees and displaced persons, and obstruct humanitarian aid operations, reconstruction and rehabilitation and the restoration of normal social conditions.
- (3) The Community is determined to make a full contribution towards the goal of total elimination of anti-personnel landmines world-wide in the coming years.
- (4) The Community and its Member States have provided the largest contribution to the wider international effort to overcome the tragedy of anti-personnel landmines.
- (5) Action to achieve the total elimination of anti-personnel landmines is still at an early stage and therefore the Community should continue to exercise determined leadership until the goal is fully achieved.
- (6) This Regulation is a direct response to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention).
- (7) Therefore, financial aid should, as a priority, benefit those third countries which are committed to the fight against anti-personnel landmines and are parties to the Ottawa Convention.
- (8) Community mine action is often an integral part of humanitarian aid, rehabilitation, reconstruction or development activities, whilst being a discrete and specialised activity responding to distinct priorities, operational requirements and political imperatives.
- (9) As part of such activities, as well as in the case of framework programmes for the research and development of mine action technology, new and existing

actions will continue to be funded from specific budget lines, supported, complemented and coordinated under this Regulation where appropriate.

- (10) For the Community to be able to contribute effectively to preventive actions on mines, it will be necessary to allow for Community action to destroy anti-personnel landmines in stockpiles in conjunction with operations to destroy anti-personnel landmines in the ground.
- (11) Scientific research should be intensified with the aim of developing technologies to facilitate mine detection and identification of the affected areas with greater precision.
- (12) The Community needs to be in a position to ascertain that the mine clearance actions which it has financed have been effective. It must therefore employ the appropriate technical means, including military technology where necessary.
- (13) This Regulation is designed to provide the basis for a coherent and efficient approach for the Community mine action in third countries other than developing countries, through advancing an integrating strategy, in close coordination between the Commission, the Member States and the international community at all stages of mine actions.
- (14) Such an approach should not prevent Community response to humanitarian emergencies wherever they occur.
- (15) It is necessary to ensure that these actions are coherent with the European Union's foreign policy as a whole, including the Common Foreign and Security Policy.
- (16) 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 ⁽²⁾.
- (17) The anti-personnel landmine problem, by its life-threatening nature and its global extent, requires efficient, flexible and, where necessary, rapid decision-making procedures for the financing of Community actions.
- (18) The Community should ensure maximum transparency in the implementation of the financial assistance and stringent controls in the use of appropriations.

⁽¹⁾ OJ C 120 E, 24.4.2001, p. 173.

⁽²⁾ OJ L 184, 17.7.1999, p. 23.

- (19) The protection of the Communities' financial interests as well as the fight against fraud and irregularities constitute an inherent part of this Regulation.
- (20) The operations referred to in this Regulation fit into the framework of Community cooperation policy in third countries other than developing countries and are necessary to attain one of the objectives of the Treaty. The Treaty does not provide for the adoption of this Regulation, powers other than those laid down in Article 308.
- (21) Article 6 of Regulation (EC) No 1724/2001 of the European Parliament and of the Council of 23 July 2001 concerning action against anti-personnel landmines in developing countries ⁽¹⁾ provides for a financial framework for the implementation of all Community mine actions, including under this Regulation,
 - (e) supporting the in-country trial and introduction into operational use of appropriate mine action equipment and techniques;
 - (f) promoting coordination with end-users of the mine clearance equipment at the early stages of research and to support the use of these technologies in mine-affected countries;
 - (g) encouraging mine clearance actions that are compatible with the local environment and consistent with the sustainable development of the affected region;
 - (h) supporting coordination among international mine action actors.

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down the procedures for the implementation of Community operations against anti-personnel landmines within the framework of Community cooperation policy in third countries, while advancing a consistent and coherent humanitarian mine clearance strategy in response to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (hereinafter referred to as the 'Ottawa Convention').

2. The operations referred to in this Regulation shall be implemented in the territory of third countries other than developing countries or shall be directly related to situations arising in these countries, particularly in those recovering from conflicts.

Mine actions shall be integrated into all country and cooperation strategies of such third countries which suffer from the consequences of anti-personnel landmines.

Article 2

1. Community operations under this Regulation shall be aimed at assisting countries which suffer from the consequences of anti-personnel landmines, to create the conditions necessary for their economic and social development, by

- (a) supporting the elaboration, monitoring and implementation of a civilian mine action strategy;
- (b) assisting afflicted countries in their implementation of the Ottawa Convention;
- (c) creating and sustaining international structures and local capabilities within the afflicted countries to carry out mine actions with maximum effectiveness;
- (d) responding to humanitarian emergency, preventing casualties and assisting the rehabilitation of mine victims;

2. The operations financed under this Regulation may comprise all activities related to action against anti-personnel landmines which will support objectives necessary for economic and social development, including:

- (a) mine awareness education;
- (b) training of specialist personnel;
- (c) survey and marking of suspected areas;
- (d) detection and identification of anti-personnel landmines;
- (e) mine clearance to humanitarian standards and destruction of anti-personnel landmines in the ground and in conjunction therewith the destruction of anti-personnel landmines in stockpiles;
- (f) victim assistance, rehabilitation and socio-economic reintegration of mine victims;
- (g) information management, including geographical information systems;
- (h) other activities, which contribute to the reduction of the human, economic and environmental impact of anti-personnel landmines.

3. In the context of paragraph 2, priority shall be given to operations in the most seriously mine afflicted countries, where anti-personnel landmines or, in conjunction therewith, other unexploded ordnance cause many civilian casualties or where the presence or suspected presence of these devices is a major obstacle to the restoration of economic and social activity or to development and thus requires a specific long-term commitment that emergency humanitarian or reconstruction aid are unable to provide.

4. In order to ensure coherence, complementarity and synergy within regional operation programmes and in the context of humanitarian aid, rehabilitation, reconstruction and development projects, mine actions which can be financed within the framework of any of those programmes or projects shall continue to be financed from the budget line on which the principal action is financed. Where necessary, these activities may be complemented or supported by mine actions financed under this Regulation.

⁽¹⁾ See page I of this Official Journal.

Article 3

The operations financed under this Regulation shall in principle benefit those countries which are committed to the fight against anti-personnel landmines and are parties to the Ottawa Convention. Exceptions may be made for humanitarian emergency, for assistance to mine victims and for actions in direct support of vulnerable civil communities, such as refugees and displaced persons, or where the national administration is not functioning.

Article 4

1. Partners eligible for financial support under this Regulation may include regional and international organisations and agencies, non-governmental organisations (NGOs), national, provincial and local governments, their departments and agencies, institutes and public and private operators with appropriate specialised expertise and experience.

2. Participation in invitations to tender and the award of contracts shall be open on equal terms to natural and legal persons of the Member States and of the beneficiary country. In exceptional cases which are fully justified, participation may be extended to third countries.

3. Companies and other organisations tendering for contracts shall show that they have an operations policy that does not put their employees unduly at risk, and that such policy is supported by adequate employee accident and liability insurance.

Article 5

1. Community aid under this Regulation may be used to finance technical assistance, training, personnel or other services related to mine action; trials of equipment and techniques; logistical support, procurement, provision and storage of any equipment, supplies and works needed for the implementation of mine actions; studies and conferences and measures to strengthen international coordination of mine action; evaluation and monitoring missions; as well as activities to raise public awareness.

2. Community financing under this Regulation shall take the form of grants.

3. Where operations are the subject of financial agreements between Community and partner countries such agreements shall stipulate that the payment of taxes, duties or any other charges is not to be covered by the Community.

Article 6

1. The Commission shall be assisted by the relevant geographical 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

1. The Commission shall, on the basis of a regular exchange of information, including the exchange of information on the spot, facilitate effective coordination of the assistance efforts undertaken by the Community and individual Member States, in order to increase the coherence and complementarity of their programmes.

2. The Commission may seek opportunities for cofinancing with other providers of funds, especially with Member States.

3. The Commission shall promote coordination and cooperation with international contributors and actors, in particular those which form part of the United Nations system and with NGOs, as well as with relevant centres such as the Geneva International Centre for Humanitarian Demining.

4. The necessary measures shall be taken to give visibility to the contribution by the Community.

Article 8

1. The Commission shall appraise, decide, and administer operations covered by this Regulation in accordance with the budgetary and other procedures in force, and in particular those laid down in Articles 116 and 118 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽¹⁾.

2. Financing decisions exceeding EUR 3 million shall be taken under the procedure laid down in Article 6(2).

3. The Commission shall inform the relevant Committee referred to in Article 6(1) of any financing decision of less than EUR 3 million in value. This information shall be made available no later than one week before the adoption of the financing decision.

4. The Commission may take decisions amending financing decisions adopted in accordance with the procedure laid down in Article 6(2), where they do not entail any substantial amendments or additional commitments in excess of 20 % of the initial commitment.

Article 9

1. Projects shall form part of the wider reconstruction framework of the country or region in question, and be prioritised and appraised in terms of their positive impact and cost effectiveness.

⁽¹⁾ OJ L 356, 31.12.1977, p. 1. Regulation as last amended by Regulation (EC, ECSC, Euratom) No 762/2001 (OJ L 111, 20.4.2001, p. 1).

2. Wherever possible, the project should be clearly integrated within a national anti-personnel landmines programme coordinated by the beneficiary government or by local society in cooperation with NGOs, or by an international institution mandated for that purpose. The aim should be for the project to be taken over, in due course, by the beneficiary government itself or by local society or NGOs in order to enhance local capacity and the sustainability of the project.

Article 10

All financing agreements or contracts concluded under this Regulation shall provide for the Commission and the Court of Auditors to conduct on-the-spot checks according to the usual procedures laid down by the Commission under the rules in force, and in particular those of the Financial Regulation.

In addition, the Commission may carry out on-the-spot checks and inspections in conformity with Council Regulation (Euratom, EC) No 2185/96 ⁽¹⁾. The measures taken by the Commission shall provide for adequate protection of the financial interests of the Community in conformity with Council Regulation (EC, Euratom) No 2988/95 ⁽²⁾.

Article 11

To facilitate multiannual mine action coordination and programming, an Anti-personnel Landmines (APL) Strategy Paper comprising horizontal guidelines and priorities for Community mine action and the benchmarks for their achievement, shall regularly be presented to a joint meeting of the

Committees referred to in Article 6, for consideration in accordance with the procedures laid down in Article 6(2). The APL Strategy Paper shall cover issues such as a multi-annual indicative programme and shall refer to existing mine action programmes at country and regional levels, to the contributions of other donors including Member States and to Community mine actions funded from other budget lines. The APL Strategy Paper shall also be transmitted to the European Parliament for information.

Article 12

The Commission shall regularly assess operations financed by the Community in order to establish whether the objectives of the operations have been achieved and to provide guidelines for improving the effectiveness of future operations.

Article 13

Every three years after entry into force of this Regulation, the Commission shall submit to the European Parliament and the Council an overall assessment of all Community mine actions, together with suggestions for the future of this Regulation and, as necessary, proposals for amendments to it.

Article 14

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

It shall apply until 31 December 2009.

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

Done at Brussels, 23 July 2001.

For the Council

The President

A. NEYTS-UYTTEBROECK

⁽¹⁾ OJ L 292, 15.11.1996, p. 2.

⁽²⁾ OJ L 312, 23.12.1995, p. 1.

**REGULATION (EC) No 1726/2001 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 23 July 2001**

**amending Article 21 of Council Regulation (EC) No 1292/96 on food-aid policy and food-aid
management and special operations in support of food security**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,

Having regard to the Treaty establishing the European
Community, and in particular Article 179 thereof,

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

Acting in accordance with the procedure laid down in Article
251 of the Treaty ⁽²⁾,

Whereas:

- (1) The Community and its Member States take part in a number of international agreements relating to food-aid policy, food-aid management and special operations in support of food security, among them the Food Aid Convention 1999.
- (2) That Convention was approved by Council Decision 2000/421/EC of 13 June 2000 on the conclusion, on behalf of the European Community, of the Food Aid Convention 1999 ⁽³⁾.
- (3) It is necessary that Article 21 of Council Regulation (EC) No 1292/96 ⁽⁴⁾ be adapted substantively in line with Articles III and IV of the Food Aid Convention 1999,

HAVE ADOPTED THIS REGULATION:

Article 1

Article 21 of Regulation (EC) No 1292/96 is amended as follows:

'Article 21

1. The Council, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament, shall determine the Community share of the overall amount of aid, either in tonnes of wheat equivalent or in value or in a combination of tonnage and value, laid down in the Food Aid Convention as the total contribution of both the Community and its Member States.

2. The Commission shall coordinate the operations of the Community and the Member States as regards the supply of aid under the Food Aid Convention and shall ensure that the total contribution by the Community and its Member States is at least as high as the commitment provided for in the said Convention.'

Article 2

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

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

Done at Brussels, 23 July 2001.

For the European Parliament

The President

N. FONTAINE

For the Council

The President

A. NEYTS-UYTTEBROECK

⁽¹⁾ OJ C 154 E, 29.5.2001, p. 108.

⁽²⁾ Opinion of the European Parliament of 16 May 2001 (not yet published in the Official Journal) and Council Decision of 10 July 2001.

⁽³⁾ OJ L 163, 4.7.2000, p. 37.

⁽⁴⁾ OJ L 166, 5.7.1996, p. 1.

COMMISSION REGULATION (EC) No 1727/2001
of 31 August 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 ⁽¹⁾, as last amended by Regulation (EC) No 1498/98 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 198, 15.7.1998, p. 4.

ANNEX

to the Commission Regulation of 31 August 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0709 90 70	052	74,7
	999	74,7
0805 30 10	388	72,7
	524	56,4
	528	67,7
	999	65,6
0806 10 10	052	73,0
	999	73,0
0808 10 20, 0808 10 50, 0808 10 90	388	89,3
	400	77,8
	512	72,4
	528	63,6
	804	104,5
	999	81,5
0808 20 50	052	109,2
	999	109,2
0809 30 10, 0809 30 90	052	108,0
	999	108,0
0809 40 05	052	75,4
	064	58,7
	066	61,1
	068	48,7
	094	41,0
	999	57,0

⁽¹⁾ 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 1728/2001
of 31 August 2001
fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Regulation (EC) No 1667/2000 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

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

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

- (3) The general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 13 of Regulation (EC) No 3072/95 on export refunds are applicable *mutatis mutandis* to the abovementioned operations.
- (4) The specific criteria to be used for calculating the export refund on rice are set out in Article 13 of Regulation (EC) No 3072/95.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, and other Community free supply measures, the refunds applicable to cereals and rice sector products shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 193, 29.7.2000, p. 3.

⁽⁵⁾ OJ L 288, 25.10.1974, p. 1.

ANNEX

to the Commission Regulation of 31 August 2001 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(EUR/t)

Product code	Refund
1001 10 00 9400	0,00
1001 90 99 9000	0,00
1002 00 00 9000	28,50
1003 00 90 9000	0,00
1005 90 00 9000	26,50
1006 30 92 9100	217,00
1006 30 92 9900	217,00
1006 30 94 9100	217,00
1006 30 94 9900	217,00
1006 30 96 9100	217,00
1006 30 96 9900	217,00
1006 30 98 9100	194,00
1006 30 98 9900	—
1006 30 65 9900	217,00
1007 00 90 9000	26,50
1101 00 15 9100	0,00
1101 00 15 9130	0,00
1102 10 00 9500	42,50
1102 20 10 9200	37,07
1102 20 10 9400	31,78
1103 11 10 9200	0,00
1103 13 10 9100	47,66
1104 12 90 9100	0,00

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

COMMISSION REGULATION (EC) No 1729/2001
of 31 August 2001
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products
from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as last amended by Regulation (EC) No 1448/2001 ⁽²⁾, and in particular Article 2(6) thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 1552/2001 ⁽⁴⁾, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community

and on the world market, the aid for supply to the FOD should be set at the amounts given in the Annex.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 356, 24.12.1991, p. 1.

⁽²⁾ OJ L 198, 21.7.2001, p. 3.

⁽³⁾ OJ L 43, 19.2.1992, p. 23.

⁽⁴⁾ OJ L 205, 31.7.2001, p. 14.

ANNEX

to the Commission Regulation of 31 August 2001 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(EUR/t)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	21,00	21,00	21,00	25,00
Barley (1003 00 90)	21,00	21,00	21,00	25,00
Maize (1005 90 00)	32,50	32,50	32,50	35,50
Durum wheat (1001 10 00)	21,00	21,00	21,00	25,00
Oats (1004 00 00)	21,00	21,00	—	—

COMMISSION REGULATION (EC) No 1730/2001
of 31 August 2001
amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals
products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 1449/2001 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EC) No 1551/2001 ⁽⁴⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and

Madeira should be set at the amounts given in the Annex.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 198, 21.7.2001, p. 5.

⁽³⁾ OJ L 185, 4.7.1992, p. 28.

⁽⁴⁾ OJ L 205, 31.7.2001, p. 12.

ANNEX

to the Commission Regulation of 31 August 2001 amending Regulation (EEC) No 1833/92 fixing the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

		(EUR/t)	
Product (CN code)		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	17,00	17,00
Barley	(1003 00 90)	17,00	17,00
Maize	(1005 90 00)	29,50	29,50
Durum wheat	(1001 10 00)	17,00	17,00

COMMISSION REGULATION (EC) No 1731/2001
of 31 August 2001
amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals
products from the Community to the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 1450/2001 ⁽²⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) The amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 1550/2001 ⁽⁴⁾, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the

world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex.

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 198, 21.7.2001, p. 7.

⁽³⁾ OJ L 185, 4.7.1992, p. 26.

⁽⁴⁾ OJ L 205, 31.7.2001, p. 10.

ANNEX

to the Commission Regulation of 31 August 2001 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

		(EUR/t)
Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	17,00
Barley	(1003 00 90)	17,00
Maize	(1005 90 00)	29,50
Durum wheat	(1001 10 00)	17,00
Oats	(1004 00 00)	17,00

COMMISSION REGULATION (EC) No 1732/2001**of 31 August 2001****setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as last amended by Regulation (EC) No 1449/2001 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin. This aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries.
- (2) Commission Regulation (EEC) No 1696/92 ⁽³⁾, as last amended by Regulation (EEC) No 2596/93 ⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira. Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice

products to the Azores and Madeira and establishing the forecast supply balance for these products ⁽⁵⁾, as last amended by Regulation (EC) No 1683/94 ⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation.

- (3) As a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 1.

⁽²⁾ OJ L 198, 21.7.2001, p. 5.

⁽³⁾ OJ L 179, 1.7.1992, p. 6.

⁽⁴⁾ OJ L 238, 23.9.1993, p. 24.

⁽⁵⁾ OJ L 198, 17.7.1992, p. 37.

⁽⁶⁾ OJ L 178, 12.7.1994, p. 53.

ANNEX

**to the Commission Regulation of 31 August 2001 setting the amounts of aid for the supply of rice products
from the Community to the Azores and Madeira**

(EUR/t)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	223,00	223,00

COMMISSION REGULATION (EC) No 1733/2001**of 31 August 2001****setting the amounts of aid for the supply of rice products from the Community to the Canary Islands**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EC) No 1450/2001 ⁽²⁾, and in particular Article 3 thereof,

Whereas:

- (1) Pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilisation, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin. This aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries.
- (2) Commission Regulation (EC) No 2790/94 ⁽³⁾, as last amended by Regulation (EC) No 1620/1999 ⁽⁴⁾, lays down common detailed rules for implementation of the

specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands.

- (3) As a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 173, 27.6.1992, p. 13.

⁽²⁾ OJ L 198, 21.7.2001, p. 7.

⁽³⁾ OJ L 296, 17.11.1994, p. 23.

⁽⁴⁾ OJ L 192, 24.7.1999, p. 19.

ANNEX

**to the Commission Regulation of 31 August 2001 setting the amounts of aid for the supply of rice products
from the Community to the Canary Islands**

(EUR/t)

Product (CN code)	Amount of aid
Milled rice (1006 30)	223,00
Broken rice (1006 40)	49,00

COMMISSION REGULATION (EC) No 1734/2001
of 31 August 2001
fixing the import duties in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 2235/2000 ⁽⁴⁾, and in particular Article 2(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 256, 10.10.2000, p. 13.

ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports ⁽²⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00	0,00
	medium quality ⁽¹⁾	0,00	0,00
1001 90 91	Common wheat seed	0,00	0,00
1001 90 99	Common high quality wheat other than for sowing ⁽³⁾	0,00	0,00
	medium quality	11,56	1,56
	low quality	27,76	17,76
1002 00 00	Rye	26,79	16,79
1003 00 10	Barley, seed	26,79	16,79
1003 00 90	Barley, other ⁽³⁾	26,79	16,79
1005 10 90	Maize seed other than hybrid	70,93	60,93
1005 90 00	Maize other than seed ⁽³⁾	70,93	60,93
1007 00 90	Grain sorghum other than hybrids for sowing	51,50	41,50

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

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

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

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

⁽³⁾ The importer may benefit from a flat-rate reduction of EUR 24 or 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 17 August to 30 August 2001)

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	124,78	119,89	109,30	93,30	194,25 (**)	184,25 (**)	109,82 (**)
Gulf premium (EUR/t)	—	17,27	11,66	9,20	—	—	—
Great Lakes premium (EUR/t)	20,70	—	—	—	—	—	—

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

(**) Fob Duluth.

2. Freight/cost: Gulf of Mexico — Rotterdam: 18,31 EUR/t; Great Lakes — Rotterdam: 30,43 EUR/t.

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

COMMISSION REGULATION (EC) No 1735/2001**of 31 August 2001****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

- (1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽²⁾, provides that the export refund on 100 kilograms of the products listed in Article 1(1)(d) of Regulation (EC) No 1260/2001 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.
- (3) Article 30(3) of Regulation (EC) No 1260/2001 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽³⁾ to the products listed in the Annex to the last mentioned Regulation;
- (4) According to the terms of Article 30(1) of Regulation (EC) No 1260/2001, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said Regulation exported in the natural state must be equal to one-hundredth of an amount which takes account, on

the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements.

- (5) According to the terms of Article 30(4) of Regulation (EC) No 1260/2001, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.
- (6) Article 27 of Regulation (EC) No 1260/2001 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 1260/2001 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article 1(1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.
- (7) The refunds referred to above must be fixed every month; they may be altered in the intervening period.
- (8) Application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation.
- (9) Regulation (EC) No 1260/2001 does not make provision to continue the compensation system for storage costs from 1 July 2001. This should accordingly be taken into account when fixing the refunds granted when the basic product is processed after 30 September 2001.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 214, 8.9.1995, p. 16.

⁽³⁾ OJ L 178, 30.6.2001, p. 63.

HAS ADOPTED THIS REGULATION:

Article 1

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

Where an export licence for which the refund amount was fixed in accordance with the first paragraph is used after 30 September 2001, the refund in question shall be reduced by EUR 2/100 kg net white sugar equivalent.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

ANNEX

to the Commission Regulation of 31 August 2001 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	A00	EUR/100 kg dry matter	41,20 ⁽²⁾
1702 60 10 9000	A00	EUR/100 kg dry matter	41,20 ⁽²⁾
1702 60 80 9100	A00	EUR/100 kg dry matter	78,28 ⁽⁴⁾
1702 60 95 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4120 ⁽¹⁾
1702 90 30 9000	A00	EUR/100 kg dry matter	41,20 ⁽²⁾
1702 90 60 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4120 ⁽¹⁾
1702 90 71 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4120 ⁽¹⁾
1702 90 99 9900	A00	EUR/1 % sucrose × net 100 kg of product	0,4120 ⁽¹⁾ ⁽³⁾
2106 90 30 9000	A00	EUR/100 kg dry matter	41,20 ⁽²⁾
2106 90 59 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4120 ⁽¹⁾

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

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

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

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

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

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

**COMMISSION REGULATION (EC) No 1736/2001
of 31 August 2001
altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the third subparagraph of Article 27(5) thereof,

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1686/2001 ⁽²⁾, as amended by Regulation (EC) No 1711/2001 ⁽³⁾.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 1686/2001 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 1686/2001 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 228, 24.8.2001, p. 6.

⁽³⁾ OJ L 233, 31.8.2001, p. 6.

ANNEX

to the Commission Regulation of 31 August 2001 altering the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	37,90 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	35,44 ⁽¹⁾
1701 11 90 9950	A00	EUR/100 kg	⁽²⁾
1701 12 90 9100	A00	EUR/100 kg	37,90 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	35,44 ⁽¹⁾
1701 12 90 9950	A00	EUR/100 kg	⁽²⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4120
1701 99 10 9100	A00	EUR/100 kg	41,20
1701 99 10 9910	A00	EUR/100 kg	41,20
1701 99 10 9950	A00	EUR/100 kg	41,20
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4120

⁽¹⁾ Applicable to raw sugar with a yield of 92 %; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 19(4) of Council Regulation (EC) No 1260/2001.

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

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

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

COMMISSION REGULATION (EC) No 1737/2001**of 31 August 2001****fixing the production refund on white sugar used in the chemical industry**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

(1) Pursuant to Article 7(3) of Regulation (EC) No 1260/2001, production refunds may be granted on the products listed in Article 1(1)(a) and (f) of that Regulation, on syrups listed in Article 1(1)(d) thereof and on chemically pure fructose covered by CN code 1702 50 00 as an intermediate product, that are in one of the situations referred to in Article 23(2) of the Treaty and are used in the manufacture of certain products of the chemical industry.

(2) Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽²⁾ lays down the rules for determining the production refunds and specifies the chemical products the basic products used in the manufacture of which attract a production refund. Articles 5, 6 and 7 of Regulation (EC) No 1265/2001 provide that the production refund applying to raw sugar, sucrose syrups and unprocessed isoglucose is to be derived from the refund fixed for white sugar in accordance with a method of calculation specific to each basic product.

(3) Article 9 of Regulation (EC) No 1265/2001 provides that the production refund on white sugar is to be fixed at monthly intervals commencing on the first day of each month. It may be adjusted in the intervening period where there is a significant change in the prices for sugar on the Community and/or world markets. The application of those provisions results in the production refund fixed in Article 1 of this Regulation for the period shown.

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

(5) Regulation (EC) No 1260/2001 does not make provision to continue the compensation system for storage costs from 1 July 2001. However, Article 48 of that Regulation provides for the collection of a storage levy on sugar in storage on 30 June 2001, with the result that sugars available in the Community in July, August and September 2001 have actually borne the storage levy of EUR 2/100 kg of white sugar. This levy should therefore be taken into account when fixing the refunds for September 2001. The refund should accordingly be reduced by EUR 2/100 kg where the basic product is processed after 30 September 2001.

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refund on white sugar referred to in Article 4 of Regulation (EC) No 1265/2001 shall be equal to EUR 34,890/100 kg net.

Where the basic product qualifying for the production refund fixed in the first paragraph is processed after 30 September 2001, the production refund in question shall be reduced by EUR 2/100 kg net.

Article 2

This Regulation shall enter into force on 1 September 2001.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 178, 30.6.2001, p. 63.

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

Done at Brussels, 31 August 2001.

For the Commission
Viviane REDING
Member of the Commission

**COMMISSION REGULATION (EC) No 1738/2001
of 31 August 2001
determining the world market price for unginned cotton**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 21,222/100 kg.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

COMMISSION REGULATION (EC) No 1739/2001
of 31 August 2001
fixing the import duties in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1667/2000 ⁽²⁾,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 351, 29.12.1998, p. 25.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽¹⁾				
	Third countries (except ACP and Bangladesh) ⁽²⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁵⁾	Egypt ⁽⁶⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	264,00	88,06	127,66		198,00
1006 20 13	264,00	88,06	127,66		198,00
1006 20 15	264,00	88,06	127,66		198,00
1006 20 17	234,72	77,81	113,02	0,00	176,04
1006 20 92	264,00	88,06	127,66		198,00
1006 20 94	264,00	88,06	127,66		198,00
1006 20 96	264,00	88,06	127,66		198,00
1006 20 98	234,72	77,81	113,02	0,00	176,04
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

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

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

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

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

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

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

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

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

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	234,72	416,00	264,00	416,00	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	302,31	249,80	255,63	263,27	—
(b) fob price (EUR/tonne)	—	—	—	222,64	230,28	—
(c) Sea freight (EUR/tonne)	—	—	—	32,99	32,99	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 1740/2001
of 31 August 2001
fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 13(8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence. In this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, allows for the fixing of a corrective amount for the malt referred to

in Article 1(1)(c) of Regulation (EEC) No 1766/92. That corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

- (3) It follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 13(4) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

ANNEX

to the Commission Regulation of 31 August 2001 fixing the corrective amount applicable to the refund on malt

(EUR/t)

Product code	Destination	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	-1,18	-2,36	-3,54	-4,72	-5,91
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	-1,18	-2,36	-3,54	-4,72	-5,91
1107 20 00 9000	A00	0	-1,39	-2,77	-4,16	-5,54	-6,93

(EUR/t)

Product code	Destination	6th period 3	7th period 4	8th period 5	9th period 6	10th period 7	11th period 8
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	-7,09	-8,27	-9,45	-10,63	—	—
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	-7,09	-8,27	-9,45	-10,63	—	—
1107 20 00 9000	A00	-8,31	-9,70	-11,09	-12,47	—	—

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 2543/1999 (OJ L 307, 2.12.1999, p. 46).

COMMISSION REGULATION (EC) No 1741/2001
of 31 August 2001
fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 13 (8) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount may be applied to the refund.
- (2) Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as last amended by Regulation (EC) No 602/2001 ⁽⁴⁾, allows for the fixing of a corrective amount for the products listed in Article 1(1) (c) of Regulation (EEC) No 1766/92; that corrective amount must be calculated taking account of the factors referred to in Article 1 of Regulation (EC) No 1501/95.

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 89, 29.3.2001, p. 16.

ANNEX

to the Commission Regulation of 31 August 2001 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C01	—	-0,93	-1,86	-2,79	-3,72	—	—
1002 00 00 9000	C02	-10,00	-10,00	-10,00	-10,00	-10,00	—	—
	A02	0,00	0,00	0,00	0,00	0,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	—	-0,93	-1,86	-2,79	-3,72	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	-0,93	-1,86	-2,79	-3,72	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	0,00	-0,93	-1,86	-2,79	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	C01	0	-1,27	-2,55	-3,82	-5,10	—	—
1101 00 15 9130	C01	0	-1,19	-2,38	-3,57	-4,76	—	—
1101 00 15 9150	C01	0	-1,10	-2,19	-3,29	-4,39	—	—
1101 00 15 9170	C01	0	-1,01	-2,03	-3,04	-4,05	—	—
1101 00 15 9180	C01	0	-0,95	-1,90	-2,85	-3,79	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9700	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	-1,40	-2,79	-4,19	-5,58	—	—
1103 11 10 9400	A00	0	-1,25	-2,49	-3,74	-4,98	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	-1,27	-2,55	-3,82	-5,10	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

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

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

The other destinations are as follows:

C01 All destinations except for Poland,

C02 Poland, Czech Republic, Slovak Republic, Hungary, Estonia, Latvia, Lithuania, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Slovenia, former Republic of Yugoslavia with the exception of Slovenia, Croatia and Bosnia and Herzegovina, Albania, Romania, Bulgaria, Armenia, Georgia, Azerbaijan, Moldova, Ukraine, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan and Turkmenistan,

A05 other non-member countries.

COMMISSION REGULATION (EC) No 1742/2001**of 31 August 2001****fixing the maximum aid for concentrated butter for the 253rd special invitation to tender opened under the standing invitation to tender provided for in Regulation (EEC) No 429/90**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

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

- (2) In the light of the tenders received, the maximum aid should be fixed at the level specified below and the end-use security determined accordingly.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 253rd special invitation to tender under the standing invitation to tender opened by Regulation (EEC) No 429/90, the maximum aid and the amount of the end-use security shall be as follows:

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

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 45, 21.2.1990, p. 8.

⁽⁴⁾ OJ L 16, 21.1.1999, p. 19.

COMMISSION REGULATION (EC) No 1743/2001**of 31 August 2001****fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 81st individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

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

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

- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum selling prices and the maximum aid and processing securities applying for the 81st individual invitation to tender, under the standing invitation to tender provided for in Regulation (EC) No 2571/97, shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁴⁾ OJ L 76, 25.3.2000, p. 9.

ANNEX

to the Commission Regulation of 31 August 2001 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 81st individual invitation to tender under the standing invitation to tender provided for in Regulation (EC) No 2571/97

(EUR/100 kg)

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

COMMISSION REGULATION (EC) No 1744/2001**of 31 August 2001****fixing the maximum purchasing price for butter for the 34th invitation to tender carried out under the standing invitation to tender governed by Regulation (EC) No 2771/1999**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Commission Regulation (EC) No 1670/2000 ⁽²⁾, and in particular Article 10 thereof,

Whereas:

- (1) Article 13 of Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 1614/2001 ⁽⁴⁾, provides that, in the light of the tenders received for each invitation to tender, a maximum buying-in price is to be fixed in relation to the interven-

tion price applicable and that it may also be decided not to proceed with the invitation to tender.

- (2) As a result of the tenders received, the maximum buying-in price should be fixed as set out below.
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the 34th invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 28 August 2001, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 214, 8.8.2001, p. 20.

**COMMISSION REGULATION (EC) No 1745/2001
of 31 August 2001
suspending the buying-in of butter in certain Member States**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1670/2000 ⁽²⁾,

Having regard to Commission Regulation (EC) No 2771/1999 of 16 December 1999 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EC) No 1614/2001 ⁽⁴⁾, and in particular Article 2 thereof,

Whereas:

- (1) Article 2 of Regulation (EC) No 2771/1999 lays down that buying-in by invitation to tender is to be opened or suspended by the Commission in a Member State, as appropriate, once it is observed that, for two weeks in succession, the market price in that Member State is below or equal to or above 92 % of the intervention price.
- (2) Commission Regulation (EC) No 1432/2001 of 14 July 2001 suspending the buying-in of butter in certain Member States ⁽⁵⁾ establishes the most recent list of

Member States in which intervention is suspended. This list must be adjusted as a result of the market prices communicated by Ireland under Article 8 of Regulation (EC) No 2771/1999. In the interests of clarity, the list in question should be replaced and Regulation (EC) No 1432/2001 should be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Buying-in of butter by invitation to tender as provided for in Article 6(1) of Regulation (EC) No 1255/1999 is hereby suspended in Belgium, Luxembourg, Denmark, Germany, France, Greece, Italy, the Netherlands, Austria, Finland, Portugal, Sweden, Spain and the United Kingdom.

Article 2

Regulation (EC) No 1432/2001 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 193, 29.7.2000, p. 10.

⁽³⁾ OJ L 333, 24.12.1999, p. 11.

⁽⁴⁾ OJ L 214, 8.8.2001, p. 20.

⁽⁵⁾ OJ L 192, 14.7.2001, p. 8.

COMMISSION REGULATION (EC) No 1746/2001**of 31 August 2001****fixing the export refunds on rice and broken rice and suspending the issue of export licences**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1667/2000 ⁽²⁾, and in particular the second subparagraph of Article 13(3) and (15) thereof,

Whereas:

(1) Article 13 of Regulation (EC) No 3072/95 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.

(2) Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(3) Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.

(4) Export possibilities exist for a quantity of 21 300 tonnes of rice to certain destinations. The procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 409/2001 ⁽⁵⁾ should be used. Account should be taken of this when the refunds are fixed.

(5) Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated.

(6) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.

(7) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.

(8) The refund must be fixed at least once a month; whereas it may be altered in the intervening period.

(9) It follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto.

(10) For the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted.

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 21 300 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 1 September 2001.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 193, 29.7.2000, p. 3.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 60, 1.3.2001, p. 27.

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

Done at Brussels, 31 August 2001.

For the Commission
Viviane REDING
Member of the Commission

ANNEX

to the Commission Regulation of 31 August 2001 fixing the export refunds on rice and broken rice and suspending the issue of export licences

Product code	Destination	Unit of measurement	Amount of refunds (¹)	Product code	Destination	Unit of measurement	Amount of refunds (¹)
1006 20 11 9000	R01	EUR/t	174,00	1006 30 65 9100	R01	EUR/t	217,00
1006 20 13 9000	R01	EUR/t	174,00		R02	EUR/t	194,00
1006 20 15 9000	R01	EUR/t	174,00		R03	EUR/t	199,00
1006 20 17 9000	—	EUR/t	—		064	EUR/t	—
1006 20 92 9000	R01	EUR/t	174,00		A97	EUR/t	194,00
1006 20 94 9000	R01	EUR/t	174,00		021 and 023	EUR/t	194,00
1006 20 96 9000	R01	EUR/t	174,00	1006 30 65 9900	R01	EUR/t	217,00
1006 20 98 9000	—	EUR/t	—		064	EUR/t	—
1006 30 21 9000	R01	EUR/t	174,00		A97	EUR/t	194,00
1006 30 23 9000	R01	EUR/t	174,00	1006 30 67 9100	021 and 023	EUR/t	194,00
1006 30 25 9000	R01	EUR/t	174,00		064	EUR/t	—
1006 30 27 9000	—	EUR/t	—	1006 30 67 9900	064	EUR/t	—
1006 30 42 9000	R01	EUR/t	174,00	1006 30 92 9100	R01	EUR/t	217,00
1006 30 44 9000	R01	EUR/t	174,00		R02	EUR/t	194,00
1006 30 46 9000	R01	EUR/t	174,00		R03	EUR/t	199,00
1006 30 48 9000	—	EUR/t	—		064	EUR/t	—
1006 30 61 9100	R01	EUR/t	217,00		A97	EUR/t	194,00
	R02	EUR/t	194,00		021 and 023	EUR/t	194,00
	R03	EUR/t	199,00	1006 30 92 9900	R01	EUR/t	217,00
	064	EUR/t	—		A97	EUR/t	194,00
	A97	EUR/t	194,00		064	EUR/t	—
	021 and 023	EUR/t	194,00	1006 30 94 9100	R01	EUR/t	217,00
1006 30 61 9900	R01	EUR/t	217,00		R02	EUR/t	194,00
	A97	EUR/t	194,00		R03	EUR/t	199,00
	064	EUR/t	—		064	EUR/t	—
1006 30 63 9100	R01	EUR/t	217,00		A97	EUR/t	194,00
	R02	EUR/t	194,00		021 and 023	EUR/t	194,00
	R03	EUR/t	199,00	1006 30 94 9900	R01	EUR/t	217,00
	064	EUR/t	—		A97	EUR/t	194,00
	A97	EUR/t	194,00		064	EUR/t	—
	021 and 023	EUR/t	194,00	1006 30 96 9100	R01	EUR/t	217,00
1006 30 63 9900	R01	EUR/t	217,00		R02	EUR/t	194,00
	064	EUR/t	—		R03	EUR/t	199,00
	A97	EUR/t	194,00		064	EUR/t	—
	021 and 023	EUR/t	194,00		A97	EUR/t	194,00
				1006 30 96 9900	021 and 023	EUR/t	194,00
					R01	EUR/t	217,00
					A97	EUR/t	194,00
					064	EUR/t	—
				1006 30 98 9100	021 and 023	EUR/t	194,00
				1006 30 98 9900	—	EUR/t	—
				1006 40 00 9000	—	EUR/t	—

(¹) The procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 applies to licences applied for under that Regulation for quantities according to the destination:
 destination R01: 5 000 t,
 all destinations R02 and R03: 5 000 t,
 destinations 021 and 023: 1 000 t,
 destination 064: 10 000 t,
 destination A97: 300 t.

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).

The other destinations are defined as follows:

R01 Switzerland, Liechtenstein, communes of Livigno and Campione d'Italia.

R02 Morocco, Algeria, Tunisia, Malta, Egypt, Israel, Lebanon, Libya, Syria, Ex-Spanish Sahara, Cyprus, Jordan, Iraq, Iran, Yemen, Kuwait, United Arab Emirates, Oman, Bahrain, Qatar, Saudi Arabia, Eritrea, West Bank/Gaza Strip, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovenia, Slovakia, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Yugoslavia, Former Yugoslav Republic of Macedonia, Albania, Romania, Bulgaria, Georgia, Armenia, Azerbaijan, Moldova, Ukraine, Kazakstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan.

R03 Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Uruguay, Paraguay, Brazil, Venezuela, Canada, Mexico, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Cuba, Bermuda, South Africa, Australia, New Zealand, Hong Kong SAR, Singapore, A40, A11 except Suriname, Guyana, Madagascar.

COMMISSION REGULATION (EC) No 1747/2001
of 31 August 2001
fixing the maximum purchase price for beef under the ninth partial invitation to tender pursuant to
Regulation (EC) No 690/2001

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1512/2001 ⁽²⁾,

Having regard to Commission Regulation (EC) No 690/2001 of 3 April 2001 on special market support measures in the beef sector ⁽³⁾, as amended by Regulation (EC) No 1648/2001 ⁽⁴⁾, and in particular Article 3(1) thereof,

Whereas:

- (1) In application of Article 2(2) of Regulation (EC) No 690/2001, Commission Regulation (EC) No 713/2001 of 10 April 2001 on the purchase of beef under Regulation (EC) No 690/2001 ⁽⁵⁾, as last amended by Regulation (EC) No 1688/2001 ⁽⁶⁾, establishes the list of Member States in which the tendering is open for the ninth partial invitation to tender on 27 August 2001.
- (2) In accordance with Article 3(1) of Regulation (EC) No 690/2001, where appropriate, a maximum purchase price for the reference class shall be fixed in the light of the tenders received, taking into account the provisions of Article 3(2) of that Regulation.

- (3) Because of the need to support in a reasonable way the market for beef a maximum purchase price should be fixed in the Member States concerned. In the light of the different level of market prices in those Member States, different maximum purchase prices should be fixed.
- (4) Due to the urgency of the support measures, this Regulation should enter into force immediately.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Under the ninth partial invitation to tender on 27 August 2001 opened under Regulation (EC) No 690/2001 the following maximum purchase prices shall be fixed:

- Germany: EUR 164,90/100 kg,
- Ireland: EUR 183,50/100 kg,
- Spain: EUR 157,47/100 kg.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 201, 26.7.2001, p. 1.

⁽³⁾ OJ L 95, 5.4.2001, p. 8.

⁽⁴⁾ OJ L 219, 14.8.2001, p. 21.

⁽⁵⁾ OJ L 100, 11.4.2001, p. 3.

⁽⁶⁾ OJ L 288, 24.8.2001, p. 17.

COMMISSION REGULATION (EC) No 1748/2001**of 31 August 2001****fixing the maximum buying-in price and the quantities of beef to be bought in under the 273rd partial invitation to tender as a general intervention measure pursuant to Regulation (EEC) No 1627/89**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1512/2001 ⁽²⁾, and in particular Article 47(8) thereof,

Whereas:

(1) Commission Regulation (EC) No 562/2000 of 15 March 2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef ⁽³⁾, as last amended by Regulation (EC) No 1564/2001 ⁽⁴⁾, lays down buying standards. Pursuant to the above Regulation, an invitation to tender was opened under Article 1(1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EC) No 1689/2001 ⁽⁶⁾.

(2) Article 13(1) of Regulation (EC) No 562/2000 lays down that a maximum buying-in price is to be fixed for quality R3, where appropriate, under each partial invitation to tender in the light of tenders received while Article 13(2) of that Regulation states that a decision may be taken to make no award. In accordance with Article 36 of that Regulation, only tenders quoting prices not exceeding the maximum buying-in price and not exceeding the average national or regional market price, plus the amount referred to in Article 1(6) of Commission Regulation (EC) No 1209/2001 of 20 June 2001 derogating from Regulation (EC) No 562/2000 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 as regards the buying-in of beef ⁽⁷⁾, as last amended by Regulation (EC) No 1496/2001 ⁽⁸⁾, are to be accepted.

(3) Once tenders submitted in respect of the 273rd partial invitation to tender have been considered pursuant to Article 47(8) of Regulation (EC) No 1254/1999, and

taking account of the requirements for reasonable support of the market and the seasonal trend in slaughtering and prices, the maximum buying-in price and the quantities which may be bought in should be fixed.

(4) Article 1(7) of Regulation (EC) No 1209/2001 also opens buying-in of carcasses and half-carcasses of store cattle and lays down special rules in addition to those laid down for the buying-in of other products. After examination of the tenders submitted it has been decided not to proceed with the tendering procedure.

(5) In the light of developments, this Regulation should enter into force immediately.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Under the 273rd partial invitation to tender opened pursuant to Regulation (EEC) No 1627/89:

(a) for category A:

- the maximum buying-in price shall be EUR 221,00/100 kg of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses, half-carcasses and forequarters accepted shall be 3 756 t;

(b) for category C:

- the maximum buying-in price is fixed at EUR 225,50/100 kg of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses, half-carcasses and forequarters shall be 809 t;

(c) for carcasses or half-carcasses of store animals as referred to in Article 1(7) of Regulation (EC) No 1209/2001, no award shall be made.

Article 2

This Regulation shall enter into force on 1 September 2001.

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 201, 26.7.2001, p. 1.

⁽³⁾ OJ L 68, 16.3.2000, p. 22.

⁽⁴⁾ OJ L 208, 1.8.2001, p. 14.

⁽⁵⁾ OJ L 159, 10.6.1989, p. 36.

⁽⁶⁾ OJ L 228, 24.8.2001, p. 19.

⁽⁷⁾ OJ L 165, 21.6.2001, p. 15.

⁽⁸⁾ OJ L 197, 21.7.2001, p. 3.

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

Done at Brussels, 31 August 2001.

For the Commission
Viviane REDING
Member of the Commission

COMMISSION REGULATION (EC) No 1749/2001
of 31 August 2001
on the issue of system B export licences in the fruit and vegetables sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 2190/96 of 14 November 1996 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 298/2000 ⁽²⁾, and in particular Article 5(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1185/2001 ⁽³⁾ fixes the indicative quantities for system B export licences other than those sought in the context of food aid.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for apples will shortly be exceeded. This overrun will prejudice the

proper working of the export refund scheme in the fruit and vegetables sector.

- (3) To avoid this situation, applications for system B licences for apples exported after 31 August 2001 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for system B export licences for apples submitted pursuant to Article 1 of Regulation (EC) No 1185/2001, export declarations for which are accepted after 31 August 2001 and before 17 September 2001, are hereby rejected.

Article 2

This Regulation shall enter into force on 1 September 2001.

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

Done at Brussels, 31 August 2001.

For the Commission

Viviane REDING

Member of the Commission

⁽¹⁾ OJ L 292, 15.11.1996, p. 12.

⁽²⁾ OJ L 34, 9.2.2000, p. 16.

⁽³⁾ OJ L 161, 16.6.2001, p. 26.

**DIRECTIVE 2001/46/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 23 July 2001**

amending Council Directive 95/53/EC fixing the principles governing the organisation of official inspections in the field of animal nutrition and Directives 70/524/EEC, 96/25/EC and 1999/29/EC on animal nutrition

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 152(4)(b) thereof,

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

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

Having consulted the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾,

Whereas:

- (1) The safety of products destined for animal nutrition is of primary concern and it is necessary to ensure that products put into circulation in the Community for the purposes of animal nutrition are safe. Council Directive 95/53/EC of 25 October 1995 fixing the principles governing the organisation of official inspections in the field of animal nutrition ⁽⁴⁾ contributes to the achievement of that objective.
- (2) Council Directive 74/63/EEC has been repealed by Article 16 of Council Directive 1999/29/EC of 22 April 1999 on undesirable substances and products in animal nutrition ⁽⁵⁾. Therefore, references to Directive 74/63/EEC have to be amended pursuant to the Table in Annex IV to Directive 1999/29/EC.
- (3) As regards the reference to the circulation of products to be used in animal nutrition, it is necessary to harmonise the definitions used by Directives 70/524/EEC ⁽⁶⁾, 95/53/EC and 96/25/EC ⁽⁷⁾ in the animal nutrition sector.
- (4) Serious dioxin contamination recently occurred twice in products to be used in animal nutrition. Taking into account the experience gained from these incidents, it is

necessary to improve the procedures applicable to cases where a product for animal nutrition poses a serious risk to human or animal health or to the environment or where certain infringements of Directive 1999/29/EC are detected. The aim is in this way to improve the management of risks which would preclude the level of protection of human or animal health and of the environment provided for in the Community Regulation on animal nutrition while not trivialising those special procedures by systematically applying them to minor problems.

- (5) A Commission inspection carried out following dioxin contamination of the feed and food chain revealed that Member States had had difficulty in managing such an unusual crisis. In the light of the experience gained, and in order to ensure that serious risks involving a product for animal nutrition are managed with equivalent guarantees of efficiency throughout the Community, it is necessary to introduce provisions requiring the Member States to have in place contingency operational plans to deal with emergencies in the animal nutrition sector.
- (6) Where a serious risk to human or animal health or to the environment arises in a Member State due to products for animal nutrition, and where that risk cannot be contained satisfactorily by the Member State(s) concerned, it is indispensable for the Commission to be able to take all the necessary precautionary measures and to have in particular the authority to suspend trade in, and exports of, products for animal nutrition from all or part of the Member State concerned or to establish special conditions for the relevant products or substances.
- (7) Directive 1999/29/EC establishes the maximum permitted levels for certain undesirable substances and products in feed materials and feeding stuffs.
- (8) A system has already been established to enable the Member States to be informed by operators, at all stages of the feed producing chain, of certain cases of non compliance with the rules on undesirable products and substances. In view of both the experience gained and the similar arrangements provided for in the Community rules on general product safety, that system should be improved and extended to render it applicable to all

⁽¹⁾ OJ C 274 E, 26.9.2000, p. 28 and OJ C 96 E, 27.3.2001, p. 279.

⁽²⁾ OJ C 367, 20.12.2000, p. 11.

⁽³⁾ Opinion of the European Parliament of 4 October 2000 (not yet published in the Official Journal), Council Common Position of 12 February 2001 (OJ C 93, 23.3.2001, p. 1) and Decision of the European Parliament of 15 May 2001 (not yet published in the Official Journal). Council Decision of 19 June 2001.

⁽⁴⁾ OJ L 265, 8.11.1995, p. 17. Directive as last amended by Directive 2000/77/EC of the European Parliament and of the Council (OJ L 333, 29.12.2000, p. 81).

⁽⁵⁾ OJ L 115, 4.5.1999, p. 32.

⁽⁶⁾ Council Directive 70/524/EEC of 23 November 1970 concerning additives in feeding stuffs (OJ L 270, 14.12.1970, p. 1). Directive as last amended by Directive 1999/20/EC (OJ L 80, 25.3.1999, p. 20).

⁽⁷⁾ Council Directive 96/25/EC of 29 April 1996 on the circulation of feed materials (OJ L 125, 23.5.1996, p. 35). Directive as last amended by Directive 2000/16/EC of the European Parliament and of the Council (OJ L 105, 3.5.2000, p. 36).

cases where an operator finds that a product for animal nutrition poses a serious risk to human or animal health or to the environment.

(9) At present there is an obligation to inform the other Member States and the Commission when a consignment of feed materials or feeding stuffs which is not in compliance with the maximum levels for undesirable substances or products is likely to be sent to other Member States.

(10) It is necessary to incorporate this rapid information exchange system into Directive 95/53/EC and set standard procedures for its operation, so that it can be applied in future in all cases where a product endangers human health, animal health or the environment and for the purpose of improving the inspection system as a whole. For reasons of simplicity and efficiency, the system should also apply where a Member State refuses a product from a third country when checking it upon importation. These standard procedures could, subject to certain amendments, be the same as those laid down for exchanging information in emergencies pursuant to Council Directive 92/59/EEC of 29 June 1992 on general product safety⁽¹⁾.

(11) It is not possible to list all potentially dangerous contaminations of biological or chemical origin, which may happen by accident or by illegal action, and may affect a product to be used in animal nutrition.

(12) The risk of hazards deriving from mislabeling or from handling, transport, storage or processing should be taken into consideration.

(13) To improve the efficiency of the inspection system and the relevant inspection measures, where there is a suspicion of contamination posing a serious risk to human health, animal health or to the environment, Member States should be required to verify the nature and extent of the contamination and to make every effort to identify its origin in order to detect any other possible contamination.

(14) Directive 95/53/EC requires Member States to submit to the Commission information on the results of inspections carried out each year, before 1 April 2000 for the first time. It is also laid down that those reports will be used by the Commission to prepare and submit an overall summary report on inspections carried out at Community level together with a proposal for a coordinated inspection programme for the following year. Information concerning contamination affecting the safety of a product to be used in animal nutrition shall be considered by the Member States and the Commission in fixing the priorities for annual coordinated inspection programmes. All the information gathered on

risks to human health, animal health or to the environment, relating to the circulation and use of products for animal nutrition, can be better analysed when provided in harmonised and standardised form.

(15) Taking into account the foregoing, Directives 95/53/EC, 70/524/EEC, 96/25/EC and 1999/29/EC should be amended,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Council Directive 95/53/EC is amended as follows:

1. Article 2(1) is amended as follows:

(a) in point (a), the second indent shall be replaced by the following:

‘— Council Directive 1999/29/EC of 22 April 1999 on undesirable substances and products in animal nutrition (*).’

(*) OJ L 115, 4.5.1999, p. 32.’

(b) point (e) shall be replaced by the following:

‘(e) “product intended for animal nutrition” or “product”: animal feed or any substance used in animal nutrition;’

(c) point (h) shall be replaced by the following:

‘(h) “putting into circulation” or “circulation”: the holding of any product intended for animal nutrition for the purposes of sale, including offering for sale, or any other form of transfer, whether free or not, to third parties, and the sale and other forms of transfer themselves;’

2. the following Article shall be added after Article 4:

‘Article 4a

1. Member States shall draw up contingency operational plans setting out measures to be implemented without delay where a product for animal nutrition has been found to pose a serious risk to human health, animal health or to the environment and specifying powers and responsibilities as well as channels for transmitting information. Member States shall review these plans as appropriate, particularly in the light of changes in the organisation of the inspection services and of the experience gained, including that gained in any simulation exercises.

2. Member States shall forward to the Commission the contingency operational plans drawn up by them and also any amendments thereto.

⁽¹⁾ OJ L 228, 11.8.1992, p. 24.

3. The Commission shall examine the plans and suggest to the Member States concerned any amendment which would help to ensure that Member States' contingency operation plans offer equivalent guarantees of efficiency. Where necessary in order to achieve that objective the Commission, acting in accordance with the procedure provided for in Article 23, may issue guidelines to harmonise the contingency operational plans.;

3. Article 12(1) shall be replaced by the following:

'1. The competent authority of the Member State of destination may, at places of destination, check the compliance of products with the provisions of Article 2(1)(a) by means of non-discriminatory random checks. In particular, and only to the extent necessary for carrying out these random checks, Member States may ask operators to report the arrival of the products to that competent authority. Member States shall inform the Commission when they avail themselves of this action.;

4. in Article 13(1), the second indent shall be replaced by the following:

'— rendering the products harmless where appropriate.;

5. in Article 14, the first paragraph shall be replaced by the following:

'In the event of the destruction, use for other purposes, re-dispatch to the country of origin or rendering harmless of the products as provided for in Article 13(1), the Member State of destination shall contact the Member State of dispatch without delay. The Member State of dispatch shall take all necessary measures and notify the Member State of destination of the nature and outcome of the checks carried out, the decisions taken and the reasons for such decisions.;

6. the following Section shall be added after Article 15:

'Section 3a

Safeguard clause

Article 15a

1. Where a problem due to a product to be used in animal nutrition, likely to pose a serious risk to human health, animal health or to the environment, appears in one or more Member States and cannot be contained satisfactorily by means of the measures taken by the Member State(s) concerned, the Commission, acting in accordance with the procedure provided for in Article 23a on its own initiative or at the request of a Member State, shall immediately, depending on the seriousness of the situation adopt the following measures:

— suspend the putting into circulation within the Community, the use in animal nutrition or exports to third countries of products from all or part of the Member State(s) concerned or from one or more establishments situated in Community territory, or

— lay down special conditions for the putting into circulation in the Community, the use in animal nutrition or exports to third countries of products from all or part of the Member State(s) concerned or from one or more establishments situated in Community territory.

2. However, in emergencies, the Commission may provisionally adopt the measures referred to in paragraph 1 after consulting the Member State(s) concerned and informing the other Member States. It shall submit the matter to the Standing Committee for Feeding stuffs set up by Article 1 of Decision 70/372/EEC (*) within ten working days for its opinion, in accordance with the procedure laid down in Article 23a, with a view to the extension, amendment or repeal of those measures.

Where a Member State officially informs the Commission of the need to take protective measures and where the Commission has not had recourse to the measures referred to in paragraph 1, that Member State may adopt temporary protective measures with regard to use or putting into circulation. Where a Member State adopts such measures, it shall immediately inform the other Member States and the Commission. The Commission shall submit the question to the Standing Committee for Feeding stuffs within ten working days for its opinion in accordance with the procedure laid down in Article 23a with a view to the extension, amendment or repeal of the temporary protective measures taken by that Member State.

Article 15b

The Commission shall inform the European Parliament of the measures taken under Articles 9a and 15a.

(*) OJ L 170, 3.8.1970, p. 1.'

7. the following Chapter shall be added after Article 16:

'CHAPTER IIIA

INFORMATION SYSTEM FOR HAZARDS FROM FEEDING STUFFS

Article 16a

Member States shall prescribe that the persons responsible for the establishments must immediately inform the Member States' competent authorities if they have evidence that a consignment of products for animal nutrition which they have brought into Community territory from a third country or put into circulation, and which they are holding or own:

— exceeds the maximum levels laid down in Section A of Annex II to Directive 1999/29/EC beyond which the product must not be fed as such to animals or mixed with other products for animal nutrition, or

— does not comply with one of the other provisions referred to in Article 2(1)(a) of this Directive and, owing to that non-compliance and, in view of the purpose for which it is intended, poses a serious risk to human health, animal health or to the environment.

The persons responsible for the establishments shall provide all details enabling precise identification of the relevant product or consignment of products and as full as possible a description of the risk posed by the product or products concerned, as well as all available information useful in tracing the product or products. They shall also inform the competent authorities of the Member States of action taken to prevent risks to human health, animal health or to the environment, describing that action.

The Member States shall lay down the same information requirements concerning the risks posed by products for animal nutrition for persons carrying out health monitoring of holdings such as those referred to in Article 10 of Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products (*), and for persons responsible for laboratories carrying out analyses.

Where appropriate, the competent authorities shall apply the provisions of Articles 8, 11 or 13.

Article 16b

1. Where the competent authorities of the Member States have information indicating, on the basis of the risk assessment factors available, that a consignment of products for animal nutrition poses a serious risk to human health, animal health or to the environment they shall verify the information received and, where appropriate, ensure that the necessary measures are taken so that the consignment is not used in animal nutrition, put the consignment under restriction and investigate immediately:

- the nature of the hazard and where appropriate the level of undesirable substances,
- the possible origin of the undesirable substances or of the hazard,

in order to assess the risk more closely.

Where appropriate, the risk assessment shall be extended to other consignments of the same product or to other products in the feed or food chain which might contain undesirable substances or in respect of which such a hazard might exist, taking into account any admixture of the undesirable substances in other products for animal nutrition and possible recycling of dangerous products into the feed chain.

2. Where the existence of a serious risk is confirmed in accordance with paragraph 1, Member States shall ensure that the final destination of the consignment containing undesirable substances, including possible decontamination, further action to render the products harmless, reprocessing or destruction, cannot have harmful effects on human or animal health or on the environment and where it is possible that the undesirable substances or the risk of such substances being

present has extended to other consignments or to the feed or food chain they shall immediately identify and put under control other consignments of the products deemed hazardous and also, where appropriate, identify live animals fed with hazardous products and implement the measures provided for in Directive 96/23/EC or in other relevant Community provisions relating to animal health or to the food safety of products of animal origin ensuring coordination between the relevant control services, in order to avoid the hazardous products being put into circulation and to ensure the enforcement of recall procedures for the products already in circulation.

Article 16c

1. Where a Member State finds that a product for animal nutrition which has been put into circulation in its own territory and in that of other Member States, or a product originating in a third country which has been brought into Community territory in order to be put into circulation in one or more Member States:

- exceeds the maximum levels laid down in Section A of Annex II to Directive 1999/29/EC beyond which the product must not be fed as such to animals or mixed with other products for animal nutrition, or
- does not comply with one of the other provisions referred to in Article 2(1)(a) of this Directive and, owing to that non-compliance and the purpose for which it is intended, poses a serious risk to human health, animal health or to the environment,

that Member State shall forthwith alert the Commission by way of notification.

It shall provide sufficient information to identify the products concerned, trace and put them under control and, where appropriate, the live animals fed with them, and shall specify safeguard measures envisaged or already taken, in order to enable the Commission properly to inform the other Member States.

2. Any Member State concerned shall immediately alert the Commission of any follow up measure taken in respect of the notified hazards, including information concerning the end of the risk situation.

3. The Commission and the Member States shall set up and operate a system for rapid exchange of information under conditions set in accordance with the procedure provided for in Article 23, with a view to expediting transmission and dissemination of the alerts referred to in paragraph 1 and the information referred to in Article 8(1).

4. The Commission shall inform the European Parliament of measures taken to expedite the transmission and dissemination of alerts.

(*) OJ L 125, 23.5.1996, p. 10.

8. Article 17(2) shall be replaced by the following:

'2. Member States shall provide that officials responsible for inspection are subject to professional confidentiality. However, this provision shall not affect the possibility for the competent authorities of the Member States of disseminating information necessary to prevent a serious risk to human health, animal health or to the environment.'

9. Article 17a shall be replaced by the following:

'Article 17a

1. Without prejudice to Article 15, experts from the Commission may, insofar as is necessary for the uniform application of this Directive, make on-the-spot inspections in cooperation with the competent authorities of the Member States. The Member State on whose territory inspections are made shall afford the experts all the assistance necessary for carrying out their duties. The Commission shall inform the competent authorities, the Member States and the European Parliament of the results of the inspections made.

2. The detailed rules for the application of this Article, and in particular those governing the arrangements for cooperation with the national authorities, shall be adopted in accordance with the procedure referred to in Article 23.'

10. Article 22 shall be amended as follows:

(a) the following sentence shall be added at the end of paragraph 2:

'This information shall be presented in the form of annual reports in accordance with a specimen to be drawn up pursuant to Article 23.'

(b) the following subparagraph shall be added at the end of paragraph 3:

'The overall summary report referred to in the first subparagraph shall be communicated to the European Parliament.'

Article 2

In Directive 70/524/EEC, Article 2(k) shall be replaced by the following:

'(k) "putting into circulation" or "circulation": the holding of any product intended for animal nutrition for the purposes of sale, including offering for sale, or any other form of transfer, whether free or not, to third

parties, and the sale and other forms of transfer themselves.'

Article 3

In Directive 96/25/EC, Article 2(b) shall be replaced by the following:

'(b) "putting into circulation" or "circulation": the holding of any product intended for animal nutrition for the purposes of sale, including offering for sale, or any other form of transfer, whether free or not, to third parties, and the sale and other forms of transfer themselves.'

Article 4

Article 12(3) and (4) of Directive 1999/29/EC are hereby repealed.

Article 5

1. Member States shall adopt and publish, not later than 1 September 2002 the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith inform the Commission thereof.

They shall apply these provisions from 1 May 2003.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the main provisions of national law which they adopt in the field covered by this Directive.

Article 6

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

Article 7

This Directive is addressed to the Member States.

Done at Brussels, 23 July 2001.

For the European Parliament

The President

N. FONTAINE

For the Council

The President

A. NEYTS-UYTTEBROECK

COUNCIL DIRECTIVE 2001/64/EC**of 31 August 2001****amending Directive 66/401/EEC on the marketing of fodder plant seed and Directive 66/402/EEC on the marketing of cereal seed**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 37 thereof,

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

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

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

Whereas:

- (1) For the reasons set out below, Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed ⁽⁴⁾ and Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seeds ⁽⁵⁾ should be amended.
- (2) Commission Decision 94/650/EC ⁽⁶⁾ organised a temporary experiment under specified conditions, with the aim of assessing whether the marketing of seed in bulk to the final consumer would have no adverse effect on the quality of the seed compared with the level of quality achieved under the present system under Directives 66/401/EEC and 66/402/EEC.
- (3) Following that temporary experiment, it is appropriate to permit the marketing of seed in bulk to the final consumer on a permanent basis, subject to the observance of specific conditions, and Directives 66/401/EEC and 66/402/EEC should be amended accordingly.
- (4) The measures necessary for the implementation of Directives 66/401/EEC and 66/402/EEC 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 ⁽⁷⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 66/401/EEC is hereby amended as follows:

1. The following Article shall be inserted:

'Article 10d

1. Member States may, by way of derogation from Articles 8, 9 and 10, provide a simplification of the provisions relating to the closing device and the marking of

packages in the case of marketing of seed of the category "certified seed" in bulk to the final consumer.

2. Conditions for the application of the derogation under paragraph 1 above shall be determined in accordance with the procedure referred to in Article 21(2).

Until such measures are adopted, the conditions set out in Article 2 of Commission Decision 94/650/EC ^(*) shall apply.

^(*) OJ L 252, 28.9.1994, p. 15. Decision as last amended by Commission Decision 2000/441/EC (OJ L 176, 15.7.2000, p. 50).'

2. Article 21 shall be replaced by the following:

'Article 21

1. The Commission shall be assisted by the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry established by Article 1 of Council Decision 66/399/EEC (hereinafter "the Committee").

2. Where reference is made to this paragraph, Articles 4 and 7 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ^(*) shall apply.

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

3. The Committee shall adopt its rules of procedures.

^(*) OJ L 184, 17.7.1999, p. 23.'

Article 2

Directive 66/402/EEC is hereby amended as follows:

1. The following Article shall be inserted:

'Article 10a

1. Member States may, by way of derogation from Articles 8, 9 and 10, provide a simplification of the provisions relating to the closing device and the marking of packages in the case of marketing of seed of the category "certified seed" in bulk to the final consumer.

⁽¹⁾ OJ C 212 E, 31.7.2001.

⁽²⁾ Opinion delivered on 4 July 2001.

⁽³⁾ Opinion delivered on 11 July 2001.

⁽⁴⁾ OJ L 125, 11.7.1966, p. 2298/66. Directive as last amended by Directive 98/96/EC (OJ L 25, 1.2.1999, p. 27).

⁽⁵⁾ OJ L 125, 11.7.1966, p. 2309/66. Directive as last amended by Commission Directive 1999/54/EC (OJ L 142, 5.6.1999, p. 30).

⁽⁶⁾ OJ L 252, 28.9.1994, p. 15. Decision as last amended by Commission Decision 2000/441/EC (OJ L 176, 15.7.2000, p. 50).

⁽⁷⁾ OJ L 184, 17.7.1999, p. 23.

2. Conditions for the application of the derogation under paragraph 1 above shall be determined in accordance with the procedure referred to in Article 21(2).

Until such measures are adopted, the conditions set out in Article 2 of Commission Decision 94/650/EC (*) shall apply.

(*) OJ L 252, 28.9.1994, p. 15. Decision as last amended by Commission Decision 2000/441/EC (OJ L 176, 15.7.2000, p. 50).'

2. Article 21 shall be replaced by the following:

'Article 21

1. The Commission shall be assisted by the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry established by Article 1 of Decision 66/399/EEC (hereinafter "the Committee").

2. Where reference is made to this paragraph, Articles 4 and 7 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (*) shall apply.

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

3. The Committee shall adopt its rules of procedures.

(*) OJ L 184, 17.7.1999, p. 23.'

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 March 2002. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of domestic law they adopt in the field covered by this Directive.

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 31 August 2001.

For the Council

The President

L. MICHEL

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 August 2001

amending Decision 97/778/EC as regards the list of border inspection posts (BIPs) agreed for veterinary checks on products and animals from third countries

(notified under document number C(2001) 2580)

(Text with EEA relevance)

(2001/668/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the border inspection post at the port of Hull should be extended to include certain oils and fats.

Having regard to the Treaty establishing the European Community,

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

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 third countries ⁽¹⁾, and in particular Article 6(4) thereof,

HAS ADOPTED THIS DECISION:

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 third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽²⁾, as last amended by Directive 96/43/EC ⁽³⁾, and in particular Article 6(4) thereof,

Article 1

The Annex to Decision 97/778/EC is amended as follows:

1. in the list of border inspection posts for Austria the entry for Linz is replaced by the following:

1	2	3	4	5
Linz	1300999	A	HC(2), NHC(2)	O, E, U (13)

2. in the list of border inspection posts for the United Kingdom the entry for Hull is replaced by the following:

1	2	3	4	5
Hull	0714199	P	HC-T(1), HC-NT, NHC-NT	

Whereas:

- (1) In the list drawn up by Commission Decision 97/778/EC ⁽⁴⁾, as last amended by Decision 2000/714/EC ⁽⁵⁾, at the request of the Austrian authorities, the listing for the border inspection post at the airport of Linz should be extended to include horses.

- (2) In the list drawn up by Decision 97/778/EC, at the request of the United Kingdom authorities the listing for

⁽¹⁾ OJ L 24, 30.1.1998, p. 9.

⁽²⁾ OJ L 268, 24.9.1991, p. 56.

⁽³⁾ OJ L 162, 1.7.1996, p. 1.

⁽⁴⁾ OJ L 315, 19.11.1997, p. 15.

⁽⁵⁾ OJ L 290, 17.11.2000, p. 38.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 August 2001.

For the Commission

David BYRNE

Member of the Commission

CORRIGENDA**Corrigendum to Commission Regulation (EC) No 1704/2001 of 29 August 2001 establishing unit values for the determination of the customs value of certain perishable goods**

(Official Journal of the European Communities L 232 of 30 August 2001)

On page 4, in Article 2:

for: 'This Regulation shall enter into force on 30 August 2001.',

read: 'This Regulation shall enter into force on 31 August 2001.'.
