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## Legislation

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## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 1030/2002**

**of 13 June 2002**

**laying down a uniform format for residence permits for third-country nationals**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular point 3 of Article 63 thereof,

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

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

Whereas:

- (1) The Treaty of Amsterdam aims to establish progressively an area of freedom, security and justice and confers a shared right of initiative on the Commission in order to take the relevant measures on a harmonised immigration policy.
- (2) Paragraph 38(c)(ii) of the action plan of the Council and the Commission on how best to implement the provisions of the Treaty of Amsterdam on an area of freedom, security and justice <sup>(3)</sup> provides for the preparation of rules concerning procedures for the issue by Member States of long-visas and residence permits.
- (3) The Tampere European Council of 15 and 16 October 1999 emphasised the need for this harmonised immigration policy, particularly in view of the provisions of the Treaty relating to the entry and residence of third-country nationals.
- (4) Council Joint Action 97/11/JHA <sup>(4)</sup> concerning a uniform format for residence permits confirms the need to harmonise the format of residence permits issued by Member States to third-country nationals. Consequently, it is appropriate that Joint Action 97/11/JHA should henceforth be replaced by a Community act.
- (5) It is essential that the uniform format for residence permits should contain all the necessary information and meet very high technical standards, in particular as regards safeguards against counterfeiting and falsifica-

tion. This will contribute to the objective of preventing and combating illegal immigration and illegal residence. The format should also be suited to use by all the Member States and bear universally recognisable harmonised security features, which are visible to the naked eye.

- (6) In order to improve protection of residence permits against counterfeiting and falsification, Member States and the Commission will consider at regular intervals, in line with technological developments, what changes should be made to the security features built into permits, especially incorporation and use of new biometric features.
- (7) This Regulation only lays down such specifications as are not secret. These specifications need to be supplemented by specifications which are to remain secret in order to prevent the risk of counterfeiting and falsifications and which may not include personal data or references to such data. Powers to adopt such additional technical specifications should be conferred on the Commission, which will be assisted by the Committee established by Article 6 of Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas <sup>(5)</sup>. In this respect, it should be ensured that any lack of continuity with regard to the residence permits arising from the Council Decisions of 17 December 1997 and 8 June 2001 is avoided.
- (8) To ensure that the information in question is not divulged more widely than is necessary, it is also essential that each Member State designate a single body for printing the uniform format for residence permits, while retaining the possibility of changing that body, if necessary. For security reasons, each Member State should communicate the name of the competent body to the Commission and to the other Member States.

<sup>(1)</sup> OJ C 180 E, 26.6.2001, p. 304.

<sup>(2)</sup> Opinion delivered on 12 December 2001 (not yet published in the Official Journal).

<sup>(3)</sup> OJ C 19, 23.1.1999, p. 1.

<sup>(4)</sup> OJ L 7, 10.1.1997, p. 1.

<sup>(5)</sup> OJ L 164, 14.7.1995, p. 1. Regulation as last amended by Regulation (EC) No 334/2002 (OJ L 53, 23.2.2002, p. 7).

- (9) Member States should, in consultation with the Commission, implement the necessary measures to ensure that the processing of personal data complies with the level of protection referred to in Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data <sup>(1)</sup>.
- (10) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission <sup>(2)</sup>.
- (11) This Regulation does not affect the competence of Member States with regard to the recognition of States and territorial entities and passports, travel and identity documents issued by their authorities.
- (12) In accordance with Articles 1 and 2 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark is not participating in the adoption of this Regulation and is therefore not bound by it or subject to its application. Given that this Regulation aims to build upon the Schengen *acquis* under the provisions of the third part of Title IV of the Treaty establishing the European Community, Denmark will, in accordance with Article 5 of the said Protocol, decide within a period of six months after the Council has adopted this Regulation whether it will transpose it into its national law.
- (13) As regards the Republic of Iceland and the Kingdom of Norway, this Regulation constitutes a development of the provisions of the Schengen *acquis* falling within the area referred to in Article 1, point B, of Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* <sup>(3)</sup>.
- (14) In accordance with Article 3 of the Protocol on the position of the United Kingdom and Ireland annexed to the Treaty on European Union and to the Treaty establishing the European Community, the United Kingdom gave notice, by letter of 3 July 2001, of its wish to take part in the adoption and application of this Regulation.
- (15) In accordance with Article 1 of the said Protocol, Ireland is not participating in the adoption of this Regulation. Consequently and without prejudice to Article 4 of the

aforementioned Protocol, the provisions of this Regulation do not apply to Ireland,

HAS ADOPTED THIS REGULATION:

#### Article 1

1. Residence permits issued by Member States to third-country nationals shall be drawn up in a uniform format and provide sufficient space for the information set out in the Annex hereto. The uniform format may be used as a sticker or a stand-alone document. Each Member State may add in the relevant space of the uniform format information of importance regarding the nature of the permit and the legal status of the person concerned, in particular information as to whether or not the person is permitted to work.

2. For the purpose of this Regulation,

- (a) 'residence permit' shall mean any authorisation issued by the authorities of a Member State allowing a third-country national to stay legally on its territory, with the exception of:
- (i) visas;
  - (ii) permits issued pending examination of an application for a residence permit or for asylum;
  - (iii) authorisations issued for a stay of a duration not exceeding six months by Member States not applying the provisions of Article 21 of the Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders <sup>(4)</sup>;
- (b) 'third-country national' shall mean any person who is not a citizen of the Union within the meaning of Article 17(1) of the Treaty.

#### Article 2

1. Additional technical specifications for the uniform format for residence permits relating to the following shall be established in accordance with the procedure referred to in Article 7(2):

- (a) additional security features and requirements including enhanced anti-forgery, counterfeiting and falsification standards;
- (b) technical processes and rules for the filling in of the uniform residence permit;
- (c) other rules to be observed for the filling in of the uniform residence permit.

2. The colours of the uniform residence permit may be changed in accordance with the procedure referred to in Article 7(2).

<sup>(1)</sup> OJ L 281, 23.11.1995, p. 31.

<sup>(2)</sup> OJ L 184, 17.7.1999, p. 23.

<sup>(3)</sup> OJ L 176, 10.7.1999, p. 31.

<sup>(4)</sup> OJ L 239, 22.9.2000, p. 19.

*Article 3*

The specifications referred to in Article 2 shall be secret and not be published. They shall be made available only to the bodies designated by the Member States as responsible for the printing and to persons duly authorised by a Member State or the Commission.

Each Member State shall designate one body having responsibility for printing the uniform residence permit. It shall communicate the name of that body to the Commission and the other Member States. The same body may be designated by two or more Member States. Each Member State shall be entitled to change its designated body. It shall inform the Commission and the other Member States accordingly.

*Article 4*

Without prejudice to data protection rules, persons to whom the residence permit is issued shall have the right to verify the personal particulars contained in the residence permit and, where appropriate, to have them corrected or deleted.

No information in machine-readable form shall be included in the residence permit, unless provided for in the Annex hereto or unless it is mentioned in the relevant travel document.

*Article 5*

This Regulation shall not apply to third-country nationals who are:

- members of the families of citizens of the Union exercising their right to free movement,
- nationals of Member States of the European Free Trade Association party to the Agreement on the European Economic Area and members of their families exercising their right to free movement in accordance with that Agreement,
- nationals of third countries who are exempt from the requirement to hold a visa and who are authorised to stay in a Member State for a period of less than three months.

*Article 6*

The measures necessary for the implementation of this Regulation shall be adopted in accordance with the regulatory procedure referred to in Article 7(2).

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaty establishing the European Community.

Done at Luxembourg, 13 June 2002.

*Article 7*

1. The Commission shall be assisted by the Committee set up by Article 6(2) of Regulation (EC) No 1683/95.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at two months.

3. The Committee shall adopt its rules of procedure.

*Article 8*

This Regulation shall not affect the powers of the Member States regarding recognition of States and territorial entities and passports, identity documents and travel documents issued by their authorities.

*Article 9*

Member States shall issue the uniform format for residence permits defined in Article 1 no later than one year after the adoption of the additional security features and requirements referred to in Article 2(1)(a).

From that date, this Regulation shall, in the Member States concerned, replace Joint Action 97/11/JHA.

The integration of the photograph provided for in point 14 of the Annex on a third-country nationals' residence permit in the form of a sticker shall be implemented at the latest five years after the adoption of the technical specifications provided for the adoption of this measure in Article 2.

However, the validity of authorisations already granted in another format of residence permit shall not be affected by the introduction of the uniform format for residence permits, unless the Member State concerned decides otherwise.

*Article 10*

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

*For the Council*

*The President*

M. RAJOY BREY

## ANNEX

**(a) Description**

The residence permit will be produced either as a sticker, if possible in ID 2 format, or as a stand-alone document in ID 1 or ID 2 format. It will be based on the specifications set out in the ICAO documents on machine-readable visas (document 9303, part 2) or on machine-readable travel documents (cards) (document 9303, part 3). It will contain the following entries:

1. The title of the document (residence permit) will appear in the language(s) of the issuing Member State (\*).
2. The document number (with special security features and preceded by an identification letter).
- 3.1. Name: surname and forename(s) in that order (\*).
- 4.2. 'Valid until' will indicate the relevant expiry date or, where appropriate, a word to indicate unlimited validity.
- 5.3. Place of issue and date of beginning of validity: the place and date of issue of the residence permit (\*).
- 6.4. Type of permit: the specific type of residence permit issued by the Member State to the third-country national (\*). The residence permit of a member of the family of a citizen of the European Union who has not exercised the right of free movement must contain the entry 'family member'.
- 7.5.-9. Remarks: Member States may enter details and indications for national use necessary in the light of their national provisions on third-country nationals, including indications relating to any permission to work (\*).
8. Date/signature/authorisation: where appropriate, the signature and seal of the issuing authority and/or the signature of the holder.
9. The printed area will contain the national emblem of the Member State to distinguish the residence permit and provide a safeguard of its national origin.
10. Machine-readable area. Machine-readable area will conform to ICAO guidelines.
11. The machine-readable area will contain a printed text indicating exclusively the Member State concerned. This text may not affect the technical features of the machine-readable area.
12. Metallised latent image effect, including the country code of the Member State, if a sticker is used.
13. OVD (optically variable device) (kinegram or equivalent sign) which provides a quality of identification and a level of security not less than the device used in the current uniform format for visas.
14. If the residence permit is produced as a stand-alone document, an identity photograph will be affixed in this space and secured by being integrated in the structure of the card or by means of a hot-seal laminate, the optically variable device being incorporated in each case.  
  
If the residence permit is produced as a sticker, this space will contain a photograph produced according to high security standards.
15. The following additional information boxes will be provided on the back in the case of a stand-alone document:
  - date and place of birth (\*),
  - nationality (\*),
  - sex (\*),
  - remarks (\*).

The address of the permit holder may also be indicated (\*).

**(b) Colour, printing process**

The Member States will establish the colour and the printing process in accordance with the uniform format set out in this Annex and the technical specifications to be established in accordance with Article 2 of this Regulation.

(\*) Where this information appears in an official language using non-Latin characters, it should be transliterated in Latin characters.

**(c) Material**

The paper used for the residence permit giving biographical or other data must meet the following minimum requirements:

- no optical brighteners,
- duo-tone watermarks,
- security reagents to guard against attempts at tampering by chemical erasure,
- coloured fibres (partly visible, partly fluorescent under UV light),
- UV-fluorescent planchettes.

No watermarks are used if the residence permit is issued in the form of a sticker.

If a card for biographical data is made entirely of plastic, it is not usually possible to incorporate the authentication marks used in paper. The lack of such marks must therefore be compensated for by the use of security printing techniques, OVDs, or issuing techniques which go beyond the following enhanced security standards. The basic security features of the materials used should be of a uniform design.

**(d) Printing techniques**

The following printing techniques will be employed:

- Background printing:
  - two-tone guilloches,
  - fluorescent rainbow colouring,
  - UV-fluorescent overprinting,
  - effective anti-counterfeiting and falsification motifs,
  - reagent inks must be used on paper cards and stickers.

The lay-out of the front of a card will be distinguishable from the back of the card.

- Form printing:
  - with integrated micro printing (unless already included in background printing).
- Numbering:
  - printed (where possible with a special style of figures or typeface and in UV-fluorescent ink) or, in the case of cards, integrated, using the same technique as for the biographical data. For stickers, printed numbering using fluorescent ink and a special style of figures is obligatory.

If stickers are used, intaglio printing with latent image effect, micro text and optically variable ink will also be employed. Additional optically variable security devices will also be used on cards made entirely of plastic, at least through the use of optically variable ink or equivalent measures. The basic features of the security printing should be of a uniform design.

**(e) Protection against copying**

An OVD providing a quality of identification and a level of security not less than the device used in the current uniform format for visas will be used on the residence permit sticker or on the front of the residence permit card. This OVD will be incorporated into the structure of the card, into the hot-sealed laminate or as an OVD overlay, or, on stickers, as metallised OVD (with intaglio overprinting).

**(f) Issuing technique**

To ensure that residence permit data are properly secured against attempts at counterfeiting and falsification, biographical data including the photograph, the holder's signature and the other main data will in future be integrated into the basic material of the document. Conventional methods of attaching the photograph will no longer be used.

The following issuing techniques may be used:

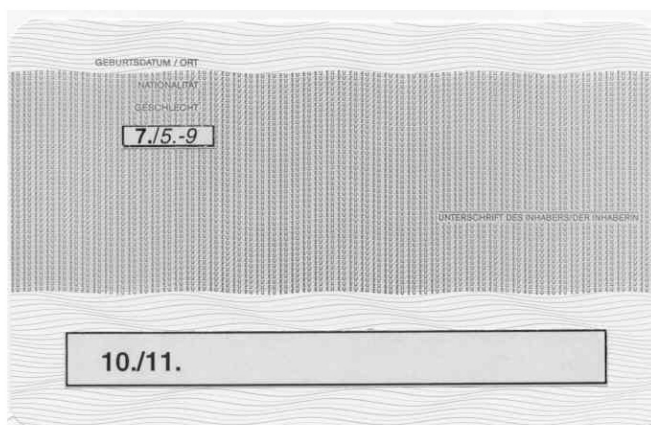
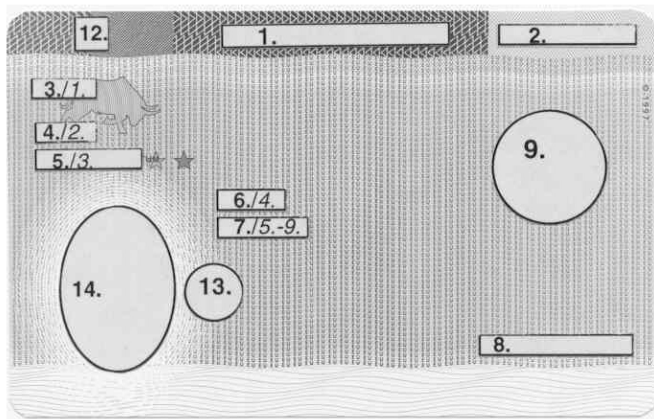
- laser printing,
- thermo-transfer,
- ink-jet printing,
- photographic,
- laser engraving.

To ensure that biographical issue data are adequately protected against attempts at tampering, hot-seal lamination with OVD security laminate will be compulsory where laser printing, thermo-transfer or photographic techniques are used. Residence permits in card form should also be laminated in this manner when issued using ink-jet printing. Since multiple hot-seal lamination of travel documents is not feasible when residence permits are affixed in the form of stickers, ink-jet printing will be the only possible technique for issuing stickers. Laser engraving will be used for plastic cards (made entirely or partly of synthetics).

- (g) Member States have the possibility, with regard to points (c), (d) and (e), to introduce further security features provided that these are in conformity with decisions already taken on these matters.

The technical requirements and the security features will correspond to the requirements and specifications set out in Regulation (EC) No 1683/95 laying down a uniform format for visas.

#### Residence permit for third-country nationals in card form





**Residence permit for third-country nationals in sticker form**

13.

12. 1.

2.

3./1.

4./2.

5./3.

6./4.

7./5.-9.

14.

9.

8.

10./11.

**COUNCIL REGULATION (EC) No 1031/2002****of 13 June 2002****establishing additional customs duties on imports of certain products originating in the United States of America**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) The United States of America has imposed a safeguard measure in the form of tariff increases or tariff quotas on imports of steel products from, *inter alia*, the European Community as from 20 March 2002.
- (2) This measure is causing considerable injury to the Community producers concerned and disturbs the balance of concessions and obligations resulting from the WTO Agreement; the measure will significantly limit Community exports of the steel products concerned to the United States of America, affecting Community exports worth at least EUR 2 407 million per year.
- (3) The consultations which were held between the United States of America and the Community as envisaged in the WTO Agreement did not reach any satisfactory solution.
- (4) The WTO Agreement gives any affected exporting Member the right to suspend the application of substantially equivalent concessions or other obligations, provided the WTO Council for Trade in Goods does not disapprove.
- (5) The imposition of additional customs duties of 100 %, 30 %, 15 %, 13 % and 8 % on selected products originating in the United States of America imported each year into the Community represents the suspension of a substantially equivalent trade concession, in that the duties collected will not exceed the amount of duties to be collected on Community exports of the products covered by the United States of America safeguard measure, namely EUR 626 million per year.
- (6) The suspension of substantially equivalent concessions should be applied by priority with respect to the steel sector, and to other sectors where appropriate. In particular, the manufactured products originating in the United States of America which have been selected are those on which the Community is not substantially dependent for its supply, but on which the imposition of additional customs duties will have an impact substantially equivalent to the impact on Community exports of the safeguard measure imposed by the United States of America.
- (7) For some products designated as 'certain flat steel products' the safeguard measure adopted by the United States of America has not been taken as a result of an absolute increase in imports.
- (8) As allowed by the WTO Agreement, a part of the Community's concessions corresponding to the safeguard measure that was not taken as a result of an absolute increase of imports and representing an amount of applicable duties of EUR 379 million may be subject to additional duties as from 18 June 2002.
- (9) However, the primary objective of the Community in the short term remains to reach an agreement with the United States of America on both compensation and product exclusions from the safeguard action. The Council shall therefore decide on the application of additional duties in the light of decisions by the United States of America on economically meaningful product exclusions and on the presentation of an acceptable offer on trade compensation.
- (10) This Regulation is without prejudice to the question of the compatibility of the safeguard measure applied by the United States of America with the WTO Agreement. In any event, the additional duty should apply in full from 20 March 2005 until the safeguard measure imposed by the United States of America is lifted. It should however apply immediately after a decision by the WTO Dispute Settlement Body that the safeguard measure imposed by the United States of America is incompatible with the WTO Agreement.
- (11) Products for which an import licence with an exemption from, or a reduction of, duty was issued prior to the date of entry into force of this Regulation should not be subject to these additional customs duties.
- (12) Products for which it can be proved that they have been exported from the United States of America to the Community prior to the date of application of the additional customs duties should not be subject to these additional customs duties.
- (13) Products affected by the suspension of concessions should be placed under the customs procedure 'processing under customs control' only pursuant to an examination in the Committee of the Customs Code.
- (14) The Community provided the Council for Trade in Goods with written notice of the suspension on 14 May 2002. The Council for Trade in Goods has not disagreed with such suspension.

HAS ADOPTED THIS REGULATION:

*Article 1*

The tariff concessions granted by the Community to the United States of America in respect of the products listed in Annex I and II are hereby suspended from 18 June 2002.

*Article 2*

1. The customs duties applicable to the products originating in the United States of America listed in Annex I and II shall be increased by an additional *ad valorem* duty of 100 %, 30 %, 15 %, 13 % or 8 %, as indicated in the Annexes.
2. The application of the additional duties listed in Annex I shall be decided on in accordance with the procedure and the modalities set out in Article 3(2).
3. The additional duties listed in Annex II shall be applied in accordance with Article 4.

*Article 3*

1. Before 19 July 2002, the Commission shall present a report to the Council on the state of discussions with the United States of America, in particular on the issue of product exclusions and on trade compensation, together with any necessary proposal for a Council decision.
2. The Council, acting in each case by qualified majority and on a proposal from the Commission, shall decide on the application of the additional duties listed in Annex I, including on the date of application and definitive content of that Annex:
  - (a) not later than 12 October 2002, if the United States of America has decided before 19 July 2002 on economically meaningful product exclusions and has started its domestic process to present an acceptable offer on trade compensation;
  - (b) not later than 1 August 2002, if the criteria under (a) are not fulfilled.
3. The additional duties listed in Annex I shall apply until the additional duties in Annex II apply.

*Article 4*

The additional duties listed in Annex II shall apply:

- (a) from 20 March 2005, or
- (b) from the fifth day following the date of a decision by the WTO Dispute Settlement Body that the safeguard measure imposed by the United States of America is incompatible with the WTO Agreement, if that is earlier. In this event,

the Commission shall publish in the *Official Journal of the European Communities* a notice indicating the date of the decision of the WTO Dispute Settlement Body.

*Article 5*

The Council, acting by qualified majority on a proposal from the Commission, shall decide on the repeal of this Regulation once the safeguard measure of the United States of America is lifted.

*Article 6*

1. Products listed in Annex I for which an import licence with an exemption from, or a reduction of, duty was issued before the date of entry into force of this Regulation shall not be subject to the additional duty laid down in Annex I.

2. Products listed in Annex I for which it can be proved that they are already on their way to the Community on the date of application of that Annex and whose destination cannot be changed, shall not be subject to the additional duty laid down therein.

Products listed in Annex II but not in Annex I for which it can be proved that they are already on their way to the Community on the date of application of Annex II and whose destination cannot be changed, shall not be subject to the additional duty laid down in Annex II.

3. Products listed in Annexes I and II may be placed under the customs procedure 'processing under customs control' in accordance with Article 551(1), first subparagraph, of the Regulation (EEC) No 2454/93<sup>(1)</sup> only where the examination of the economic conditions has taken place in the Committee of the Customs Code unless the products and operations are mentioned in Annex 76, Part A, of that Regulation.

*Article 7*

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

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

Done at Luxembourg, 13 June 2002.

*For the Council*

*The President*

M. RAJOY BREY

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<sup>(1)</sup> Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (OJ L 253, 11.10.1993, p. 1). Regulation as last amended by Regulation (EC) No 444/2002 (OJ L 68, 12.3.2002, p. 11).

## ANNEX I

The products covered by this Annex are determined by the product description of the Combined Nomenclature <sup>(1)</sup> for the CN codes listed below. The product descriptions in this Annex are only for information.

<i>Description and CN codes</i>	<i>Additional duty</i>
Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared falling under CN code: 0712 20 00	100 %
Apples, pears and quinces, fresh falling under CN code: 0808 10 90	100 %
Rice falling under CN codes: 1006 30 98 1006 40 00	100 % 100 %
Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter falling under CN codes: 2009 11 99 2009 12 00 2009 19 98	100 % 100 % 100 %
T-shirts, singlets and other vests, knitted or crocheted falling under CN codes: 6109 10 00 6109 90 10 6109 90 30 6109 90 90	100 % 100 % 100 % 100 %
Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear) falling under CN codes: 6203 42 90 6203 43 11 6203 43 19	100 % 100 % 100 %
Women's or girls' suits, ensembles, jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear) falling under CN code: 6204 62 90	100 %
Men's or boys' shirts falling under CN code: 6205 30 00	100 %
Blankets and travelling rugs falling under CN code: 6301 30 10	100 %
Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, clad, plated or coated falling under CN code: 7210 12 11	100 %

<sup>(1)</sup> Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1). Regulation as last amended by Commission Regulation (EC) No 796/2002 (OJ L 128, 15.5.2002, p. 8).

<i>Description and CN codes</i>	<i>Additional duty</i>
Flat-rolled products of stainless steel, of a width of less than 600 mm falling under CN codes:	
7220 20 31	100 %
7220 90 11	100 %
7220 90 39	100 %
7220 90 90	100 %
Other bars and rods of stainless steel; angles, shapes and sections of stainless steel falling under CN codes:	
7222 20 81	100 %
7222 20 89	100 %
Structures (excluding prefabricated buildings of heading 9406) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel falling under CN code:	
7308 30 00	100 %
Tanks, casks, drums, cans, boxes and similar containers, for any material (other than compressed or liquefied gas), of iron or steel, of a capacity not exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment falling under CN code:	
7310 29 90	100 %
Other cast articles of iron or steel falling under CN code:	
7325 99 90	100 %
Other articles of iron or steel falling under CN code:	
7326 20 90	100 %
Printing machinery used for printing by means of the printing type, blocks, plates, cylinders and other printing components of heading 8442; ink-jet printing machines, other than those of heading 8471; machines for uses ancillary to printing falling under CN codes:	
8443 11 00	100 %
8443 19 90	100 %
Spectacles, goggles and the like, corrective, protective or other falling under CN codes:	
9004 10 91	100 %
9004 10 99	100 %
Articles for funfair, table or parlour games, including pintables, billiards, special tables for casino games and automatic bowling alley equipment falling under CN code:	
9504 10 00	100 %

## ANNEX II

The products covered by this Annex are determined by the product description of the Combined Nomenclature for the CN codes listed below. The product descriptions in this Annex are only for information.

<i>Description and CN codes</i>	<i>Additional duty</i>
Vegetables (uncooked or cooked by steaming or boiling in water), frozen falling under CN code: 0710 40 00	13 %
Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared falling under CN codes: 0712 20 00 0712 90 90	15 % 13 %
Dried leguminous vegetables, shelled, whether or not skinned or split falling under CN codes: 0713 33 90 0713 40 00	13 % 13 %
Other nuts, fresh or dried, whether or not shelled or peeled falling under CN code: 0802 32 00	15 %
Dates, figs, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried falling under CN code: 0804 50 00	15 %
Citrus fruit, fresh or dried falling under CN code: 0805 40 00	15 %
Grapes, fresh or dried falling under CN code: 0806 10 10	15 %
Apples, pears and quinces, fresh falling under CN codes: 0808 10 90 0808 20 50	15 % 15 %
Apricots, cherries, peaches (including nectarines), plums and sloes, fresh falling under CN code: 0809 20 95	15 %
Rice falling under CN codes: 1006 20 98 1006 30 98 1006 40 00	8 % 8 % 8 %
Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006 falling under CN code: 2005 80 00	15 %

<i>Description and CN codes</i>	<i>Additional duty</i>
Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter falling under CN codes:	
2009 11 99	15 %
2009 12 00	15 %
2009 19 98	15 %
2009 21 00	15 %
2009 29 99	15 %
Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes falling under CN code:	
2402 20 90	30 %
Uncoated paper and paperboard, of a kind used for writing, printing or other graphic purposes, and non-perforated punch cards and punch tape paper, in rolls or rectangular (including square) sheets, of any size, other than paper of heading 4801 or 4803; hand-made paper and paperboard falling under CN code:	
4802 56 10	15 %
Toilet or facial tissue stock, towel or napkin stock and similar paper of a kind used for household or sanitary purposes, cellulose wadding and webs of cellulose fibres, whether or not creped, crinkled, embossed, perforated, surface-coloured, surface-decorated or printed, in rolls or sheets falling under CN code:	
4803 00 31	15 %
Toilet paper and similar paper, cellulose wadding or webs of cellulose fibres, of a kind used for household or sanitary purposes, in rolls of a width not exceeding 36 cm, or cut to size or shape; handkerchiefs, cleansing tissues, towels, tablecloths, serviettes, napkins for babies, tampons, bed sheets and similar household, sanitary or hospital articles, articles of apparel and clothing accessories, of paper pulp, paper, cellulose wadding or webs of cellulose fibres falling under CN codes:	
4818 20 10	15 %
4818 30 00	15 %
4818 50 00	15 %
Cartons, boxes, cases, bags and other packing containers, of paper, paperboard, cellulose wadding or webs of cellulose fibres; box files, letter trays, and similar articles, of paper or paperboard of a kind used in offices, shops or the like falling under CN codes:	
4819 10 00	15 %
4819 20 10	15 %
4819 20 90	15 %
4819 30 00	15 %
4819 40 00	15 %
4819 50 00	15 %
4819 60 00	15 %
Registers, account books, notebooks, order books, receipt books, letter pads, memorandum pads, diaries and similar articles, exercise books, blotting pads, binders (loose-leaf or other), folders, file covers, manifold business forms, interleaved carbon sets and other articles of stationery, of paper or paperboard; albums for samples or for collections and book covers, of paper or paperboard falling under CN codes:	
4820 10 30	15 %
4820 10 50	15 %
4820 10 90	15 %
4820 30 00	15 %
4820 50 00	15 %
4820 90 00	15 %

<i>Description and CN codes</i>	<i>Additional duty</i>
Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, knitted or crocheted, other than those of heading 6103 falling under CN codes:	
6101 30 10	30 %
6101 30 90	30 %
Women's or girls' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, knitted or crocheted, other than those of heading 6104 falling under CN codes:	
6102 30 10	30 %
6102 30 90	30 %
Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted falling under CN codes:	
6103 42 10	30 %
6103 42 90	30 %
6103 43 10	30 %
6103 43 90	30 %
Women's or girls' suits, ensembles, jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted falling under CN codes:	
6104 43 00	30 %
6104 62 10	30 %
6104 62 90	30 %
6104 63 10	30 %
6104 63 90	30 %
Men's or boys' shirts, knitted or crocheted falling under CN codes:	
6105 10 00	30 %
6105 20 10	30 %
6105 20 90	30 %
Women's or girls' blouses, shirts and shirt-blouses, knitted or crocheted falling under CN code:	
6106 10 00	30 %
Men's or boys' underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, knitted or crocheted falling under CN code:	
6107 11 00	30 %
Women's or girls' slips, petticoats, briefs, panties, nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, knitted or crocheted falling under CN code:	
6108 22 00	30 %
T-shirts, singlets and other vests, knitted or crocheted falling under CN codes:	
6109 10 00	30 %
6109 90 10	30 %
6109 90 30	30 %
6109 90 90	30 %



<i>Description and CN codes</i>	<i>Additional duty</i>
Jerseys, pullovers, cardigans, waistcoats and similar articles, knitted or crocheted falling under CN codes:	
6110 11 10	30 %
6110 11 30	30 %
6110 11 90	30 %
6110 12 10	30 %
6110 12 90	30 %
6110 19 10	30 %
6110 19 90	30 %
6110 20 10	30 %
6110 20 91	30 %
6110 20 99	30 %
6110 30 10	30 %
6110 30 91	30 %
6110 30 99	30 %
6110 90 10	30 %
6110 90 90	30 %
Track suits, ski suits and swimwear, knitted or crocheted falling under CN codes:	
6112 41 10	30 %
6112 41 90	30 %
Garments, made up of knitted or crocheted fabrics of heading 5903, 5906 or 5907 falling under CN codes:	
6113 00 10	30 %
6113 00 90	30 %
Other garments, knitted or crocheted falling under CN codes:	
6114 20 00	30 %
6114 30 00	30 %
6114 90 00	30 %
Panty hose, tights, stockings, socks and other hosiery, including stockings for varicose veins and footwear without applied soles, knitted or crocheted falling under CN codes:	
6115 11 00	30 %
6115 12 00	30 %
6115 19 00	30 %
6115 92 00	30 %
6115 93 10	30 %
6115 93 30	30 %
6115 93 91	30 %
6115 93 99	30 %
6115 99 00	30 %
Gloves, mittens and mitts, knitted or crocheted falling under CN codes:	
6116 10 20	30 %
6116 93 00	30 %
Men's or boys' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, other than those of heading 6203 falling under CN codes:	
6201 12 10	30 %
6201 12 90	30 %
6201 13 10	30 %
6201 13 90	30 %
6201 92 00	30 %
6201 93 00	30 %

<i>Description and CN codes</i>	<i>Additional duty</i>
Women's or girls' overcoats, car-coats, capes, cloaks, anoraks (including ski-jackets), wind-cheaters, wind-jackets and similar articles, other than those of heading 6204 falling under CN codes:	
6202 11 00	30 %
6202 93 00	30 %
Men's or boys' suits, ensembles, jackets, blazers, trousers, bib and brace overalls, breeches and shorts (other than swimwear) falling under CN codes:	
6203 11 00	30 %
6203 39 19	30 %
6203 39 90	30 %
6203 42 11	30 %
6203 42 31	30 %
6203 42 35	30 %
6203 42 90	30 %
6203 43 11	30 %
6203 43 19	30 %
6203 43 90	30 %
Women's or girls' suits, ensembles, jackets, blazers, dresses, skirts, divided skirts, trousers, bib and brace overalls, breeches and shorts (other than swimwear) falling under CN codes:	
6204 29 18	30 %
6204 29 90	30 %
6204 31 00	30 %
6204 33 90	30 %
6204 42 00	30 %
6204 43 00	30 %
6204 44 00	30 %
6204 49 10	30 %
6204 62 11	30 %
6204 62 31	30 %
6204 62 39	30 %
6204 62 90	30 %
6204 63 11	30 %
6204 63 18	30 %
6204 63 90	30 %
6204 69 18	30 %
6204 69 90	30 %
Men's or boys' shirts falling under CN codes:	
6205 20 00	30 %
6205 30 00	30 %
Women's or girls' blouses, shirts and shirt-blouses falling under CN codes:	
6206 30 00	30 %
6206 40 00	30 %
Garments, made up of fabrics of headings 5602, 5603, 5903, 5906 or 5907 falling under CN codes:	
6210 40 00	30 %
6210 50 00	30 %

<i>Description and CN codes</i>	<i>Additional duty</i>
Track suits, ski suits and swimwear; other garments falling under CN codes:	
6211 32 10	30 %
6211 32 90	30 %
6211 33 10	30 %
6211 33 41	30 %
6211 33 90	30 %
6211 42 10	30 %
6211 42 90	30 %
6211 43 10	30 %
6211 43 41	30 %
6211 43 90	30 %
6211 49 00	30 %
Brassières, girdles, corsets, braces, suspenders, garters and similar articles and parts thereof, whether or not knitted or crocheted falling under CN codes:	
6212 10 10	30 %
6212 10 90	30 %
6212 20 00	30 %
6212 90 00	30 %
Ties, bow ties and cravats falling under CN code:	
6215 10 00	30 %
Gloves, mittens and mitts falling under CN code:	
6216 00 00	30 %
Other made up clothing accessories; parts of garments or of clothing accessories, other than those of heading 6212 falling under CN code:	
6217 10 00	30 %
Blankets and travelling rugs falling under CN codes:	
6301 30 10	30 %
6301 30 90	30 %
6301 40 10	30 %
6301 40 90	30 %
Tarpaulins, awnings and sunblinds; tents; sails for boats, sailboards or landcraft; camping goods falling under CN code:	
6306 29 00	30 %
Other made up articles, including dress patterns falling under CN codes:	
6307 10 10	30 %
6307 10 90	30 %
6307 90 99	30 %
Other footwear with outer soles and uppers of rubber or plastics falling under CN codes:	
6402 19 00	30 %
6402 99 10	30 %
6402 99 39	30 %
6402 99 93	30 %
6402 99 96	30 %
6402 99 98	30 %

<i>Description and CN codes</i>	<i>Additional duty</i>
Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather falling under CN codes:	
6403 19 00	30 %
6403 51 11	30 %
6403 51 15	30 %
6403 51 19	30 %
6403 51 95	30 %
6403 51 99	30 %
6403 59 35	30 %
6403 59 39	30 %
6403 59 95	30 %
6403 59 99	30 %
6403 91 11	30 %
6403 91 13	30 %
6403 91 16	30 %
6403 91 18	30 %
6403 91 93	30 %
6403 91 98	30 %
6403 99 11	30 %
6403 99 33	30 %
6403 99 36	30 %
6403 99 38	30 %
6403 99 50	30 %
6403 99 91	30 %
6403 99 93	30 %
6403 99 98	30 %
Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials falling under CN codes:	
6404 11 00	30 %
6404 19 10	30 %
6404 19 90	30 %
Other footwear falling under CN codes:	
6405 90 10	30 %
6405 90 90	30 %
Parts of footwear (including uppers whether or not attached to soles other than outer soles); removable in-soles, heel cushions and similar articles; gaiters, leggings and similar articles, and parts thereof falling under CN code:	
6406 99 80	30 %
Flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, clad, plated or coated falling under CN codes:	
7210 12 11	30 %
7210 12 19	30 %
7210 12 90	30 %
7210 30 10	30 %
7210 30 90	30 %

<i>Description and CN codes</i>	<i>Additional duty</i>
Flat-rolled products of stainless steel, of a width of 600 mm or more falling under CN codes:	
7219 12 10	30 %
7219 12 90	30 %
7219 13 10	30 %
7219 13 90	30 %
7219 32 10	30 %
7219 33 10	30 %
7219 33 90	30 %
7219 34 10	30 %
7219 34 90	30 %
7219 35 90	30 %
7219 90 10	30 %
7219 90 90	30 %
Flat-rolled products of stainless steel, of a width of less than 600 mm falling under CN codes:	
7220 20 31	30 %
7220 90 11	30 %
7220 90 39	30 %
7220 90 90	30 %
Other bars and rods of stainless steel; angles, shapes and sections of stainless steel falling under CN codes:	
7222 20 11	30 %
7222 20 19	30 %
7222 20 21	30 %
7222 20 31	30 %
7222 20 39	30 %
7222 20 81	30 %
7222 20 89	30 %
7222 30 98	30 %
7222 40 99	30 %
Wire of stainless steel falling under CN codes:	
7223 00 11	30 %
7223 00 99	30 %
Flat-rolled products of other alloy steel, of a width of less than 600 mm falling under CN codes:	
7226 92 10	30 %
7226 92 90	30 %
7226 99 80	30 %
Other bars and rods of other alloy steel; angles, shapes and sections, of other alloy steel; hollow drill bars and rods, of alloy or non-alloy steel falling under CN codes:	
7228 30 61	30 %
7228 30 69	30 %
7228 50 61	30 %
7228 50 69	30 %
7228 50 89	30 %
7228 60 89	30 %

<i>Description and CN codes</i>	<i>Additional duty</i>
Wire of other alloy steel falling under CN code: 7229 90 90	30 %
Sheet piling of iron or steel, whether or not drilled, punched or made from assembled elements; welded angles, shapes and sections, of iron or steel falling under CN code: 7301 20 00	30 %
Tubes, pipes and hollow profiles, seamless, of iron (other than cast iron) or steel falling under CN codes: 7304 29 11 7304 29 19 7304 31 91 7304 31 99 7304 41 90 7304 49 91 7304 59 91 7304 90 90	30 % 30 % 30 % 30 % 30 % 30 % 30 % 30 %
Other tubes, pipes and hollow profiles (for example, open seam or welded, riveted or similarly closed), of iron or steel falling under CN codes: 7306 20 00 7306 30 29 7306 40 91 7306 40 99	30 % 30 % 30 % 30 %
Tube or pipe fittings (for example couplings, elbows, sleeves), of iron or steel falling under CN codes: 7307 11 10 7307 11 90 7307 19 10 7307 19 90	30 % 30 % 30 % 30 %
Structures (excluding prefabricated buildings of heading 9406) and parts of structures (for example, bridges and bridge-sections, lock-gates, towers, lattice masts, roofs, roofing frameworks, doors and windows and their frames and thresholds for doors, shutters, balustrades, pillars and columns), of iron or steel; plates, rods, angles, shapes, sections, tubes and the like, prepared for use in structures, of iron or steel falling under CN codes: 7308 10 00 7308 20 00 7308 30 00 7308 40 90 7308 90 51 7308 90 59 7308 90 99	30 % 30 % 30 % 30 % 30 % 30 % 30 %
Reservoirs, tanks, vats and similar containers for any material (other than compressed or liquefied gas), of iron or steel, of a capacity exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment falling under CN codes: 7309 00 10 7309 00 30 7309 00 51 7309 00 59 7309 00 90	30 % 30 % 30 % 30 % 30 %

<i>Description and CN codes</i>	<i>Additional duty</i>
Tanks, casks, drums, cans, boxes and similar containers, for any material (other than compressed or liquefied gas), of iron or steel, of a capacity not exceeding 300 litres, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment falling under CN codes:	
7310 10 00	30 %
7310 29 10	30 %
7310 29 90	30 %
Containers for compressed or liquefied gas, of iron or steel falling under CN codes:	
7311 00 10	30 %
7311 00 99	30 %
Stranded wire, ropes, cables, plaited bands, slings and the like, of iron or steel, not electrically insulated falling under CN codes:	
7312 10 51	30 %
7312 10 59	30 %
7312 10 71	30 %
7312 10 99	30 %
7312 90 90	30 %
Cloth (including endless bands), grill, netting and fencing, of iron or steel wire; expanded metal of iron or steel falling under CN codes:	
7314 14 00	30 %
7314 19 00	30 %
7314 42 90	30 %
7314 49 00	30 %
Chain and parts thereof, of iron or steel falling under CN codes:	
7315 11 90	30 %
7315 12 00	30 %
7315 19 00	30 %
7315 89 00	30 %
7315 90 00	30 %
Screws, bolts, nuts, coach screws, screw hooks, rivets, cotters, cotter-pins, washers (including spring washers) and similar articles, of iron or steel falling under CN codes:	
7318 14 99	30 %
7318 16 99	30 %
Springs and leaves for springs, of iron or steel falling under CN code:	
7320 90 90	30 %
Stoves, ranges, grates, cookers (including those with subsidiary boilers for central heating), barbecues, braziers, gas-rings, plate warmers and similar non-electric domestic appliances, and parts thereof, of iron or steel falling under CN codes:	
7321 11 90	30 %
7321 13 00	30 %
Radiators for central heating, not electrically heated, and parts thereof, of iron or steel; air heaters and hot air distributors (including distributors which can also distribute fresh or conditioned air), not electrically heated, incorporating a motor-driven fan or blower, and parts thereof, of iron or steel falling under CN code:	
7322 90 90	30 %

<i>Description and CN codes</i>	<i>Additional duty</i>
Table, kitchen or other household articles and parts thereof, of iron or steel; iron or steel wool; pot scourers and scouring or polishing pads, gloves and the like, of iron or steel falling under CN codes:	
7323 93 10	30 %
7323 93 90	30 %
7323 99 99	30 %
Sanitary ware and parts thereof, of iron or steel falling under CN codes:	
7324 10 90	30 %
7324 90 90	30 %
Other cast articles of iron or steel falling under CN codes:	
7325 10 99	30 %
7325 99 10	30 %
7325 99 90	30 %
Other articles of iron or steel falling under CN codes:	
7326 20 90	30 %
7326 90 10	30 %
7326 90 30	30 %
7326 90 40	30 %
7326 90 50	30 %
7326 90 60	30 %
7326 90 91	30 %
7326 90 93	30 %
7326 90 95	30 %
7326 90 97	30 %
Harvesting or threshing machinery, including straw or fodder balers; grass or hay mowers; machines for cleaning, sorting or grading eggs, fruit or other agricultural produce, other than machinery of heading 8437 falling under CN codes:	
8433 11 10	30 %
8433 11 59	30 %
8433 11 90	30 %
8433 19 90	30 %
Printing machinery used for printing by means of the printing type, blocks, plates, cylinders and other printing components of heading 8442; ink-jet printing machines, other than those of heading 8471; machines for uses ancillary to printing falling under CN codes:	
8443 11 00	30 %
8443 19 90	30 %
Tools for working in the hand, pneumatic, hydraulic or with self-contained electric or non-electric motor falling under CN code:	
8467 21 99	30 %
Special purpose motor vehicles, other than those principally designed for the transport of persons or goods (for example, breakdown lorries, crane lorries, fire fighting vehicles, concrete-mixer lorries, road sweeper lorries, spraying lorries, mobile workshops, mobile radiological units) falling under CN codes:	
8705 10 00	30 %
8705 90 90	30 %



<i>Description and CN codes</i>	<i>Additional duty</i>
Yachts and other vessels for pleasure or sports; rowing boats and canoes falling under CN codes:	
8903 10 10	30 %
8903 10 90	30 %
8903 91 10	30 %
8903 91 91	30 %
8903 91 93	30 %
8903 91 99	30 %
8903 92 10	30 %
8903 92 99	30 %
8903 99 10	30 %
8903 99 91	30 %
8903 99 99	30 %
Frames and mountings for spectacles, goggles or the like, and parts thereof falling under CN code:	
9003 19 30	30 %
Spectacles, goggles and the like, corrective, protective or other falling under CN codes:	
9004 10 91	30 %
9004 10 99	30 %
Photocopying apparatus incorporating an optical system or of the contact type and thermo-copying apparatus falling under CN codes:	
9009 11 00	30 %
9009 12 00	30 %
Wrist-watches, pocket-watches and other watches, including stop-watches, other than those of heading 9101 falling under CN code:	
9102 11 00	30 %
Percussion musical instruments (for example, drums, xylophones, cymbals, castanets, maraccas) falling under CN code:	
9206 00 00	30 %
Seats (other than those of heading 9402), whether or not convertible into beds, and parts thereof falling under CN codes:	
9401 61 00	30 %
9401 71 00	30 %
Other furniture and parts thereof falling under CN codes:	
9403 60 10	30 %
9403 70 90	30 %
Prefabricated buildings falling under CN code:	
9406 00 39	30 %
Articles for funfair, table or parlour games, including pintables, billiards, special tables for casino games and automatic bowling alley equipment falling under CN code:	
9504 10 00	30 %

<i>Description and CN codes</i>	<i>Additional duty</i>
Brooms, brushes (including brushes constituting parts of machines, appliances or vehicles), hand-operated mechanical floor sweepers, not motorised, mops and feather dusters; prepared knots and tufts for broom or brush making; paint pads and rollers; squeegees (other than roller squeegees) falling under CN code: 9603 21 00	30 %
Ball point pens; felt tipped and other porous-tipped pens and markers; fountain pens, stylograph pens and other pens; duplicating stylos; propelling or sliding pencils; pen-holders, pencil-holders and similar holders; parts (including caps and clips) of the foregoing articles, other than those of heading 9609 falling under CN code: 9608 10 10	30 %

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**COMMISSION REGULATION (EC) No 1032/2002****of 14 June 2002****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 15 June 2002.

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

Done at Brussels, 14 June 2002.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

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

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

## ANNEX

**to the Commission Regulation of 14 June 2002 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	47,6
	999	47,6
0707 00 05	052	84,8
	096	4,3
	220	135,3
	999	74,8
0709 90 70	052	82,9
	999	82,9
0805 50 10	388	56,3
	512	61,2
	528	57,9
	999	58,5
0808 10 20, 0808 10 50, 0808 10 90	388	83,2
	400	113,9
	404	109,0
	508	90,5
	512	93,7
	524	63,1
	528	60,3
	720	148,4
	804	108,3
	999	96,7
0809 10 00	052	203,6
	624	247,7
	999	225,6
0809 20 95	052	333,3
	094	300,3
	400	296,0
	999	309,9

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

**COMMISSION REGULATION (EC) No 1033/2002**  
**of 14 June 2002**  
**on issuing A2 export licences for fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1961/2001 of 8 October 2001 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables <sup>(1)</sup>, and in particular Article 3(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 678/2002 <sup>(2)</sup> set the indicative refund rates and the indicative quantities for A2 export licences, other than those applied for in the context of food aid.
- (2) For tomatoes, in view of the economic situation and taking account of information received by operators via their applications for A2 licences, the definitive refund rate should be set at a different rate from the indicative rate. The percentage for the issuing of licences for the quantities applied for should also be set. The definitive rate may not be more than 50 % more than the indicative rate.
- (3) Pursuant to Article 3(5) of Regulation (EC) No 1961/2001, applications for rates in excess of the corresponding definitive rates shall be considered null and void,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For A2 export licences for which applications have been submitted pursuant to Article 1 of Regulation (EC) No 678/2002 the actual date of application referred to in the second subparagraph of Article 3(1) of Regulation (EC) No 1961/2001 is hereby set at 15 June 2002.

2. The licences referred to in the first paragraph shall be issued at the definitive refund rate and at the percentage for the quantities applied for as indicated in the Annex to this Regulation.

3. Pursuant to Article 3(5) of Regulation (EC) No 1961/2001, applications referred to in the first paragraph for rates in excess of the corresponding definitive rate set out in the Annex shall be considered null and void.

*Article 2*

This Regulation shall enter into force on 15 June 2002.

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

Done at Brussels, 14 June 2002.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

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

<sup>(2)</sup> OJ L 104, 20.4.2002, p. 3.

## ANNEX

Product	Definitive refund rates (EUR/t net)	Percentages for the issuing of licences
Tomatoes	21	100 %

**COMMISSION REGULATION (EC) No 1034/2002**  
**of 14 June 2002**  
**on the issuing of system A3 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 1961/2001 of 8 October 2001 laying down detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables <sup>(1)</sup>, and in particular Article 4(4) thereof,

Whereas:

- (1) Commission Regulation (EC) No 678/2002 <sup>(2)</sup> opens an invitation to tender setting the indicative refund rates and indicative quantities for system A3 export licences other than those tendered for as part of food aid.
- (2) In the light of the tenders submitted, the maximum refund rates and the percentages for reducing the quantities awarded for tenders quoting those maximum rates should be set.

- (3) In the case of oranges, the maximum rate necessary to award licences for the indicative quantity up to the quantities tendered for is not more than one-and-a-half times the indicative refund rate,

HAS ADOPTED THIS REGULATION:

*Article 1*

In the case of oranges, the maximum refund rates and the percentages for reducing the quantities awarded under the invitation to tender opened by Regulation (EC) No 678/2002 shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 15 June 2002.

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

Done at Brussels, 14 June 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ L 104, 20.4.2002, p. 3.

## ANNEX

Product	Maximum refund rate (EUR/t net)	Percentage awarded of quantities tendered for quoting the maximum refund rate
Oranges	36	100 %



## COMMISSION REGULATION (EC) No 1035/2002

of 14 June 2002

**on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

ovine and caprine animals and swine, fresh meat or meat products from third countries <sup>(3)</sup>, as last amended by Regulation (EC) No 1452/2001 <sup>(4)</sup>,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

(1) Article 1 of Regulation (EC) No 1918/98 provides for the possibility of issuing import licences for beef and veal products. However, imports must take place within the limits of the quantities specified for each of these exporting non-member countries.

(2) The applications for import licences submitted between 1 and 10 June 2002, expressed in terms of boned meat, in accordance with Regulation (EC) No 1918/98, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from those States. It is therefore possible to issue import licences in respect of the quantities applied for.

(3) The quantities in respect of which licences may be applied for from 1 July 2002 should be fixed within the scope of the total quantity of 52 100 tonnes.

(4) This Regulation is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine,

HAS ADOPTED THIS REGULATION:

## Article 1

The following Member States shall issue on 21 June 2002 import licences for beef and veal products, expressed as boned meat, originating in certain African, Caribbean and Pacific States, in respect of the following quantities and countries of origin:

Germany:

- 600 tonnes originating in Botswana,
- 290 tonnes originating in Namibia;

United Kingdom:

- 350 tonnes originating in Botswana,
- 500 tonnes originating in Namibia,
- 50 tonnes originating in Swaziland.

## Article 2

Licence applications may be submitted, pursuant to Article 3(2) of Regulation (EC) No 1918/98, during the first 10 days of July 2002 for the following quantities of boned beef and veal:

Botswana:	13 836 tonnes,
Kenya:	142 tonnes,
Madagascar:	7 579 tonnes,
Swaziland:	3 073 tonnes,
Zimbabwe:	9 100 tonnes,
Namibia:	8 850 tonnes.

## Article 3

This Regulation shall enter into force on 21 June 2002.

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

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

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

<sup>(4)</sup> OJ L 198, 21.7.2001, p. 11.

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

Done at Brussels, 14 June 2002.

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

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## COMMISSION REGULATION (EC) No 1036/2002

of 14 June 2002

**fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 99th 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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 509/2002 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 635/2000 <sup>(4)</sup>, 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 99th 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 15 June 2002.

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

Done at Brussels, 14 June 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(2)</sup> OJ L 79, 22.3.2002, p. 15.

<sup>(3)</sup> OJ L 350, 20.12.1997, p. 3.

<sup>(4)</sup> OJ L 76, 25.3.2000, p. 9.

## ANNEX

**to the Commission Regulation of 14 June 2002 fixing the minimum selling prices for butter and the maximum aid for cream, butter and concentrated butter for the 99th 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 1037/2002****of 14 June 2002****fixing the maximum purchasing price for butter for the 52nd 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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 509/2002 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 1614/2001 <sup>(4)</sup>, 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 intervention 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 52nd invitation to tender issued under Regulation (EC) No 2771/1999, for which tenders had to be submitted not later than 11 June 2002, the maximum buying-in price is fixed at 295,38 EUR/100 kg.

*Article 2*

This Regulation shall enter into force on 15 June 2002.

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

Done at Brussels, 14 June 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(2)</sup> OJ L 79, 22.3.2002, p. 15.

<sup>(3)</sup> OJ L 333, 24.12.1999, p. 11.

<sup>(4)</sup> OJ L 214, 8.8.2001, p. 20.

**COMMISSION REGULATION (EC) No 1038/2002****of 14 June 2002****fixing the maximum aid for concentrated butter for the 271st 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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 509/2002 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 124/1999 <sup>(4)</sup>, 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 271st 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 15 June 2002.

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

Done at Brussels, 14 June 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(2)</sup> OJ L 79, 22.3.2002, p. 15.

<sup>(3)</sup> OJ L 45, 21.2.1990, p. 8.

<sup>(4)</sup> OJ L 16, 21.1.1999, p. 19.

**COMMISSION REGULATION (EC) No 1039/2002****of 14 June 2002****suspending the buying-in of skimmed-milk powder at the intervention price**

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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 509/2002 <sup>(2)</sup>, and in particular Article 10 thereof,

Whereas:

- (1) Article 7(2) of Regulation (EC) No 1255/1999 provides that the Commission may suspend the buying-in of skimmed-milk powder as soon as the quantities offered for intervention in the period from 1 March to 31 August each year exceed 109 000 tonnes and that in that case buying-in by the intervention agencies may be carried out under an open standing invitation to tender on the basis of specifications to be determined.
- (2) Since the condition for suspending buying-in is met, it should be suspended and the Member States authorised to buy in under a standing invitation to tender for the remaining intervention period so as to continue to support the skimmed-milk powder market by fixing a maximum buying-in price on the basis of the applicable intervention price and taking account of tenders received for each invitation to tender.

(3) Commission Regulation (EC) No 214/2001 of 12 January 2001 laying down detailed rules for the application of Council Regulation (EC) No 1255/1999 as regards intervention on the market in skimmed-milk powder <sup>(3)</sup> lays down provisions to apply where the Commission decides that buying-in is to take place under a standing invitation to tender.

(4) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The buying-in of skimmed-milk powder at the intervention price provided for in Article 7(1) of Regulation (EC) No 1255/1999 is suspended throughout the Community.

Until 31 August 2002, intervention agencies may buy in skimmed-milk powder meeting the requirements of Article 7(1) of Regulation (EC) No 1255/1999 under a standing invitation to tender in accordance with Articles 13 to 20 of Regulation (EC) No 214/2001.

*Article 2*

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

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

Done at Brussels, 14 June 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 48.

<sup>(2)</sup> OJ L 79, 22.3.2002, p. 15.

<sup>(3)</sup> OJ L 37, 7.2.2001, p. 100.

## COMMISSION REGULATION (EC) No 1040/2002

of 14 June 2002

**establishing detailed rules for the implementation of the provisions relating to the allocation of a financial contribution from the Community for plant-health control and repealing Regulation (EC) No 2051/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community<sup>(1)</sup>, as last amended by Commission Directive 2002/36/EC<sup>(2)</sup>, and in particular the last subparagraph of Article 23(5) thereof,

Whereas:

- (1) Pursuant to Directive 2000/29/EC, a financial contribution from the Community may be granted to Member States to cover expenditure relating directly to the necessary measures which have been taken or are planned for the purpose of combating harmful organisms introduced from third countries or from other areas in the Community, in order to eradicate or, if that is not possible, to contain them.
- (2) Member States may, in particular, request a Community financial contribution for specific measures which they have adopted or planned to adopt to control infections by harmful organisms introduced in their territory. The upper limit of this contribution is 50 % of eligible expenditure.
- (3) The application of Commission Regulation (EC) No 2051/97 of 20 October 1997 establishing detailed rules for the implementation of the provisions relating to the allocation of a plant-health control financial contribution from the Community<sup>(3)</sup> has shown that more detailed rules are necessary, and in particular the requirements concerning the information which Member States must submit to justify a claim for a Community financial contribution should be made more precise.
- (4) The new rules should specify the information to be provided by the Member States' applications for the Community financial contribution, in particular evidence of the eradication programme in respect of the harmful organism for which a financial contribution for plant-health control is requested.
- (5) In accordance with Article 3(2) of Council Regulation (EC) No 1258/1999<sup>(4)</sup>, veterinary and plant health measures undertaken in accordance with Community rules shall be financed under the Guarantee section of the European Agricultural Guidance and Guarantee Fund. Financial control of these measures comes under Articles 8 and 9 of the above Regulation.

(6) Regulation (EC) No 2051/97 should therefore be repealed.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. Without prejudice to the provisions of Article 23(4), first subparagraph, of Directive 2000/29/EC, Member States' applications for the allocation of a financial contribution from the Community for plant-health control pursuant to Article 23(5) of Directive 2000/29/EC shall be submitted in writing by 30 April at the latest of each year by the authority referred to in Article 1(4) of that Directive for examination in that year and addressed to the Commission of the European Communities, Health and Consumer Protection Directorate General, B-1049 Brussels, Belgium.

2. Applications shall include information on the eradication programme in respect of the harmful organism for which a financial contribution for plant-health control is requested, in particular:

- (a) general information on the appearance of the relevant harmful organism, including details as the date on which its presence was suspected or confirmed, and the presumed cause of the appearance;
- (b) the necessary measures which have been taken or are planned for combating the relevant harmful organism, their expected duration and where available, the results obtained, the actual or estimated cost of the expenditure incurred or to be incurred, and the proportion of such expenditure covered or to be covered from public funds. The duration shall be no more than two years after the date of detection of the appearance of the relevant harmful organism, except in duly justified cases, where two such further applications of each one year may be submitted.

*Article 2*

1. For the purposes of the examination referred to in Article 1(1), Member States shall submit a dossier including, for each year of the programme:

- (a) a copy of the notification of the presence or of the appearance of the relevant organism, in accordance with Article 16(1) or (2) of Directive 2000/29/EC;

<sup>(1)</sup> OJ L 169, 10.7.2000, p. 1.

<sup>(2)</sup> OJ L 116, 3.5.2002, p. 16.

<sup>(3)</sup> OJ L 287, 21.10.1997, p. 13.

<sup>(4)</sup> OJ L 160, 26.6.1999, p. 103.



- (b) information on inspections, testing and other actions undertaken to determine the nature and extent of the appearance of the relevant harmful organism, including the method used for these actions;
- (c) the statutory notice requiring treatments like destruction, disinfection, disinfestation, sterilisation and other treatments to be carried out and an official description and assessment of their achievement/results, including the description of the methods used for these treatments;
- (d) in case of payments of compensation for financial losses, other than loss of earnings, due to prohibitions and/or restrictions, as defined in point (c) of Article 23(2) of Directive 2000/29/EC, an official statement for payments made or to be made and the method of calculation;
- (e) information on the identity of the consignment in accordance with the provisions of Article 23(4) of Directive 2000/29/EC or if not possible the reasons why it cannot be identified.

2. Moreover, Member States shall also submit the list of the amounts excluding VAT and taxes, paid or to be paid for carrying out the necessary measures for combating the relevant harmful organism and the part of these amounts covered by public funds. For each kind of such measures, the appropriate details shall be enclosed:

- (a) for inspections and analyses, through a summary table indicating, *inter alia*, their dates, places and the unit costs;
- (b) for treatments referred to in paragraph 1(c), the list of holdings/places treated, and the quantity of plants/areas treated;
- (c) for payments referred to in paragraph 1(d), the list of beneficiaries.

#### Article 3

1. For each application received, the Commission shall determine whether the phytosanitary measures have been appropriate and the costs of those measures are reasonable.

2. The Member State concerned shall, on request, communicate to the Commission any additional information the Commission requires for its examination.

#### Article 4

1. Each year, by 15 September at the latest, the Commission shall prepare a list of programmes to be considered which therefore are eligible for a financial contribution from the Community. For the purpose of assuring an effective and consistent contribution, and taking into account the evolution of the phytosanitary situation in the Community, the Commission shall rank the above programmes.

In the above ranking, priority shall be given to those programmes that satisfy as much as possible the following criteria:

- protect the interest of the whole Community,
- show a higher probability of efficacy,
- supply the required information regarding the identity of the consignment.

2. The list, which shall detail the amount of the proposed Community financial contribution to each programme, shall be submitted for discussion to the Standing Committee on Plant Health. If applicable, the rate of degressivity of the financial contribution shall also be mentioned.

3. Each programme included in the list referred to in point 2 shall be approved individually in accordance with the procedure laid down in Article 18 of Directive 2000/29/EC. Such approval shall include the rate of the financial contribution from the Community, any conditions to which it may be subject and the upper limit of the contribution. The financial contribution from the Community shall not be granted where the total amount of eligible expenditure per year, defined according to the provision of Article 4(1), is less than EUR 50 000.

#### Article 5

In order to receive payment of the financial contribution from the Community for an approved programme, the Member State shall submit a request for payment of the financial contribution in Euro to the Commission, by 30 September of the year following the year in which the programme has been approved at the latest.

The Member State's request shall include proof or evidence of payments through appropriate documentation, such as invoices or receipts.

#### Article 6

Regulation (EC) No 2051/97 is repealed.

#### Article 7

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

It shall apply to applications seeking the payment of a financial contribution from the Community from 2003 onwards.

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

Done at Brussels, 14 June 2002.

*For the Commission*  
David BYRNE  
*Member of the Commission*

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**COMMISSION REGULATION (EC) No 1041/2002**  
**of 14 June 2002**  
**concerning the provisional authorisation of a new additive in feedingstuffs**  
**(Text with EEA relevance)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2205/2001 <sup>(2)</sup>, and in particular Articles 3 and 9a thereof,

Whereas:

- (1) Directive 70/524/EEC provides that new additives may be authorised following the review of an application made in accordance with Article 4 of the Directive.
- (2) Article 2(aaa) of Directive 70/524/EEC requires authorisations for coccidiostats to be linked to the person responsible for putting them into circulation.
- (3) Article 9a of Directive 70/524/EEC provides that provisional authorisation of such substances, which are listed in part I of Annex C to that Directive, may be given for a period of up to four years from the date on which the authorisation takes effect, if the conditions laid down in Article 3a(b) to (e) of the Directive are met and if it is reasonable to assume, in view of the available results, that when used in animal nutrition it has one of the effects referred to in Article 2(a).
- (4) The assessment of the dossier submitted in respect of the coccidiostat 'Semduramicin sodium' described in the Annex shows that this additive satisfies the above mentioned requirements when used in the animal category and under the conditions described in that Annex.

- (5) The assessment of the dossier shows that certain procedures may be required to protect workers from exposure to the additives. Such protection should however be assured by the application of Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work <sup>(3)</sup>.
- (6) The Scientific Committee for Animal Nutrition has delivered a favourable opinion with regard to the safety of the above mentioned coccidiostat, under the conditions described in the Annex.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

*Article 1*

The additive 'Semduramicin sodium' belonging to the group 'Coccidiostats and other medicinal substances' listed in the Annex to the present Regulation is provisionally authorised for use as an additive in animal nutrition under the conditions laid down in that Annex.

*Article 2*

This Regulation shall enter into force on the seventh 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, 14 June 2002.

*For the Commission*

David BYRNE

*Member of the Commission*

<sup>(1)</sup> OJ L 270, 14.12.1970, p. 1.

<sup>(2)</sup> OJ L 297, 15.11.2001, p. 3.

<sup>(3)</sup> OJ L 183, 29.6.1989, p. 1.

## ANNEX

Registration number of additive	Name and registration number of person responsible for putting additive into circulation	Additive (trade name)	Composition, chemical formula, description	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						mg of active substance/kg of complete feedingstuff			
‘Coccidiostats and other medicinal substances									
29	Phibro Animal Health, sprl	Semduramicin sodium (Aviax 5 %)	<b>Additive composition:</b> Semduramicin sodium: 51,3 g/kg Sodium carbonate: 40 g/kg Mineral oil: 50 g/kg Sodium aluminosilicate: 20 g/kg Soybean mill run: 838,7 g/kg  <b>Active substance:</b> Semduramicin sodium C <sub>45</sub> H <sub>76</sub> O <sub>16</sub> Na CAS number 113378-31-7  sodium salt of a monocarboxylic acid polyether ionophore produced by <i>Actinomadura roseorufa</i> (ATCC 53664)  Related impurities: Descarboxylsemduramicin, ≤ 2 % Desmethoxylsemduramicin, ≤ 2 % Hydroxysemduramicin, ≤ 2 % Total: ≤ 5 %	Chickens for fattening	—	20	25	Use prohibited at least five days before slaughter	1.6.2006’

## COMMISSION REGULATION (EC) No 1042/2002

of 14 June 2002

## amending Regulation (EC) No 919/94 laying down detailed rules for the application of Council Regulation (EEC) No 404/93 as regards banana producers' organisations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas <sup>(1)</sup>, as last amended by Regulation (EC) No 2587/2001 <sup>(2)</sup>, and in particular Article 9 thereof,

Whereas:

(1) Commission Regulation (EC) No 919/94 <sup>(3)</sup>, as amended by Regulation (EC) No 630/1999 <sup>(4)</sup>, lays down detailed rules for the application of Regulation (EC) No 404/93 as regards banana producers' organisations. It establishes in particular the conditions for the recognition of producer organisations and Annex I thereto establishes the minimum volume of marketable production of bananas and the minimum number of producers that the organisations must prove they have as members.

(2) In order to fulfil the economic tasks assigned to the producer organisations as regards production and marketing, to increase income from marketing and to improve the management of the sector, the creation of larger units must be encouraged and the thresholds relating to the number of members and marketable volumes must be increased. To this end, the application of the thresholds laid down for the French production regions should be extended to the Canary Islands. Raising the thresholds for the other production regions in Greece and Portugal is not an option, in view of the characteristics of the producer organisations.

(3) To facilitate the setting up of producer organisations adapted to the new thresholds, for 2002 the deadline by which the members of producer organisations established in Spain must notify any intention to resign should be extended.

(4) The aid provided for in Article 6 of Regulation (EEC) No 404/93 should not be granted to producer organisations comprising the members of former producer organisations that have benefited from this aid scheme.

(5) To allow the producer organisations to adapt to the new thresholds, the provisions of this Regulation should apply from 1 January 2003, with the exception of the

provision on the notification of resignations to be given in 2002 which shall apply from the date of entry into force of this Regulation.

(6) Regulation (EC) No 919/94 should therefore be amended.

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

HAS ADOPTED THIS REGULATION:

## Article 1

Regulation (EC) No 919/94 is hereby amended as follows:

1. The following second subparagraph is added to Article 5(c):

'Notwithstanding the first subparagraph, in the case of producer organisations established in Spain, the notification of any intention to resign to be given in 2002 shall be given by 15 October at the latest.'

2. Article 10 is replaced by the following:

## 'Article 10

Assistance to encourage the establishment and assist the administrative operation of producer organisations as referred to in Article 6(1) of Regulation (EEC) No 404/93 shall not be granted to producer organisations which have received the aid provided for in Article 10 of Regulation (EEC) No 1360/78 or in Article 10 of Council Regulation (EC) No 952/97 <sup>(\*)</sup> and which comprise members who were formerly members of organisations having already benefited from that assistance.

<sup>(\*)</sup> OJ L 142, 2.6.1997, p. 30.'

3. Annex I to Regulation (EC) No 919/94 is replaced by the text in the Annex to this Regulation.

## Article 2

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

It shall apply from 1 January 2003. However, Article 1(1) shall apply from the date of entry into force of this Regulation.

<sup>(1)</sup> OJ L 47, 25.2.1993, p. 1.

<sup>(2)</sup> OJ L 345, 29.12.2001, p. 13.

<sup>(3)</sup> OJ L 106, 27.4.1994, p. 6.

<sup>(4)</sup> OJ L 80, 25.3.1999, p. 8.

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

Done at Brussels, 14 June 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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ANNEX

'ANNEX I

Region of production in the Community	Minimum number of members	Minimum volume of marketable production of bananas (in tonnes net weight)
Spain (Canary Islands)	100	30 000
France:		
— Guadeloupe	100	30 000
— Martinique	100	30 000
Greece (Crete and Lakonia)	4	40
Portugal (Madeira, the Azores and Algarve)	5	10'

## COMMISSION DECISION No 1043/2002/ECSC

of 14 June 2002

**amending both Decision No 283/2000/ECSC imposing a definitive anti-dumping duty on imports of certain flat-rolled products of iron or non-alloy steel, of a width of 600 mm or more, not clad, plated or coated, in coils, not further worked than hot-rolled, originating, *inter alia*, in India, and Decision No 284/2000/ECSC imposing a definitive countervailing duty on the same products, and accepting an undertaking**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2277/96/ECSC of 28 November 1996 on protection against dumped imports from countries not members of the European Coal and Steel Community <sup>(1)</sup>, as last amended by Decision No 435/2001/ECSC <sup>(2)</sup> (the basic Decision), and in particular Article 11(4) thereof,

Having regard to Commission Decision No 1889/98/ECSC of 3 September 1998 on protection against subsidised imports from countries not members of the European Coal and Steel Community <sup>(3)</sup> (the basic anti-subsidy Decision), and in particular Article 20 thereof,

After consulting the Advisory Committee,

Whereas:

## A. PREVIOUS PROCEDURE

- (1) By Commission Decision No 283/2000/ECSC <sup>(4)</sup> (definitive anti-dumping Decision), as last amended by Decision No 841/2002/ECSC <sup>(5)</sup>, the Commission imposed, *inter alia*, a definitive anti-dumping duty of 10,7 % on imports of hot-rolled coils (product concerned) originating in India, with the exception of imports from several Indian companies specifically mentioned, which are either subject to a lesser rate of duty or to no duty at all which are exempted from the anti-dumping duty since the Commission accepted price undertakings from these companies according to Article 2 of the definitive Decision.
- (2) By Decision No 284/2000/ECSC <sup>(6)</sup> (the definitive countervailing Decision), the Commission imposed, *inter alia*, a definitive countervailing duty of 13,1 % on imports of hot-rolled coils (product concerned) originating in India, with the exception of imports from several Indian companies specifically mentioned, which are exempted from the countervailing duty since the Commission accepted price undertakings from these companies

according to Article 2 of the definitive countervailing Decision.

- (3) By Commission Decision No 842/2002/ECSC <sup>(7)</sup> the Commission imposed definitive countervailing duties on two further Indian exporting producers not covered in the original investigation, including Jindal Vijayanagar Steel Limited (the company).

## B. CURRENT PROCEDURE

- (4) The company submitted an application to initiate a 'new exporter' review of the definitive anti-dumping Decision, pursuant to Article 11(4) of the basic Decision. The company claimed that it was not related to any of the exporting producers in India subject to the anti-dumping measures in force with regard to the product concerned. Furthermore, it claimed that it had not exported the product concerned during the original period of investigation (1 January 1998 to 31 December 1998), but had exported the product concerned to the Community since then.
- (5) The product covered by the current review is the same product as the one under consideration in the definitive anti-dumping Decision.
- (6) The Commission examined the evidence submitted by the company and considered it sufficient to justify the initiation of a new exporter review in accordance with the provisions of Article 11(4) of the basic Decision. After consultation of the Advisory Committee and after the Community industry concerned had been given the opportunity to comment, the Commission initiated, by Commission Decision No 1699/2001/ECSC <sup>(8)</sup>, a review of the definitive Decision pursuant to Article 11(4) of the basic Decision with regard to the company and commenced its investigation.
- (7) By the Decision initiating the review, the Commission also repealed the anti-dumping duty imposed by the definitive Decision with regard to imports of the product concerned produced and exported to the Community by the company and directed customs authorities, pursuant to Article 14(5) of the basic Decision, to take appropriate steps to register such imports.

<sup>(1)</sup> OJ L 308, 29.11.1996, p. 11.

<sup>(2)</sup> OJ L 63, 3.3.2001, p. 14.

<sup>(3)</sup> OJ L 245, 4.9.1998, p. 3.

<sup>(4)</sup> OJ L 31, 5.2.2000, p. 15.

<sup>(5)</sup> OJ L 134, 22.5.2002, p. 11.

<sup>(6)</sup> OJ L 31, 5.2.2000, p. 44.

<sup>(7)</sup> OJ L 134, 22.5.2002, p. 18.

<sup>(8)</sup> OJ L 231, 29.8.2001, p. 3.

- (8) The Commission officially informed the company and the representatives of India (the exporting country). Furthermore, it gave other parties directly concerned the opportunity to make their views known in writing and to request a hearing. However, no such request was received by the Commission.
- (9) The Commission sent a questionnaire to the company and received a reply within the deadline. The Commission also sought and verified all the information deemed necessary for the determination of dumping. A verification visit was carried out at the premises of the company.
- (10) The investigation of dumping covered the period from 1 November 1999 to 30 June 2001 (the investigation period). The length of the investigation period was necessary in order to cover a sufficiently representative volume of exports of the product concerned to the Community by the company.

### C. RESULTS OF THE INVESTIGATION

#### 1. New exporter qualification

- (11) The investigation confirmed that the company had not exported the product concerned during the original period of investigation and that it had begun exporting to the Community after this period.
- (12) Furthermore, the company was able to satisfactorily demonstrate that it did not have any links, direct or indirect, with any of the Indian exporting producers subject to the anti-dumping measures in force with regard to the product concerned.
- (13) Accordingly, it is confirmed that the company should be considered a new exporter in accordance with Article 11(4) of the basic Decision, and thus an individual dumping margin should be determined for it.

#### 2. Dumping

##### *Normal value*

- (14) In accordance with Article 2(2) of the basic Decision, the Commission first examined, whether the company's total domestic sales of hot-rolled coils were representative in comparison with its total export sales to the Community. Since these sales amounted to more than 5 % of its total export sales volume to the Community, they were considered representative.
- (15) The Commission subsequently identified those types of hot-rolled coils sold domestically by the company that were identical or directly comparable to the types sold for export to the Community. The investigation showed that the grades and dimensions of the product

concerned exported into the Community by the company are identical or comparable to the products sold on the domestic market.

- (16) For the single type sold for export to the Community by the exporting producer and found to be directly comparable to the type sold on its domestic market, it was then examined whether domestic sales were sufficiently representative with respect to the corresponding export sales. Since the domestic sales were significantly above the 5 % threshold, they were considered representative.
- (17) An examination was also made as to whether the domestic sales could be regarded as having been made in the ordinary course of trade, by establishing the proportion of the sales volume of the product concerned sold at a net sales price equal to or above the calculated cost of production (profitable sales) to independent customers of the type in question. Since the volume of profitable sales of the product concerned represented less than 80 % but 10 % or more of the total sales volume, normal value was based on the actual domestic price, calculated as a weighted average of profitable sales only.

##### *Export price*

- (18) According to Article 2(8) and (9) of the basic Decision, the export price is the price actually paid or payable for the product in question when sold for export from the exporting Country to the Community, unless the export price so established is found to be unreliable as it is not paid by an independent buyer. Since the export sales to the Community were found to be made to independent customers in the Community, the export price was established on the basis of export prices actually paid or payable.

##### *Comparison*

- (19) For the purpose of ensuring a fair comparison between normal value and export price, due allowance in the form of adjustments was made for differences affecting price comparability in accordance with Article 2(10) of the basic Decision.
- (20) All the allowances claimed by the company on export sales have been accepted. These allowances relate to inland freight, terminal handling and similar charges, ocean freight, bank charges and credit costs. On domestic sales, the company claimed allowances for rebates and sales discounts and credit costs, which were also accepted.



*Dumping margin*

- (21) In accordance with Article 2(10) and (11) of the basic Decision, the dumping margin was established on the basis of a comparison between the weighted average normal value per product type level and the weighted average export price at ex-factory level for the same product type and at the same level of trade.
- (22) The dumping margin established for the company, expressed as a percentage of the free-at-Community-frontier price, amounts to 30,0 %.

**D. AMENDMENT OF THE MEASURES BEING REVIEWED**

- (23) In the light of the foregoing, it is considered that a definitive anti-dumping duty should be imposed. In accordance with Article 9(4) of the basic Decision this should not be higher than the injury margin, in case the injury margin is lower than the actual dumping margin found.
- (24) No individual injury margin can be established in a new exporter review since the investigation, pursuant to Article 11(4) of the basic Decision, is limited to the examination of the individual dumping margin. Therefore the dumping margin established was compared to the country-wide injury margin (as established for India by the definitive Decision). Since the latter was lower than the dumping margin, the level of the measures should be based on the injury margin.
- (25) By Decision No 842/2002/ECSC a definitive countervailing duty of 5,7 % was imposed on the company's exports of the product concerned to the Community. In accordance with Article 24(1) of Decision No 1889/98/ECSC on protection against subsidised imports from

countries not members of the European Coal and Steel Community (the basic anti-subsidy Decision) and Article 14(1) of the basic Decision, no product shall be subject to both anti-dumping and countervailing duties for the purposes of dealing with one and the same situation arising from dumping or from export subsidisation. As anti-dumping duties are to be imposed on imports of the product concerned it is necessary to determine whether, and to what extent, the subsidy and the dumping margin arise from the same situation.

- (26) In the case of Decision No 842/2002/ECSC, the subsidy schemes investigated in India have been found to constitute export subsidies within the meaning of Article 3(4)(a) of the basic anti-subsidy Decision. As such, the subsidies can affect the export prices of the Indian exporting producer, thus leading to increased margins of dumping. In other words, the dumping margin established can be wholly or partly due to the existence of export subsidies. In these circumstances it is not considered appropriate to impose both countervailing and anti-dumping duties to the full extent of the relevant subsidy and dumping margins established. Therefore the anti-dumping duty needs to be adjusted to reflect the actual dumping margin remaining after the imposition of the countervailing duties offsetting the effect of the export subsidies.
- (27) Accordingly, the rate of duty applicable to the free-at-Community-frontier price, before duty and taking into account the results of the parallel anti-subsidy proceeding, shall be:

Company	Dumping margin (%)	Injury margin (%)	Export subsidy margin (%)	Countervailing duty (%)	AD duty to be imposed (%)
Jindal Vijayanagar Steel Limited	30,0	23,8	5,7	5,7	18,1

- (28) The individual company anti-dumping duty rate specified in this Decision was established on the basis of the findings of the present investigation. Therefore, it reflects the situation found during that investigation with respect to this company. This duty rate (as opposed to the country-wide duty applicable to 'all other companies') is thus exclusively applicable to imports of products originating in the country concerned and produced by the company and thus by the specific legal entity mentioned. Imported products produced by any other company not specifically mentioned in the operative part of this Decision with its name and address, including entities related to the one specifically mentioned, cannot benefit from these rates and shall be subject to the duty rate applicable to 'all other companies'.

- (29) Any claim requesting the application of this individual company anti-dumping duty rate (e.g. following a change in the name of the entity or following the setting up of new production or sales entities) should be addressed to the Commission <sup>(1)</sup> forthwith with all relevant information, in particular any modification in the company's activities linked to production, domestic and export sales associated with, for example, that name change or that change in the production and sales entities. The Commission, if appropriate, will, after consultation of the Advisory Committee, amend the Decision accordingly by updating the list of companies benefiting from individual duty rates.

#### **E. RETROACTIVE LEVYING OF THE ANTI-DUMPING DUTY**

- (30) In accordance with Article 11(4) of the basic Decision, as the review has resulted in a determination of dumping in respect of the company, the anti-dumping duty applicable to this company shall be levied retroactively from the date of initiation of this review on imports which have been made subject to registration pursuant to Article 3 of Decision No 1699/2001/ECSC.

#### **F. UNDERTAKING**

- (31) The company, Jindal Vijayanagar Steel Limited, offered a price undertaking, regarding its exports of the product concerned, to the Community, in accordance with Article 8(1) of the basic Decision and Article 13(1) of the basic anti-subsidy Decision
- (32) After examination of the offer, the Commission considered the undertaking as acceptable since it would eliminate the injurious effects of dumping and subsidisation. Moreover, the regular and detailed reports which the company undertook to provide to the Commission will allow effective monitoring of the undertaking, and the nature of the product and the sales structure of the company is such that the Commission considers that the risk of circumvention is limited.
- (33) It should be recalled that the company had already been the object of a review of the definitive countervailing duties but, at that time, did not offer a price undertaking. Since the offer for an undertaking covers both the anti-dumping measures and the countervailing measures, the Commission accepts the undertaking for both proceedings.
- (34) In order to ensure the effective respect and monitoring of the undertaking, when the request for release for free circulation pursuant to the undertaking is presented, exemption from the duties is conditional upon presentation to the customs service of the Member State concerned a valid 'Commercial Invoice' issued by Jindal Vijayanagar Steel Limited and containing the information listed in the Annex to Decision No 283/2000/ECSC. Where no such invoice is presented, or when it does not correspond to the product presented to customs, the appropriate rates of anti-dumping and countervailing duties should be payable in order to ensure the effective application of the undertaking.

#### **G. DISCLOSURE AND DURATION OF THE MEASURES**

- (35) The companies were informed of the facts and considerations on the basis of which it is intended to impose the amended definitive anti-dumping duty on their exports to the Community.
- (36) This review does not affect the date on which Decision No 283/2000/ECSC will expire pursuant to Article 11(2) of the basic Decision,

<sup>(1)</sup> European Commission  
Directorate-General Trade  
Directorate B  
J-79 5/16  
Rue de la Loi/Wetstraat 200  
B-1049 Brussels.

HAS ADOPTED THIS DECISION:

*Article 1*

1. Commission Decision No 283/2000/ECSC is hereby amended as follows:

— In the section headed 'India' of the table in Article 1(2), the following row is inserted:

Country	Company	Rate of AD duty (%)	TARIC additional code
'India	Jindal Vijayanagar Steel Ltd, Jindal Mansion, 5 — A. G. Deshmukh Marg, Mumbai — 400 026	18,1	A270'

— In the table in Article 2(1), the following row is inserted:

Company	Country	TARIC additional code
Jindal Vijayanagar Steel Ltd, Jindal Mansion, 5 — A. G. Deshmukh Marg, Mumbai — 400 026	India	A270'

2. The duty imposed shall be levied retroactively on imports of the product concerned which have been registered pursuant to Article 3 of Commission Decision No 1699/2001/ECSC.

*Article 2*

Article 2(1) of Commission Decision No 284/2000/ECSC is hereby amended by inserting the following row in the table:

Company	Country	TARIC additional code
Jindal Vijayanagar Steel Ltd, Jindal Mansion, 5 — A. G. Deshmukh Marg, Mumbai — 400 026	India	A270'

*Article 3*

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

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

Done at Brussels, 14 June 2002.

*For the Commission*  
Pascal LAMY  
*Member of the Commission*

**COMMISSION REGULATION (EC) No 1044/2002****of 14 June 2002****fixing the maximum export refund on wholly milled round grain rice in connection with the invitation to tender issued in Regulation (EC) No 2007/2001**

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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(2)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2007/2001 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refund on wholly milled round grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2007/2001 is hereby fixed on the basis of the tenders submitted from 7 to 13 June 2002 at 109,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 15 June 2002.

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

Done at Brussels, 14 June 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(3)</sup> OJ L 272, 13.10.2001, p. 13.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 35, 15.2.1995, p. 8.

**COMMISSION REGULATION (EC) No 1045/2002****of 14 June 2002****fixing the maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain European third countries, in connection with the invitation to tender issued in Regulation (EC) No 2008/2001**

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 organization of the market in rice <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(2)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2008/2001 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refund on wholly milled medium grain and long grain A rice to be exported to certain European third countries pursuant to the invitation to tender issued in Regulation (EC) No 2008/2001 is hereby fixed on the basis of the tenders submitted from 7 to 13 June 2002 at 109,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 15 June 2002.

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

Done at Brussels, 14 June 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(3)</sup> OJ L 272, 13.10.2001, p. 15.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 35, 15.2.1995, p. 8.

**COMMISSION REGULATION (EC) No 1046/2002****of 14 June 2002****fixing the maximum export refund on wholly milled round grain, medium grain and long grain A rice to be exported to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 2009/2001**

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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(2)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2009/2001 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refund on wholly milled grain, medium grain and long grain A rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2009/2001 is hereby fixed on the basis of the tenders submitted from 7 to 13 June 2002 at 110,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 15 June 2002.

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

Done at Brussels, 14 June 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(3)</sup> OJ L 272, 13.10.2001, p. 17.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 35, 15.2.1995, p. 8.

**COMMISSION REGULATION (EC) No 1047/2002****of 14 June 2002****fixing the maximum export refund on wholly milled long grain rice in connection with the invitation to tender issued in Regulation (EC) No 2010/2001**

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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(2)</sup>, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the export refund on rice was issued pursuant to Commission Regulation (EC) No 2010/2001 <sup>(3)</sup>.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 <sup>(4)</sup>, as last amended by Regulation (EC) No 299/95 <sup>(5)</sup>, allows the Commission to fix, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, a maximum export refund. In fixing this maximum, the criteria provided for in Article 13 of Regulation (EC) No 3072/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund.

(3) The application of the abovementioned criteria to the current market situation for the rice in question results in the maximum export refund being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refund on wholly milled long grain rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 2010/2001 is hereby fixed on the basis of the tenders submitted from 7 to 13 June 2002 at 250,00 EUR/t.

*Article 2*

This Regulation shall enter into force on 15 June 2002.

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

Done at Brussels, 14 June 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(3)</sup> OJ L 272, 13.10.2001, p. 19.

<sup>(4)</sup> OJ L 61, 7.3.1975, p. 25.

<sup>(5)</sup> OJ L 35, 15.2.1995, p. 8.

**COMMISSION REGULATION (EC) No 1048/2002****of 14 June 2002****concerning tenders submitted in response to the invitation to tender for the export of husked long grain rice to the island of Réunion referred to in Regulation (EC) No 2011/2001**

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 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 411/2002 <sup>(2)</sup>, and in particular Article 10(1) thereof,

Having regard to Commission Regulation (EEC) No 2692/89 of 6 September 1989 laying down detailed rules for exports of rice to Réunion <sup>(3)</sup>, as amended by Regulation (EC) No 1453/1999 <sup>(4)</sup>, and in particular Article 9(1) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2011/2001 <sup>(5)</sup> opens an invitation to tender for the subsidy on rice exported to Réunion.
- (2) Article 9 of Regulation (EEC) No 2692/89 allows the Commission to decide, in accordance with the procedure laid down in Article 22 of Regulation (EC) No 3072/95 and on the basis of the tenders submitted, to make no award.

(3) On the basis of the criteria laid down in Articles 2 and 3 of Regulation (EEC) No 2692/89, a maximum subsidy should not be fixed.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

No action shall be taken on the tenders submitted from 10 to 13 June 2002 in response to the invitation to tender referred to in Regulation (EC) No 2011/2001 for the subsidy on exports to Réunion of husked long grain rice falling within CN code 1006 20 98.

*Article 2*

This Regulation shall enter into force on 15 June 2002.

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

Done at Brussels, 14 June 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(2)</sup> OJ L 62, 5.3.2002, p. 27.

<sup>(3)</sup> OJ L 261, 7.9.1989, p. 8.

<sup>(4)</sup> OJ L 167, 2.7.1999, p. 19.

<sup>(5)</sup> OJ L 272, 13.10.2001, p. 21.



**COMMISSION REGULATION (EC) No 1049/2002**  
**of 14 June 2002**  
**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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>,

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 <sup>(3)</sup>, as last amended by Regulation (EC) No 597/2002 <sup>(4)</sup>, 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 15 June 2002.

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

Done at Brussels, 14 June 2002.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 1.

<sup>(3)</sup> OJ L 161, 29.6.1996, p. 125.

<sup>(4)</sup> OJ L 91, 6.4.2002, p. 9.

## ANNEX I

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

CN code	Description	Import duty <sup>(2)</sup> (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality <sup>(1)</sup>	0,00
1001 90 91	Common wheat seed	0,00
1001 90 99	Common high quality wheat other than for sowing <sup>(3)</sup>	0,00
	medium quality	8,45
	low quality	23,91
1002 00 00	Rye	35,67
1003 00 10	Barley, seed	35,67
1003 00 90	Barley, other <sup>(4)</sup>	35,67
1005 10 90	Maize seed other than hybrid	49,16
1005 90 00	Maize other than seed <sup>(5)</sup>	49,16
1007 00 90	Grain sorghum other than hybrids for sowing	35,67

<sup>(1)</sup> 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.

<sup>(2)</sup> 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.

<sup>(3)</sup> The importer may benefit from a flat-rate reduction of EUR 14 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

<sup>(4)</sup> The importer may benefit from a flat-rate reduction of EUR 8 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

<sup>(5)</sup> The importer may benefit from a flat-rate reduction of EUR 24 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 31 May to 13 June 2002)

## 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)	118,50	117,71	110,39	87,44	186,32 (**)	176,32 (**)	105,09 (**)
Gulf premium (EUR/t)	—	23,13	15,00	12,70	—	—	—
Great Lakes premium (EUR/t)	22,83	—	—	—	—	—	—

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

(\*\*) Fob Duluth.

## 2. Freight/cost: Gulf of Mexico–Rotterdam: 17,83 EUR/t; Great Lakes–Rotterdam: 26,36 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).