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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 41/2003
of 10 January 2003
establishing the standard import values for determining the entry price of certain fruit and
vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1947/2002 ⁽²⁾, and in particular Article 4(1) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 11 January 2003.

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

Done at Brussels, 10 January 2003.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 10 January 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	87,1
	204	56,1
	212	83,5
	624	154,7
	999	95,3
0707 00 05	052	127,6
	999	127,6
0709 10 00	220	91,4
	999	91,4
0709 90 70	052	111,6
	204	159,1
	999	135,3
0805 10 10, 0805 10 30, 0805 10 50	052	50,4
	204	54,6
	220	55,4
	999	53,5
0805 20 10	204	68,5
	999	68,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	67,2
	204	78,2
	624	76,8
	999	74,1
0805 50 10	052	76,2
	600	79,6
	999	77,9
0808 10 20, 0808 10 50, 0808 10 90	060	42,4
	400	104,2
	404	105,3
	720	123,2
	999	93,8
0808 20 50	052	124,8
	400	116,4
	720	48,6
	999	96,6

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

COMMISSION REGULATION (EC) No 42/2003**of 10 January 2003****opening tendering procedures for the sale of wine alcohol exclusively for use in third countries in the fuel sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine ⁽¹⁾, as last amended by Regulation (EC) No 2585/2001 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1623/2000 of 25 July 2000 laying down detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine with regard to market mechanisms ⁽³⁾, as last amended by Regulation (EC) No 1795/2002 ⁽⁴⁾, and in particular Article 86 thereof,

Whereas:

- (1) Regulation (EC) No 1623/2000 lays down, *inter alia*, the detailed rules for disposing of stocks of alcohol arising from distillation under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999 held by intervention agencies.
- (2) Tendering procedures should be opened for the sale of wine alcohol for export to the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country, with a view to reducing stocks of wine alcohol of Community origin and giving the third countries listed in this Article greater continuity of supply.
- (3) In view of the substantial volume of alcohol for sale, the deadline for its removal should be extended.
- (4) The wine alcohol of Community origin in storage in the Member States consists of quantities produced from distillation under Articles 35, 36 and 39 of Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organisation of the market in wine ⁽⁵⁾, as last amended by Regulation (EC) No 1677/1999 ⁽⁶⁾, and under Articles 27, 28 and 30 of Regulation (EC) No 1493/1999.

(5) Since the adoption of Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro ⁽⁷⁾, the prices offered in tenders and securities must be expressed in euro and payments must be made in euro.

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

HAS ADOPTED THIS REGULATION:

Article 1

Seventeen tendering procedures Nos 316/2003 EC to 332/2003 EC are hereby opened for the sale of alcohol exclusively for use in the fuel sector in third countries.

Notwithstanding Article 86 of Regulation (EC) No 1623/2000, the total volume is 850 000 hectolitres. The alcohol concerned was produced from distillation under Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and Articles 27 and 30 of Regulation (EC) No 1493/1999 and is held by the French, Italian, Spanish and Portuguese intervention agencies.

Tendering procedures Nos 316/2003 EC to 332/2003 EC shall each relate to a volume of 50 000 hectolitres of alcohol at 100 % vol.

Article 2

The alcohol put up for sale for export from the European Community shall be imported into one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 and must be used in accordance with that Article.

Article 3

The place of storage, the vat numbers, the volume of alcohol in each vat, the alcoholic strength and the characteristics of the alcohol, certain specific conditions, as well as the address of the Commission department responsible for receiving tenders shall be as set out in Annex I to this Regulation.

⁽¹⁾ OJ L 179, 14.7.1999, p. 1.

⁽²⁾ OJ L 345, 29.12.2001, p. 10.

⁽³⁾ OJ L 194, 31.7.2000, p. 45.

⁽⁴⁾ OJ L 123, 9.5.2002, p. 17.

⁽⁵⁾ OJ L 84, 27.3.1987, p. 1.

⁽⁶⁾ OJ L 199, 30.7.1999, p. 8.

⁽⁷⁾ OJ L 349, 24.12.1998, p. 1.

Article 4

The sale shall be conducted in accordance with Articles 87, 88, 89, 90, 91, 95, 96, 100, 101 and 102 of Regulation (EC) No 1623/2000 and Article 2 of Regulation (EC) No 2799/98.

Article 5

The minimum price which may be offered shall be EUR 9 per hectolitre of alcohol at 100 % vol for tendering procedures Nos 316/2003 EC to 332/2003 EC.

Article 6

1. Notwithstanding Article 91(10) of Regulation (EC) No 1623/2000, the physical removal of the alcohol from the stores of each of the intervention agencies concerned shall be completed no later than 30 November 2003.

2. The alcohol awarded under the tendering procedures referred to in Article 1 of this Regulation shall be exported no later than 31 December 2003.

Article 7

To be eligible for consideration, tenders shall include presentation of the undertakings and documents listed in Annex II to this Regulation and must comply with Articles 88 and 97 of Regulation (EC) No 1623/2000.

Article 8

The formalities for sampling shall be as set out in Articles 91 and 98 of Regulation (EC) No 1623/2000.

Article 9

The Commission department referred to in Article 91(5) of Regulation (EC) No 1623/2000 shall be that indicated in Annex III to this Regulation.

Article 10

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, 10 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

TENDERING PROCEDURE No 316/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY**I. Place of storage, volume and characteristics of the alcohol put up for sale**

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EC) No 1493/1999 Article	Type of alcohol
FRANCE	Onivins-Port-La-Nouvelle	11	22 380	27	raw + 92 %
	Av. Adolphe Turrel	9	22 560	27	raw + 92 %
	BP 62	14	5 060	27	raw + 92 %
	F-11 210 Port-La-Nouvelle				
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 316/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.
- Tenders must indicate the name and address of the tenderer, and
 - the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 316/2003 EC;
 - the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 317/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EC) No 1493/1999 Article	Type of alcohol
FRANCE	Onivins-Port-La-Nouvelle	29	22 710	27	raw + 92 %
	Av. Adolphe Turrel	14	4 610	27	raw + 92 %
	BP 62				
	F-11 210 Port-La-Nouvelle	32	22 680	27	raw + 92 %
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

1. Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

- either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
- or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 317/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.

5. Tenders must indicate the name and address of the tenderer, and

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 317/2003 EC;
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:

- Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 318/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EC) No 1493/1999 Article	Type of alcohol
FRANCE	Onivins-Port-La-Nouvelle Av. Adolphe Turrel BP 62 F-11 210 Port-La-Nouvelle	1	70	27	raw + 92 %
		1	3 200	30	raw + 92 %
		1	42 610	30	raw + 92 %
		1	4 120	28	raw + 92 %
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

1. Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

- either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
- or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 318/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.

5. Tenders must indicate the name and address of the tenderer, and

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 318/2003 EC;
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:

- Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 319/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EC) No 1493/1999 Article	Type of alcohol
FRANCE	Onivins-Port-La-Nouvelle Av. Adolphe Turrel BP 62 F-11 210 Port-La-Nouvelle	3	48 260	27	raw + 92 %
		14	1 740	27	raw + 92 %
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

1. Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

- either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
- or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 319/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.

5. Tenders must indicate the name and address of the tenderer, and

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 319/2003 EC;
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:

- Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 320/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EC) No 1493/1999 Article	Type of alcohol
FRANCE	Deulep-PSL 39, av. Georges Brassens F-13230 Port-Saint-Louis-Du-Rhône	B4	14 140	30	raw + 92 %
		B3	35 860	27	raw + 92 %
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

1. Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

- either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
- or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 320/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.

5. Tenders must indicate the name and address of the tenderer, and

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 320/2003 EC;
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:

- Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 321/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EC) No 1493/1999 Article	Type of alcohol
FRANCE	Deulep-PSL 39, av. Georges Brassens F-13230 Port-Saint-Louis-Du-Rhône	B4	8 690	30	raw + 92 %
		A6	18 510	30	raw + 92 %
		A5	520	30	raw + 92 %
		B4	22 280	30	raw + 92 %
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

1. Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

- either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
- or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 321/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.

5. Tenders must indicate the name and address of the tenderer, and

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 321/2003 EC;
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:

- Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 322/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EC) No 1493/1999 Article	Type of alcohol
FRANCE	Deulep-PSL 39, av. Georges Brassens F-13230 Port-Saint-Louis-Du-Rhône	B2	4 880	27	raw + 92 %
		B1	45 120	27	raw + 92 %
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

1. Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

- either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
- or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 322/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.

5. Tenders must indicate the name and address of the tenderer, and

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 322/2003 EC;
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:

- Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 323/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EC) No 1493/1999 Article	Type of alcohol
FRANCE	Deulep-PSL 39, av. Georges Brassens F-13230 Port-Saint-Louis-Du-Rhône	B2	40 520	27	raw + 92 %
		B3	9 480	27	raw + 92 %
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 323/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.
- Tenders must indicate the name and address of the tenderer, and
 - the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 323/2003 EC;
 - the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - Onivins-Libourne, Délégation nationale, 17 avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. (33-5) 57 55 20 00; telex 57 20 25; fax (33-5) 57 55 20 59).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 324/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EC) No 1493/1999 Article	Type of alcohol
PORTUGAL	Aveiro	S-201	29 426,13	27	raw
		S-208	20 573,87	30	raw
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 324/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.
- Tenders must indicate the name and address of the tenderer, and
 - the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 324/2003 EC;
 - the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - IVV-R Mouzinho da Silveira, 5-P-1250-165 Lisbon (tel. (351) 213 56 32 21; telex 185 08 IVVP; fax (351) 213 52 08 76).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 325/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999 Article	Type of alcohol
PORTUGAL	Carregado	Inox 7	9 425,43	30	raw
		304	1 778,51	30	raw
		322	1 849,79	30	raw
		324	1 829,32	30	raw
		325	1 809,78	30	raw
		326	1 840,71	30	raw
		349	1 812,38	30	raw
		350	1 792,71	30	raw
		351	1 846,58	30	raw
		352	1 799,46	30	raw
		365	1 092,46	30	raw
		243	681,09	30	raw
	Bombarral	Inox 147	2,61	35	raw
		Inox 147	22 439,17	27	raw
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

1. Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

- either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
- or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 325/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.
5. Tenders must indicate the name and address of the tenderer, and
 - (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 325/2003 EC;
 - (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - IVV-R Mouzinho da Silveira, 5-P-1250-165 Lisbon (tel. (351) 213 56 33 21; telex 185 08 IVVP; fax (351) 213 52 08 76).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 326/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999 Article	Type of alcohol
PORTUGAL	Carregado	Inox 1	72,24	35	raw
		Inox 1	1 268,15	27	raw
		Inox 2	1 358,40	30	raw
		Inox 3	2 375,32	30	raw
		Inox 4	15,61	35	raw
		Inox 4	4 351,86	27	raw
		Inox 5	5 658,78	35	raw
		Inox 5	3 795,47	27	raw
		Inox 6	1 357,40	35	raw
		Inox 6	8 152,44	27	raw
		282	1 797,67	27	raw
		288	1 348,75	27	raw
		305	1 746,16	27	raw
		312	1 725,69	27	raw
		313	1 303,63	27	raw
		330	1 660,56	27	raw
		340	1 674,27	27	raw
		341	1 487,21	27	raw
	Aveiro	S-203	8 850,39	27	raw
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

1. Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
3. 3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 326/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
4. Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.
5. Tenders must indicate the name and address of the tenderer, and
 - (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 326/2003 EC;
 - (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - IVV-R Mouzinho da Silveira, 5-P-1250-165 Lisbon (tel. (351) 213 56 32 21; telex 185 08 IVVP; fax (351) 213 52 08 76).

Securities shall be for EUR 200 000.

**TENDERING PROCEDURE No 327/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN
THIRD COUNTRIES IN THE FUEL SECTOR**

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EC) No 1493/1999 Article	Type of alcohol
SPAIN	Tarancón	A-2	24 661	27	raw
	Tarancón	A-3	24 526	27	raw
	Tarancón	A-4	813	27	raw
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 327/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.
- Tenders must indicate the name and address of the tenderer, and
 - the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 327/2003 EC;
 - the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - FEGA, Beneficencia 8, E-28004 Madrid (tel. (34) 913 47 65 00, telex 23427 FEGA, fax (34) 915 21 98 32).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 328/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THIRD COUNTRIES IN THE FUEL SECTOR

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulation (EC) No 1493/1999 Article	Type of alcohol
SPAIN	Tarancón	A-4	23 836	27	raw
	Tarancón	B-1	24 697	27	raw
	Tarancón	B-2	1 467	27	raw
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 328/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.
- Tenders must indicate the name and address of the tenderer, and
 - the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 328/2003 EC;
 - the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - FEGA, Beneficencia 8, E-28004 Madrid (tel. (34) 913 47 65 00, telex 23427 FEGA, fax: (34) 915 21 98 32).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 329/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999 Article	Type of alcohol
ITALY	Bertolino — Partinico (PA)		31 800	27	raw
	Enodistil — Alcamo (TP)		10 160	27 + 35	raw
	Mazzari — S. Agata Sul Santeramo (RA)		8 040	27	raw
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

- Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.
Tenders for smaller volumes shall not be eligible for consideration.
- Tenders must:
 - either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
 - or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.
- Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 329/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.
- Tenders must indicate the name and address of the tenderer, and
 - the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 329/2003 EC;
 - the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
 - all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.
- Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
 - AGEA, via Palestro 81, I-00185 Roma (tel. (39-06) 49 49 991; telex 62 00 64/62 06 17/62 03 31; fax (39-06) 445 39 40/445 46 93).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 330/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999 Article	Type of alcohol
ITALY	Ge.Dis — Marsala (TP)		12 100	27 + 35	raw
	S.V.M. — Sciacca (AG)		2 300	27	raw
	Trapas — Petrosino (TP)		10 600	27	raw
	Mazzari — S. Agata Sul Santerno (RA)		18 060	27	raw
	Caviro — Faenza (RA)		6 940	27	raw
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

1. Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

- either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
- or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 330/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.

5. Tenders must indicate the name and address of the tenderer, and

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 330/2003 EC;
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:

- AGEA, via Palestro 81, I-00185 Roma (tel. (39-06) 49 49 991; telex 62 00 64/62 06 17/62 03 31; fax (39-06) 445 39 40/445 46 93).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 331/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999 Article	Type of alcohol
ITALY	Bonollo — Paduni-Anagni (FR)		5 000	35	raw
	Dister — Faenza (RA)		7 920	35 + 27	raw
	Neri — Faenza (RA)		2 800	35	raw
	Bonollo Umberto — Conselve (PD)		320	27 + 39	raw
	F.lli Cipriani — Chizzola D'Ala (TN)		4 900	35 + 27	raw
	Cavaro — Faenza (RA)		9 860	27	raw
	D'Auria — Ortona (CH)		5 400	35 + 27	raw
	Balice — Valenzano (BA)		13 800	35	raw
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

1. Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

- either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
- or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 331/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.

5. Tenders must indicate the name and address of the tenderer, and

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 331/2003 EC;
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:

- AGEA, via Palestro 81, I-00185 Roma (tel. (39-06) 49 49 991; telex 62 00 64/62 06 17/62 03 31; fax (39-06) 445 39 40/445 46 93).

Securities shall be for EUR 200 000.

TENDERING PROCEDURE No 332/2003 EC FOR THE SALE OF ALCOHOL EXCLUSIVELY FOR USE IN THE FUEL SECTOR IN A THIRD COUNTRY

I. Place of storage, volume and characteristics of the alcohol put up for sale

Member State	Location	Vat No	Volume in hectolitres of alcohol at 100 % vol	Regulations (EEC) No 822/87 and (EC) No 1493/1999 Article	Type of alcohol
ITALY	Caviro — Carapelle (FG)		3 000	27	raw
	Deta — Barberino Val D'Elsa (FI)		1 000	27	raw
	Di Lorenzo — Pontenuovo di Torgiano (PG)		12 600	27 + 35	raw
	Villapana — Faenza (RA)		10 200	27 + 35	raw
	Bonollo — Paduni (FR)		15 600	27 + 35	raw
	S.V.A. — Ortona		1 600	27	raw
	De Luca — Novoli (LE)		5 756	35 + 36 + 39	raw
	Aniello Esposito — Pomigliano		26,70	36 + 39	raw
	D'Arco (NA)		217,30	36	neutral
	Total		50 000		

On application to the intervention agency concerned, interested parties may obtain samples of the alcohol put up for sale, taken by a representative of the intervention agency concerned, against payment of EUR 10 per litre.

II. Destination and use of the alcohol

The alcohol put up for sale is intended for export from the Community. It must be imported into and dehydrated in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000 exclusively for use in the fuel sector in a third country.

Proof of the destination and use of the alcohol shall be supplied to the intervention agency concerned by an international surveillance firm.

The cost of providing such proof shall be borne by the successful tenderer.

III. Submission of tenders

1. Tenders shall relate to 50 000 hectolitres of alcohol expressed in hectolitres of alcohol at 100 % vol.

Tenders for smaller volumes shall not be eligible for consideration.

2. Tenders must:

- either be sent by registered mail to the Commission of the European Communities, rue de la Loi/Wetstraat 200, B-1049 Brussels,
- or delivered to the reception of building 'Loi 130' of the Commission of the European Communities, rue de la Loi/Wetstraat 130, B-1049 Brussels, between 11.00 and 12.00 on the date mentioned in point 4.

3. Tenders shall be submitted in a sealed double envelope, the inside envelope marked: 'Tender under procedure No 332/2003 EC, sale of alcohol, exclusively for use in the fuel sector in third countries — Alcohol, DG AGRI/D/4 — Not to be opened until the meeting of the group opening the tenders', the outer envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12.00 Brussels time on 29.1.2003.

5. Tenders must indicate the name and address of the tenderer, and

- (a) the reference number of the tendering procedure for the sale of alcohol exclusively for use in third countries in the fuel sector, i.e. 332/2003 EC;
- (b) the price offered, expressed in euro per hectolitre of alcohol at 100 % vol;
- (c) all the undertakings, documents and statements provided for in Articles 88 and 97 of Regulation (EC) No 1623/2000 and in Annex II to this Regulation.

6. Tenders must be accompanied by a receipt certifying the lodging of a tendering security, issued by the following intervention agency:
- AGEA, via Palestro 81, I-00185 Roma (tel. (39-06) 49 49 991; telex 62 00 64/62 06 17/62 03 31; fax (39-06) 445 39 40/445 46 93).

Securities shall be for EUR 200 000.

ANNEX II

List of undertakings and documents to be supplied by tenderers when submitting their tenders:

1. Proof that the tendering security has been lodged with each intervention agency.
2. Indication of the place of final use of the alcohol and an undertaking by the tenderer to comply with that destination.
3. Proof, dated after the entry into force of this Regulation, that the tenderer has binding commitments to an operator in the fuel sector in one of the third countries listed in Article 86 of Regulation (EC) No 1623/2000. The operator concerned must undertake to dehydrate the awarded alcohol in one of those countries and to export it exclusively for use in the fuel sector.
4. Tenders must also give the name and address of the tenderer, the reference of the notice of invitation to tender and the price offered, expressed in euro per hectolitre of alcohol at 100 % vol.
5. An undertaking from the tenderer to comply with all the rules relating to the tendering procedure in question.
6. A statement by the tenderer waiving all claims in respect of the quality and characteristics of any alcohol awarded, agreeing to submit to any checks made on the destination and use of the alcohol and accepting responsibility for providing evidence that the alcohol is used as specified in this notice of invitation to tender.

ANNEX III

The only numbers to be used in Brussels are:

DG AGRI/D/4 (for the attention of Willy Schoofs or Félice Romano):

- e-mail agri-d4@cec.eu.int
 - fax (32-2) 295 92 52.
-

COMMISSION REGULATION (EC) No 43/2003

of 23 December 2002

laying down detailed rules for applying Council Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 as regards aid for the local production of crop products in the outermost regions of the European Union

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1452/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the French overseas departments, amending Directive 72/462/EEC and repealing Regulations (EEC) No 525/77 and (EEC) No 3763/91 (Poseidom)⁽¹⁾, and in particular Article 5(2), Article 12(4), Article 13(4), Article 15(7) and Article 18 thereof,

Having regard to Council Regulation (EC) No 1453/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Azores and Madeira and repealing Regulation (EEC) No 1600/92 (Poseima)⁽²⁾, and in particular Article 5(3), Article 6(5), Article 7(2), Article 9(3), Article 16(2), Article 19, Article 20(7), Article 21(3), the third paragraph of Article 27, Article 28(3), Article 30(5) and Article 31 thereof,

Having regard to Council Regulation (EC) No 1454/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Canary Islands and repealing Regulation (EEC) No 1601/92 (Poseican)⁽³⁾, as last amended by Commission Regulation (EC) No 1922/2002⁽⁴⁾, and in particular Article 9(2), Article 10(5), Article 11(2), Article 13 and Article 14(3) thereof,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables⁽⁵⁾, as last amended by Regulation (EC) No 1881/2002⁽⁶⁾, and in particular Article 11(2)(a) and Article 48 thereof,

Whereas:

(1) In the interests of legislative simplification, the provisions adopted by Regulations (EEC) No

980/92⁽⁷⁾, (EEC) No 2165/92⁽⁸⁾, (EEC) No 2311/92⁽⁹⁾, (EEC) No 3491/92⁽¹⁰⁾, (EEC) No 3518/92⁽¹¹⁾, (EC) No 1524/98⁽¹²⁾, (EC) No 2477/2001⁽¹³⁾, (EC) No 396/2002⁽¹⁴⁾, (EC) No 738/2002⁽¹⁵⁾, (EC) No 1410/2002⁽¹⁶⁾ and (EC) No 1491/2002⁽¹⁷⁾ should be incorporated into this Regulation, those Regulations should be repealed and detailed rules should be adopted for the area aid granted to growers of vines used to produce quality wines psr, potatoes for human consumption, sugar cane and wicker in Madeira and to growers of sugarbeet, seed potatoes, chicory and tea in the Azores as provided for in Regulation (EC) No 1453/2001, to growers of potatoes for human consumption under Regulation (EC) No 1454/2001 and to aid for local marketing of bananas

⁽⁷⁾ Commission Regulation (EEC) No 980/92 of 21 April 1992 laying down detailed rules for applying the aid scheme for the marketing of rice produced in French Guiana, Martinique and Guadeloupe (OJ L 104, 22.4.1992, p. 31); Regulation as last amended by Regulation (EC) No 625/98 (OJ L 85, 20.3.1998, p. 6).

⁽⁸⁾ Commission Regulation (EEC) No 2165/92 of 30 July 1992 laying down detailed rules for the application of the specific measures for Madeira and the Azores as regards potatoes and endives (OJ L 217, 31.7.1992, p. 29); Regulation as last amended by Regulation (EC) No 1984/96 (OJ L 264, 17.10.1996, p. 12).

⁽⁹⁾ Commission Regulation (EEC) No 2311/92 of 31 July 1992 laying down detailed rules for the application of specific measures adopted in respect of fruit, vegetables, plants and flowers for the benefit of the Azores and Madeira (OJ L 222, 7.8.1992, p. 24); Regulation as last amended by Regulation (EC) No 1445/93 (OJ L 142, 12.6.1993, p. 27).

⁽¹⁰⁾ Commission Regulation (EEC) No 3491/92 of 2 December 1992 concerning the grant in the Azores of flat-rate aid for the production of sugarbeet and special aid for the processing of sugarbeet into white sugar (OJ L 353, 3.12.1992, p. 21); Regulation as last amended by Regulation (EC) No 1713/93 (OJ L 159, 1.7.1993, p. 94).

⁽¹¹⁾ Commission Regulation (EEC) No 3518/92 of 4 December 1992 laying down detailed rules for the application of the specific measures for the Azores as regards pineapple production (OJ L 355, 5.12.1992, p. 21); Regulation as last amended by Regulation (EC) No 1445/93.

⁽¹²⁾ Commission Regulation (EC) No 1524/98 of 16 July 1998 laying down detailed rules for the application of the specific measures adopted in respect of fruit and vegetables, plants and flowers for the benefit of the French overseas departments (OJ L 201, 17.7.1998, p. 29); Regulation as last amended by Regulation (EC) No 21/2002 (OJ L 8, 11.1.2002, p. 15).

⁽¹³⁾ Commission Regulation (EC) No 2477/2001 of 17 December 2001 on aid for the transport of sugar cane in the French overseas departments (OJ L 334, 18.12.2001, p. 5).

⁽¹⁴⁾ Commission Regulation (EC) No 396/2002 of 1 March 2002 laying down detailed rules for the application of the specific measures adopted in respect of fruit, vegetables, plants and flowers for the benefit of the Canary Islands (OJ L 61, 2.3.2002, p. 4).

⁽¹⁵⁾ Commission Regulation (EC) No 738/2002 of 29 April 2002 concerning aid for the processing of sugar cane into sucrose syrup or agricultural rum in the French overseas departments (OJ L 113, 30.4.2002, p. 13).

⁽¹⁶⁾ Commission Regulation (EC) No 1410/2002 of 1 August 2002 concerning aid for the processing of sugar cane into sugar syrup or agricultural rum on Madeira (OJ L 205, 2.8.2002, p. 24).

⁽¹⁷⁾ Commission Regulation (EC) No 1491/2002 of 20 August 2002 laying down detailed rules for the application of the specific measures for wine in the outermost regions introduced by Council Regulations (EC) No 1453/2001 and (EC) No 1454/2001 (OJ L 224, 21.8.2002, p. 49); Regulation as last amended by Regulation (EC) No 1796/2002 (OJ L 272, 10.10.2002, p. 19).

⁽¹⁾ OJ L 198, 21.7.2001, p. 11.

⁽²⁾ OJ L 198, 21.7.2001, p. 26.

⁽³⁾ OJ L 198, 21.7.2001, p. 45.

⁽⁴⁾ OJ L 293, 29.10.2002, p. 11.

⁽⁵⁾ OJ L 297, 21.11.1996, p. 1.

⁽⁶⁾ OJ L 285, 23.10.2002, p. 13.

produced in French Guiana and Réunion. Detailed rules for granting this aid should be laid down to reflect the distinctive cultural and climatic features of the outermost regions.

- (2) In view of the specific features of producing quality wines *psr*, specific rules should be laid down for the per-hectare aid in that sector.
- (3) Article 27 of Regulation (EEC) No 1453/2001 provides for aid to be granted for the production of up to 2 000 tonnes of fresh pineapples per year. Detailed rules should be laid down for applying that aid scheme.
- (4) As regards the aid for the production of green vanilla and the aid for the production of essential geranium and vetiver oils, these schemes can be applied satisfactorily within the existing market structures if arrangements are introduced for approving processors of dried vanilla or vanilla extracts and local bodies engaged in collecting and marketing the essential oils, which undertake in particular to pay the aid in full to the beneficiary producers and meet the control requirements. The quantities fixed in Article 12(2) and (3) of Regulation (EC) No 1452/2001 are ceilings which, according to the estimates communicated by the French authorities, are not expected to be reached in the medium term.
- (5) Article 16 of Regulation (EC) No 1452/2001 provides for aid for the transport of cane from the fields where it is harvested to the reception centres. The aid is to be determined on the basis of distance and other objective criteria relating to transport and may not exceed half the transport costs per tonne fixed on a flat-rate basis by the French authorities in each department. The aid is to apply to cane intended for processing into both sugar and rum.
- (6) Transport costs vary considerably in the French overseas departments. Maximum flat-rate aid amounts should therefore be fixed which comply with an average amount of aid for each department and which do not exceed half the transport costs per tonne, up to maximum amounts fixed on a flat-rate basis. The French authorities are to determine the unit amounts granted to producers in the light of objective criteria established by them. Such amounts may vary in particular according to the tonnage transported.
- (7) Aid applications must be supported by evidence of transport. Given the specific features of the scheme, France

should be allowed to adopt all additional measures necessary for the purposes of applying it.

- (8) Under Article 13 of Regulation (EC) No 1452/2001, firstly a list should be drawn up of products eligible for the aid, within the limits of annual quantities established for each category and in line with the scope for the development of local production and processing, and the aid amounts fixed and, secondly, special detailed rules should be adopted to ensure that the system is monitored and that the conditions for granting the aid are met, in particular as regards contracts and the minimum price guaranteed to producers. To that end certain provisions of Commission Regulation (EC) No 449/2001 of 2 March 2001 laying down detailed rules for the application of Council Regulation (EC) No 2201/96 as regards the system of production aid for products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1426/2002 ⁽²⁾, should be incorporated into this Regulation.
- (9) Article 17 of Regulation (EC) No 1452/2001 and Article 18 of Regulation (EC) No 1453/2001 provide for Community aid to be granted for the direct processing of sugar cane produced in the French overseas departments and Madeira into sugar syrup, sucrose syrup or agricultural rum.
- (10) This aid is paid on condition that the sugar-cane producers are paid a minimum price, up to maximum annual quantities fixed in the abovementioned Articles. The aid is calculated so that the ratio between the two aid amounts takes account of the quantities of raw material used. In the interests of clarity the amounts for rum should be expressed as pure alcohol.
- (11) A minimum price should be fixed for sugar cane intended for the manufacture of sugar syrup or rum which takes account of the consultations held by the competent authorities with sugar-cane producers and the businesses processing the cane into syrup and rum.
- (12) Article 20 of Regulation (EC) No 1453/2001 provides for aid to be granted to purchase rectified concentrated musts and wine alcohol for the preparation of Madeira liqueur wine. The maximum volume of the above products to be brought to Madeira should be fixed having regard to the methods traditionally used to produce Madeira wine. The amount of the aid should be fixed taking account of the costs of supply to Madeira

⁽¹⁾ OJ L 64, 6.3.2001, p. 16.

⁽²⁾ OJ L 206, 3.8.2002, p. 4.

resulting from its geographical situation and the price of products in the Community and on the world market. Experience has shown that aid of EUR 12,08/hectolitre is sufficient to compensate for these additional costs.

- (13) Under Articles 20 and 31 of Regulation (EC) No 1453/2001 aid may be granted for the ageing of Madeira liqueur wines and Azores 'verdelho' wine. The detailed rules for granting that aid should be laid down taking account of the specific features of the products concerned.
- (14) Article 12 of Regulation (EC) No 1452/2001, Article 5 of Regulation (EC) No 1453/2001 and Article 9 of Regulation (EC) No 1454/2001 provide for the grant of aid for the marketing of the products referred to in those Articles on the local markets of the outermost regions. The aid must be fixed on a flat-rate basis in the light of the average value of each of the products to be determined, within the limits of annual quantities established for each product category. So that this provision can be implemented, a list should be drawn up of the products eligible for the aid based on the supply requirements of the regional markets, the product categories should be established on the basis of the average value of the products covered, a maximum quantity should be fixed for all the outermost regions and detailed rules should be laid down for granting the aid.
- (15) Specific rules should be laid down for monitoring the quantities fixed and ensuring that the conditions set for granting the aid are met. To that end, the local marketing scheme can be administered satisfactorily if arrangements are introduced for approving operators in the distribution and catering sectors, local authority facilities and food processing who undertake to meet certain requirements.
- (16) Under Article 20 of Regulation (EC) No 1453/2001, aid may be granted for the shipment of Madeira wine and marketing it on the Community market. The transitional period during which the aid is to be granted should be fixed and the detailed rules for granting it should be laid down. In view of the scheme's objectives, the aid should be granted for a long enough period to permit commercial outlets and production to be consolidated.
- (17) For the purposes of granting the different aid amounts, a distinction should be made between the producer organisations referred to in Regulation (EC) No 2200/96 and other producers.
- (18) As regards the aid for marketing in the rest of the Community under annual contracts as referred to in Articles 5 and 15 of Regulation (EC) No 1452/2001, Article 6 of Regulation (EC) No 1453/2001 and Article 10 of Regulation (EC) No 1454/2001, it is necessary to define the nature of the annual contract and specify the base to be used for calculating the amount of aid, fixed at 10 % of the value of the production marketed, free at destination, and 13 % where Article 15(4) of Regulation (EC) No 1452/2001, Article 6(4) of Regulation (EC) No 1453/2001 and Article 10(4) of Regulation (EC) No 1454/2001 are applied, respectively. Lastly, arrangements should be made for allocating the quantities qualifying for aid where the limits are overrun.
- (19) Commission Regulation (EC) No 412/97 of 3 March 1997 laying down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards the recognition of producer organisations ⁽¹⁾, as last amended by Regulation (EC) No 1120/2001 ⁽²⁾, fixes the minimum number of producers and minimum volume of marketable production required for creation of a producer organisation. In the case of France, no distinctions are provided for to take account of the specific production conditions in the French overseas departments. Such a distinction should however be made so that different production situations can be duly taken into account. To that end, the table in the Annex to Regulation (EC) No 412/97 should be amended to include the French overseas departments in the category of regions for which specific conditions are laid down.
- (20) General provisions applicable to these measures as a whole, especially those concerning aid applications, notification, monitoring and the consequences of undue payments, should be set out in a separate title.
- (21) The coverage of aid applications and the documents to be attached with a view to assessing their justification should be specified for each aid scheme.
- (22) Where aid applications contain obvious errors, they should be adjustable at any time.
- (23) The deadlines for submitting and amending aid applications must be complied with to enable the national authorities to programme and subsequently carry out effective checks on the correctness of the aid applications. Time limits should therefore be fixed beyond which late submissions can no longer be accepted. Moreover, a reduction should be applied to encourage growers to respect the time limits.

⁽¹⁾ OJ L 62, 4.3.1997, p. 16.

⁽²⁾ OJ L 153, 8.6.2001, p. 10.

- (24) Growers should be allowed to withdraw their aid applications or parts thereof at any time provided that the competent authority has not yet informed the grower of any errors contained in the aid application or announced an on-the-spot check which reveals errors in the part concerned by the withdrawal.
- (25) Compliance with the rules on aid schemes managed under the integrated administration and control system should be effectively monitored. To this end, and to achieve a harmonised level of monitoring in all Member States, the criteria and technical procedures for carrying out administrative and on-the-spot checks should be set out in detail. Where appropriate, the Member States should strive to combine the various checks under this Regulation with those provided for under other Community provisions.
- (26) The minimum number of growers to undergo on-the-spot checks under the various aid schemes should be determined.
- (27) The sample for the minimum rate of on-the-spot checks should be drawn partly on the basis of a risk analysis and partly at random. The main factors to be taken into consideration for the risk analysis should be specified.
- (28) Where significant irregularities are found, the level of the on-the-spot checks should be increased during the current and the following year in order to attain an acceptable level of assurance that the aid applications concerned are correct.
- (29) For on-the-spot checks to be effective, it is important that the inspectors be informed of the reasons why the growers concerned have been selected for an on-the-spot check. The Member States should keep records of such information.
- (30) In order to enable the national authorities and any competent Community authority to follow up on-the-spot checks carried out, the details of checks should be recorded in an inspection report. Growers or their representatives should be given the opportunity to sign the report. However, in the case of remote-sensing checks, the Member States should be allowed to provide for this right only in cases where the check reveals irregularities. Moreover, irrespective of the kind of on-the-spot check carried out, the grower should receive a copy of the report if irregularities are found.
- (31) To protect the Community's financial interests effectively, adequate measures should be adopted to combat irregularities and fraud.
- (32) Reductions and exclusions should be determined having regard to the principle of proportionality and the special problems arising in cases of *force majeure*, exceptional circumstances and natural disasters. Such reductions and exclusions should be graded according to the gravity of the irregularity committed and should go as far as the total exclusion from one or several aid schemes for a specified period.
- (33) As a general rule, reductions and exclusions should not be applied where growers have submitted factually correct information or can show otherwise that they are not at fault.
- (34) Growers who notify the competent national authorities at any time of incorrect aid applications should not be subject to reductions or exclusions irrespective of the reason for the incorrectness, provided the grower concerned has not been informed of the competent authority's intention to carry out an on-the-spot check and provided the authority has not already informed the grower of any irregularity in the application. The same should apply to incorrect data contained in the computerised database.
- (35) Where various reductions are to be applied to the same grower, they should be applied independently from each other and individually. Moreover, the reductions and exclusions provided for under this Regulation should be applied without prejudice to additional penalties under any other provisions of Community or national law.
- (36) The administration of small amounts is a burdensome task for the competent authorities of the Member States. They should therefore be authorised not to pay amounts of aid that are below a certain minimum limit and not to request reimbursement of incorrectly paid amounts when the sums involved are negligible.
- (37) Growers who are unable to fulfil the obligations provided for under the sectoral rules as a consequence of *force majeure* or exceptional circumstances should not lose their entitlement to the aid. It should be specified which cases, in particular, may be recognised by the competent authorities as cases of exceptional circumstances.
- (38) In order to ensure uniform application of the principle of good faith throughout the Community, where unduly paid amounts are recovered, the conditions under which that principle may be invoked should be laid down without prejudice to the treatment of the expenditure concerned in the context of the clearance of accounts under Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽¹⁾.

⁽¹⁾ OJ L 160, 26.6.1999, p. 103.

- (39) As a general rule, the Member States should take any further measures necessary to ensure that this Regulation is properly implemented.
- (40) Where appropriate, the Commission should be informed of any measures taken by the Member States to implement the aid schemes provided for in this Regulation. In order to enable the Commission to monitor effectively, the Member States should regularly send it certain statistics on the aid schemes.
- (41) To ensure the application of the new area aid schemes introduced by the Council in certain sectors, the aid schemes referred to in Article 1(b), (c), (f) and (g) and the aid for local marketing of bananas other than plantains produced in French Guiana and Réunion should apply from 1 January 2002.
- (42) To enable operators to complete the performance of annual contracts they have already concluded, the provision governing the marketing periods or years should not be applied to current contracts.
- (43) The measures provided for in this Regulation are in accordance with the opinion of the joint Management Committee for Cereals, Fresh Fruit and Vegetables, Processed Fruit and Vegetables, Wine, Hops, Live Plants, and Sugar,
- (d) area aid for the cultivation of sugarbeet as provided for in Article 28 of Regulation (EC) No 1453/2001;
- (e) aid per hectare for the cultivation of seed potatoes as provided for in Article 30(1) of Regulation (EC) No 1453/2001;
- (f) area aid for the cultivation of chicory as provided for in Article 30(2) of Regulation (EC) No 1453/2001;
- (g) area aid for the cultivation of tea as provided for in Article 30(4) of Regulation (EC) No 1453/2001;
- (h) area aid for the cultivation of potatoes for human consumption as provided for in Article 14 of Regulation (EC) No 1454/2001.

Article 2

Entitlement to aid

1. The aid referred to in Article 1 shall be paid each calendar year for areas:

- (a) which have been planted and for which all normal cultivation work has been carried out;
- (b) for which an aid application has been lodged in accordance with Article 54.

In addition, for the aid referred to in Article 1(d):

- prior to harvesting, sugarbeet producers shall make a declaration to the competent authorities of the areas sown,
- the areas eligible for aid shall be at least 0,3 hectare for each producer,
- the production of beet per hectare may not be less than 25 tonnes,
- the beet must be delivered for processing before the aid is paid,
- processors must inform the competent authorities of the quantity of beet delivered by each producer.

2. The aid referred to in Article 1(h) may be paid twice a year for two harvests on the same land.

Article 3

Reductions

1. Where the area covered by aid applications exceeds the maximum area fixed, the aid shall be granted to applicant producers in proportion to the areas stated in their applications.

In order to check that the maximum area referred to in Article 14 of Regulation (EC) No 1454/2001 has been complied with where cultivation aid is granted twice in a given year for the same area, that area shall be multiplied by two.

HAS ADOPTED THIS REGULATION:

TITLE I

AREA AID

CHAPTER I

General arrangements

Article 1

Scope

This chapter lays down detailed rules for applying the following aid schemes:

- (a) area aid for the cultivation of potatoes for human consumption as provided for in Article 16 of Regulation (EC) No 1453/2001;
- (b) area aid for the cultivation of sugar cane as provided for in Article 17 of Regulation (EC) No 1453/2001;
- (c) area aid for the cultivation of wicker as provided for in Article 21 of Regulation (EC) No 1453/2001;

2. Areas sown to both a perennial and a seasonal crop at the same time may qualify for aid as referred to in Article 1 provided the seasonal crop can be cultivated in conditions comparable to those of areas dedicated to perennial crops.

For the purposes of calculating the area eligible for the aid, only the area used for the seasonal crop shall be taken into account.

CHAPTER II

Quality wines psr of Madeira, the Azores and the Canary Islands

Article 4

Entitlement to aid

1. The aid provided for in Article 9 of Regulation (EC) No 1453/2001 and in Article 13 of Regulation (EC) No 1454/2001 shall be granted only to areas which:

- have been entirely cultivated and harvested and on which all normal cultivation work has been carried out, and
- the produce from which is covered by harvest declarations as provided for in Commission Regulation (EC) No 1282/2001 ⁽¹⁾.

2. For the purposes of determining the producers to whom the aid is to be paid:

- the transitional period referred to in Article 9(2) of Regulation (EC) No 1453/2001 and Article 13(2) of Regulation (EC) No 1454/2001 for payment to individual producers shall expire on 31 July 2007,
- producer organisations shall be those referred to in Article 39 of Council Regulation (EC) No 1493/1999 on the common organisation of the market in wine ⁽²⁾. The Member States concerned shall lay down the criteria which producer groups must meet to qualify for the aid and shall notify the Commission thereof.

Article 5

Aid applications

1. Applications for area aid shall be submitted by the person concerned to the competent authority during the period determined by the latter and not later than 15 May each year for the following wine year.

2. Aid applications shall contain at least the following:

- (a) the surname, forename and address of the wine-grower, or wine-growing group or organisation;
- (b) the areas cultivated for the production of quality wines psr, in hectares and ares with the land register reference for those areas or information recognised as equivalent by the body responsible for checking the areas;

(c) the grape variety used;

(d) an estimate of the production that may be harvested.

Article 6

Payment of the aid

After having established the actual harvest and yield for the areas concerned, the Member State shall pay the aid by 1 April of the wine year for which the aid is granted.

TITLE II

PRODUCTION AID

CHAPTER I

Pineapples

Article 7

Scope

This chapter lays down detailed rules for applying the production aid scheme for pineapples provided for in Article 27 of Regulation (EEC) No 1453/2001.

Article 8

Prior declaration

Producers wishing to benefit from the production aid scheme for pineapples referred to in Article 7 shall make a declaration to the competent authority designated by Portugal before a date to be determined by that authority. The date set shall allow time for the necessary on-the-spot checks.

Declarations shall include at least the following information:

- the references and areas of the parcels, in hectares and ares, identified in accordance with Articles 4 and 5 of Council Regulation (EEC) No 3508/92 ⁽³⁾, on which the pineapples are to be grown, and
- an estimate of the quantities to be produced.

Article 9

Aid applications

Producers shall submit their aid applications during the following months:

- January for production harvested in July to December of the previous year,
- July for production harvested from January to June of the current year.

⁽¹⁾ OJ L 176, 29.6.2001, p. 14.

⁽²⁾ OJ L 179, 14.7.1999, p. 1.

⁽³⁾ OJ L 355, 5.12.1992, p. 1.

Article 10

Payment of the aid

The competent authorities shall take the measures necessary to ensure that the annual quantities for which the aid is granted do not exceed the volume fixed in Article 27 of Regulation (EC) No 1453/2001.

CHAPTER II

Vanilla and essential oils

Article 11

Scope

This chapter lays down detailed rules for applying the following aid schemes:

- (a) production aid for green vanilla falling within CN code ex 0905 00 00 intended for the production of dried (black) vanilla or vanilla extracts as provided for in Article 12(2) of Regulation (EC) No 1452/2001;
- (b) production aid for essential oils of geranium and vetiver falling within CN codes 3301 21 and 3301 26 as provided for in Article 12(3) of Regulation (EC) No 1452/2001.

Article 12

Procedures and technical characteristics

The competent authorities shall specify the manufacturing procedures and define the technical characteristics of green vanilla and essential oils of geranium and vetiver qualifying for the aid.

Article 13

Processors and local collection and marketing bodies

1. The aid referred to in Article 11(a) shall be paid to producers through processors approved by the competent authorities.

The aid referred to in Article 11(b) shall be paid to producers via local collection and marketing bodies approved by the competent authorities.

2. The competent authorities shall grant approval to processors and bodies as referred to in paragraph 1 established in the production region and possessing plant and equipment suitable for the preparation of dried (black) vanilla or vanilla extracts, or for the collection and marketing of essential oils, and which fulfil the obligations set out in Article 14.

Article 14

Obligations of processors and collection and marketing bodies

Approved processors and collection and marketing bodies shall undertake, in particular:

- to pay producers the full amount of the aid referred to in Article 12(2) and (3) of Regulation (EC) No 1452/2001 under supply contracts not later than one month from the date of payment of the aid by the competent authority,
- to keep separate accounts for transactions connected with the application of this Regulation,
- to allow any checks or inspections required by the competent authorities and to notify all information relating to the application of this Regulation.

Article 15

Reduction coefficient

Where the quantities covered by aid applications exceed the permitted annual quantities, the competent authorities shall set a reduction coefficient to be applied to all applications.

Article 16

Payment of the aid

The national authorities shall make payment of the aid conditional upon the presentation of delivery notes jointly signed by the producer and the approved processors or collection and marketing bodies, as the case may be.

CHAPTER III

Transport of sugar cane in the French overseas departments

Article 17

1. Aid as provided for in Article 16 of Regulation (EC) No 1452/2001 for the transport of sugar cane from the edge of the field where it is harvested to the reception centres shall be paid on the terms set out in this chapter to producers delivering their cane directly to reception centres.

2. To be eligible for transport aid, the cane must be intended for the production of sugar or rum.

3. The aid shall be paid for the transport of cane of sound and fair merchantable quality.

4. 'Reception centre' means the weighing centre or the factory itself, where delivery is direct to the latter, be it a sugar refinery or a distillery.

Article 18

1. The transport costs to producers shall be determined on the basis of the distance between the edge of the field and the reception centre and other objective criteria, including conditions of access to the field and the existence of natural handicaps.

2. Without prejudice to paragraph 3, the unit amount of aid fixed for producers shall not exceed:

- (a) half the transport costs per tonne fixed on a flat-rate basis in accordance with paragraph 1;
- (b) the maximum amounts below for each department:
 - EUR 5,49/tonne for Réunion,
 - EUR 5,34/tonne for Guadeloupe,
 - EUR 3,96/tonne for Martinique,
 - EUR 3,81/tonne for French Guiana.

3. The aid for cane transport shall be determined by the French authorities in accordance with the following average unit amount for each department, depending on the quantities involved:

- EUR 3,2/tonne for Réunion,
- EUR 2,5/tonne for Guadeloupe,
- EUR 2,0/tonne for Martinique,
- EUR 2,0/tonne for French Guiana.

TITLE III

PROCESSING AID

CHAPTER I

Fruit and vegetables

Article 19

Scope

The aid provided for in Article 13 of Regulation (EC) No 1452/2001 shall be paid to processors approved by France under the terms set out in this chapter.

Article 20

Entitlement to aid

1. The aid shall be paid for processing the fruit and vegetables, harvested in the French overseas departments, listed in column II of part A of Annex I for which processors have paid a price at least equal to the minimum price under processing contracts covering the manufacture of one of the products listed in part B of Annex I.

2. The aid shall be paid up to the annual quantities fixed in column III of part A of Annex I for each of the three product categories A, B and C.

3. The amounts of aid applicable to each product category shall be as set out in column IV of part A of Annex I.

Article 21

Approval of processors

1. Processors wishing to qualify for the aid shall submit an application for approval to the office designated by the competent authorities, by a date to be set by those authorities, giving all the information required by France for administering and monitoring the aid scheme.

2. The competent authorities shall grant approval, upon application, to processors or legally constituted associations or groups of processors which, in particular:

- (a) possess equipment suitable for processing fruit and vegetables; and
- (b) undertake in writing:
 - to keep separate accounts relating to performance of the contracts referred to in Article 22, and
 - to provide the competent authorities, at the request of the latter, with all supporting documentation relating to performance of the contracts and fulfilment of the commitments entered into under this Regulation.

Article 22

Processing contracts

1. The contracts referred to in Article 13(1) of Regulation (EC) No 1452/2001, hereinafter called 'processing contracts', shall be concluded in writing before the beginning of each marketing year. They shall take one of the following forms:

- (a) a contract between an individual producer or a producer organisation recognised under Regulation (EC) No 2200/96, on the one hand, and a processor or an association or group of processors approved by the national authorities, on the other;
- (b) an undertaking to deliver supplies, where the producer organisation referred to in (a) acts as processor.

2. Contracts shall each cover a calendar year and the same two contracting parties may not conclude more than one contract per year between themselves.

3. Processing contracts shall specify, in particular:

- (a) the business names of the parties to the contract;
- (b) a precise description of the product(s) covered by the contract;
- (c) the quantities of raw materials to be supplied;
- (d) the timetable for deliveries to the processor;
- (e) the price to be paid for the raw materials, excluding in particular costs connected with packing, transport and the payment of fiscal charges, which shall, where applicable, be indicated separately. The price shall not be lower than the minimum price referred to in the second subparagraph of Article 13(1) of Regulation (EC) No 1452/2002;
- (f) the finished products to be produced.

4. On terms laid down for each product by the competent authorities, the contracting parties may decide, by means of a written amendment, to increase the quantities originally stipulated in the contract by no more than 30 %.

5. Where producer organisations also act as processors, the processing contracts covering their own production shall be deemed to have been concluded after the following particulars have been forwarded to the competent authority within the time limit laid down in paragraph 6:

- (a) the total area on which the raw material is grown, together with land register reference numbers or a reference recognised as equivalent by the inspection body;
- (b) an estimate of the total harvest;
- (c) the quantity intended for processing;
- (d) the forecast processing schedule.

6. The processor or association of processors shall forward a copy of each processing contract and any amendments thereto to the competent authorities within the deadline fixed by those authorities.

Article 23

Payment of the minimum price

1. Without prejudice to cases covered by Article 22(1)(b), processors shall pay the price of the raw materials to the producer organisation or individual producer exclusively by bank or post office transfer order.

Producer organisations shall pay producers the full amount referred to in the first subparagraph within 15 working days of receipt, by bank or post office transfer order. In cases as referred to in Article 22(1)(b), payment may be made by opening a credit. France shall adopt the measures necessary to check compliance with this paragraph and shall provide in particular for penalties to be imposed on the administrators of the producer organisation according to the seriousness of any failure to comply.

2. France may adopt additional provisions relating to processing contracts, covering in particular time limits, terms and methods of payment of the minimum price and damages payable by processors, producer organisations or producers where they do not fulfil their obligations under contracts.

Article 24

Quality of products

Without prejudice to any minimum quality criteria laid down or to be laid down in accordance with the procedure provided for in Article 46 of Regulation (EC) No 2200/96, raw materials delivered to processors under processing contracts shall be of sound and fair merchantable quality and suitable for processing.

Article 25

Aid applications

1. Processors shall submit two aid applications for each marketing year to the body designated by France:

- (a) the first relating to products processed from 1 January to 31 May;
- (b) the second relating to products processed from 1 June to 31 December.

2. Aid applications shall indicate in particular the net weight of the raw materials used and of the finished products obtained, described in accordance with parts A and B of Annex I respectively. They shall be accompanied by copies of the transfer orders provided for in the first subparagraph of Article 23(1). In the case of undertakings to deliver supplies, such copies may be replaced by a declaration by the producer to the effect that the processor has paid a price at least equal to the minimum price. Such copies or declarations shall quote the references of the relevant contracts.

Article 26

Reduction coefficient

1. Where the information referred to in Article 22(6) indicates that the quantity set for a category of products shown in column III of part A of Annex I is likely to be exceeded, the competent authorities shall set a provisional reduction coefficient to be applied to all aid applications for that category submitted under Article 25(1)(a). The coefficient, which shall be the ratio between the quantities referred to in column III of part A of Annex I and those set by contract plus any additional quantities agreed, shall be calculated not later than 31 March.

2. Where paragraph 1 is applied, at the end of the marketing year the competent authorities shall establish the definitive reduction coefficient to be applied to all aid applications for the category of products concerned submitted under Article 25(1)(a) and (b).

Article 27

Record keeping

1. Processors shall keep records showing at least the following:

- (a) consignments of raw materials purchased and entering their premises each day which are covered by processing contracts or amendments thereto, together with the numbers of any receipts issued for such consignments;
- (b) the weight of each consignment brought into their premises and the name and address of the other party to the contract;

- (c) the quantities of finished products obtained each day from processing the raw materials on which the aid is payable;
- (d) the quantities and prices of products leaving the processor's premises, consignment by consignment, with details of the consignee. Such data may be recorded by reference to supporting documents, provided the latter contain the above particulars.

2. Processors shall retain proof of payment for all raw materials purchased under processing contracts or amendments thereto.

3. Processors shall undergo any inspections or checks deemed necessary and shall keep such additional records as the competent authorities require to conduct any checks that they deem necessary. Where an inspection or check cannot be conducted for reasons attributable to the processor, despite the latter having been formally notified thereof, no aid shall be paid for the marketing years concerned.

CHAPTER II

Sugar

Section I

Sugar cane

Article 28

Scope

This chapter lays down detailed rules for applying the following aid schemes:

- (a) Community aid for the direct processing of sugar cane into sucrose syrup or agricultural rum as provided for in Article 17 of Regulation (EC) No 1452/2001;
- (b) aid for the direct processing of sugar cane into sugar syrup or agricultural rum as provided for in Article 18 of Regulation (EC) No 1453/2001.

Article 29

Payment of the aid

1. The aid referred to in Article 28 shall be paid, as the case may be:

- (a) to any sucrose syrup manufacturer or distiller:
 - whose plant is located in one of the French overseas departments, and
 - who produces directly from cane harvested in the same French overseas department:
 - (i) sucrose syrup of less than 75 % purity used in the manufacture of aperitifs; or
 - (ii) agricultural rum as defined in Article 1(4)(a)(2) of Council Regulation (EEC) No 1576/89 ⁽¹⁾;
- (b) to any sugar syrup manufacturer or distiller whose facilities are located on the territory of Madeira and who directly processes cane harvested on Madeira.

2. Aid shall be paid out each year for the quantities of sugar cane processed directly into sugar syrup, sucrose syrup or agricultural rum for which the syrup manufacturer or distiller shows proof that the sugar-cane producers concerned have been paid the minimum price referred to in Article 30.

3. The amount of the processing aid is hereby fixed as follows:

- (a) for the aid referred to in Article 28(a),
 - at EUR 9,0 per 100 kilograms of sugar expressed as white sugar, for sucrose syrup,
 - at EUR 64,22 per hectolitre of pure alcohol produced, for agricultural rum;
- (b) for the aid referred to in Article 28(b),
 - at EUR 53 per 100 kilograms of sugar expressed as white sugar, for sugar syrup,
 - at EUR 90 per hectolitre of pure alcohol produced, for agricultural rum.

Article 30

Minimum price for sugar cane

1. The minimum prices referred to in the second subparagraph of Article 17(1) of Regulation (EC) No 1452/2001 and in the second subparagraph of Article 18(1) of Regulation (EC) No 1453/2001 are hereby fixed as follows:

- Réunion: EUR 51,01 per tonne of cane,
- Martinique: EUR 45,16 per tonne of cane,
- Guadeloupe and French Guiana: EUR 55,95 per tonne of cane,
- Madeira: EUR 78,9 per tonne of cane.

The minimum price shall apply to cane of sound and fair merchantable quality and of standard sugar content. The delivery stage of the sugar cane shall be free at factory gate.

2. The standard sugar content and the scale of increases and reductions to be applied to the minimum price when the sugar content of the cane differs from the standard sugar content shall be adopted by the competent authority on the proposal of a joint committee of distillers or syrup manufacturers and the sugar-cane producers.

Article 31

Minimum price

1. Proof that the minimum price has been paid to the sugar-cane producer shall be established by a certificate drawn up on normal paper by the syrup manufacturer or distiller. The certificate shall show:

- (a) the name of the syrup manufacturer or distiller;
- (b) the name of the sugar-cane producer;

⁽¹⁾ OJ L 160, 12.6.1989, p. 1.

- (c) the total quantities of sugar cane for which the minimum price fixed for the calendar year concerned has been paid and which have been delivered to the syrup factory or distillery by the producer concerned during that calendar year;
 - (d) the quantity of product for which the minimum price has been paid.
2. The certificate shall be signed by the sugar-cane producer and the syrup manufacturer or distiller.
 3. The manufacturer or distiller shall keep the original of the certificate. A copy shall be given to the sugar-cane producer.

Article 32

Reduction coefficient

1. When the sum of the quantities covered by aid applications in a given calendar year is greater than the annual quantities referred to in Article 17(2) of Regulation (EC) No 1452/2001 and in Article 18(2) of Regulation (EC) No 1453/2001, a standard reduction coefficient shall be applied to each application for the product concerned.

However, France may allocate the quantity of rum referred to in paragraph 1 by department on the basis of the average quantity of agricultural rum sold by each department in the years 1997 to 2001. If the quantities covered by aid applications exceed the overall quantities, the reduction coefficients may be differentiated by department.

2. Aid applications shall be submitted to the competent authorities designated by France or Portugal, as the case may be.

Section II

Beet sugar

Article 33

This chapter lays down detailed rules for applying the aid for the processing into white sugar of sugarbeet harvested in the Azores provided for in Article 28(2) of Regulation (EC) No 1453/2001.

Article 34

1. Processing undertakings shall submit their applications in writing to the competent authorities. Applications shall indicate the quantity of white sugar produced from sugarbeet harvested in the Azores and shall be accompanied by:
 - (a) proof of purchase of the sugarbeet from each producer who has delivered the sugarbeet that has been processed; and
 - (b) a written undertaking not to refine raw sugar during the period when sugarbeet is being processed into white sugar.

2. The aid referred to in paragraph 1 shall be paid only after it has been established that white sugar has been produced from the sugarbeet harvested in the Azores.

Article 35

Portugal shall take all the measures necessary to ensure that the aid is granted only up to the maximum referred to in Article 28 of Regulation (EC) No 1453/2001.

CHAPTER III

Wine

Section I

Aid for the purchase of rectified concentrated musts and wine alcohol in Madeira

Article 36

1. Producers established in the Madeira island group wishing to qualify for aid for the purchase of rectified concentrated musts for use in wine-making to sweeten Madeira liqueur wines, or aid for the purchase of wine alcohol, under Article 20(2) and (3) of Regulation (EC) No 1453/2001, shall submit to the competent body, by a date specified by the latter, which may not be later than 31 October, an application containing at least the following:

- a copy of the contract for the purchase of rectified concentrated musts or wine alcohol elsewhere in the Community,
- the quantity of rectified concentrated musts or wine alcohol for which aid is requested, expressed in hectolitres and in % vol,
- the date of taking over of the musts or wine alcohol,
- the date set for the start of the operations to prepare liqueur wines, and the place at which these operations are to be carried out.

2. The aid is hereby fixed at EUR 12,08 per hectolitre.

3. The aid shall be paid for the purchase of a maximum quantity of 3 600 hectolitres of rectified concentrated musts and a maximum quantity of 8 000 hectolitres of wine alcohol in each marketing year.

Article 37

1. The competent body shall take all necessary steps to verify the accuracy of the applications and check that the rectified concentrated musts and the wine alcohol covered by the aid applications are actually used in the proper way.
2. The competent body shall pay the aid to the producer before the end of the wine year concerned, without prejudice to any delays caused by further checks.

Section II

Aid for the ageing of Madeira liqueur wines and Azores wine*Article 38*

1. Aid for the ageing of Madeira liqueur wines and Azores 'verdelho' wine, as provided for in Article 20(5) and Article 31 of Regulation (EC) No 1453/2001, shall be paid for all quantities of wine placed in storage for the purpose of ageing on the same date and aged for an uninterrupted period of at least five years in the case of Madeira and three years in the case of the Azores.

2. Aid for the ageing of Madeira liqueur wine and Azores wine shall be granted to producers in those regions who submit an application to the competent body during the first two months of each year.

3. The aid shall be granted by priority for wine from the most recent harvest. Applications for wines produced during previous marketing years shall be accepted where the maximum quantities laid down in Regulation (EC) No 1453/2001 are not reached, with priority being given to the youngest wines.

4. Where the overall quantity covered by applications exceeds the maximum quantities laid down in Regulation (EC) No 1453/2001, a reduction coefficient shall be applied. The total quantity of product for which a producer submits an aid application may not exceed that covered for the marketing year in question by a production declaration as provided for in Regulation (EC) No 1282/2001.

5. The Portuguese authorities shall make known to the Commission:

- the overall quantities for which contracts have been concluded each year,
- the detailed rules for applying this paragraph.

6. Operators wishing to qualify for the aid scheme shall conclude with the competent body an ageing contract for no less than five years in the case of Madeira and three years in the case of the Azores.

7. Contracts shall be concluded on the basis of an aid application submitted once only at the start of the period referred to above. Applications shall contain at least the following:

- (a) the name and address of the applicant producer;
- (b) the number of batches covered by the ageing contract and precise particulars of each batch (in particular the tank number, the quantity stored, and the exact location);
- (c) for each batch, the harvest year, the technical characteristics of the liqueur wine concerned and, in particular, its total alcoholic strength, actual alcoholic strength, sugar content, total acidity and volatile acidity;
- (d) for each batch, the type of container;

(e) for each batch, the first and last day of the storage period.

8. Correct performance of the ageing contract shall confer entitlement to payment of the overall amount of the aid determined when the contract is signed. In Madeira, one third of the aid shall be paid in the first, third and fifth years of storage. In the Azores, one third of the aid shall be paid in each storage year.

9. Acceptance of the contract shall be subject to the lodging of a performance guarantee corresponding to 40 % of the overall amount of the aid covering the contract period. The guarantee shall be lodged in accordance with Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the system of securities for agricultural products ⁽¹⁾.

10. The competent body shall ensure that the terms of the ageing contract are observed by checking the producers' records and carrying out on-the-spot inspections.

11. Performance guarantees shall be released when it is established that the contract has been properly performed.

12. Where the competent body finds that the liqueur wine covered by a contract is unsuitable for offering for sale or using for direct human consumption, it shall terminate the contract. Except in cases of *force majeure*, termination of the contract shall entail the recovery of aid amounts paid and forfeiture of the performance guarantee. The circumstances of *force majeure* relied upon shall be notified to the competent body within three working days following the date on which they occur.

TITLE IV

CHAPTER I

Local marketing*Article 39***Scope**

This chapter lays down detailed rules for applying the aid granted for fruit, vegetables, flowers and live plants harvested or produced locally and intended to supply the markets of the respective production regions, as provided for in Article 12(1) of Regulation (EC) No 1452/2001, Article 5(1) of Regulation (EC) No 1453/2001 and Article 9(1) of Regulation (EC) No 1454/2001.

*Article 40***Entitlement to aid**

1. The lists of the products qualifying for the aid referred to in Article 39, classified by category, shall be as fixed in column II of Annexes II, III, IV and V for the French overseas departments, the Azores, Madeira and the Canary Islands, respectively.

⁽¹⁾ OJ L 205, 3.8.1985, p. 5.

2. The products shall be covered by supply contracts as referred to in Article 41 and comply with the standards established in accordance with Title I of Regulation (EC) No 2200/96 as regards fruit and vegetables or, where no such standards have been adopted, the quality specifications contained in the contracts.

3. The aid shall be granted up to the annual quantities for each product category set out in column III of Annexes II, III, IV and V.

4. The aid amounts applicable for each product category shall be as fixed in columns IV and V of Annexes II, III, IV and V. The amounts shown in column V shall apply to producer organisations recognised in accordance with Articles 11 and 14 of Regulation (EC) No 2200/96. The amounts shown in column IV shall apply to other producers.

5. Where the supply requirements of the French overseas departments for one or more products so require, the competent authorities shall grant the aid for the supply to a department other than the department in which the product is harvested.

Article 41

Supply contracts

1. Supply contracts shall be concluded between individual producers, producer groups or producer organisations on the one hand and approved operators as referred to in Article 42 on the other hand.

Contracts shall include in particular:

- (a) the business names of the parties to the contract;
- (b) a precise description of the products covered;
- (c) the total quantity to be supplied and the forecast delivery schedule;
- (d) the references and areas of the parcels on which the products are grown and the names and addresses of each grower concerned;
- (e) the duration of the undertaking;
- (f) the packaging and presentation method and information relating to transport (conditions and costs);
- (g) the exact delivery stage.

2. Contractors may increase the quantity initially specified in the contract by no more than 30 %, by means of an amendment in writing to the contract.

3. Contracts and amendments thereto shall be signed before the start of the deliveries concerned and before a deadline set by the competent authorities, which may differ for each product.

4. The competent authorities may adopt additional provisions concerning contracts, in particular regarding compensation in the event of failure to observe contractual obligations or to fix a minimum quantity for each contract. Where adminis-

tration of the aid scheme so requires, the competent authorities may specify marketing periods or years other than those referred to in Article 53 for each product.

Article 42

Approved operators

1. Economic operators in the wholesale or retail food trade or in catering, local authorities and, in the Azores, Madeira and the Canary Islands, food processors, wishing to participate in the aid scheme shall submit applications for approval to the body designated by the competent authorities before a date set by the latter. That body shall lay down the conditions for approval and shall publish each year a list of approved operators, not less than one month before the deadline for the signing of contracts.

2. The approved operators shall give an undertaking to:

- (a) market or, in the case of the Azores, Madeira and the Canary Islands, process the products covered by the supply contracts exclusively in the production region;
- (b) keep separate accounts covering the performance of the supply contracts;
- (c) provide the competent authorities, at the request of the latter, with all supporting documentation concerning the performance of the contracts and fulfilment of the undertakings made under this Regulation.

Article 43

Declarations

Individual producers, producer groups and producer organisations wishing to qualify under the aid scheme shall send a declaration together with a copy of the contract referred to in Article 41 to the department designated by the competent authorities before a date set by the latter.

Article 44

Reduction coefficient

1. Where the documents referred to in Article 43 indicate that the quantities provided for in Article 40(3) are likely to be exceeded, the competent authorities shall fix a provisional reduction coefficient to be applied to all aid applications concerning the category concerned and shall inform the interested parties thereof. The coefficient, which shall be the ratio between the quantities shown in column III of Annexes II, III, IV and V and the quantities covered by the contracts and any amending clauses, shall be set before any decision is taken to grant the aid and at the latest one month after the deadline referred to in Article 41(3).

2. Where paragraph 1 is applied, at the end of the marketing year the competent authorities shall establish the definitive reduction coefficient to be applied to all aid applications covering the product category concerned submitted during the marketing year.

CHAPTER II

Marketing outside the production region

Section I

Rice, fruit, vegetables, plants and flowers and potatoes

Article 45

Scope

This section lays down detailed rules for applying the following aid schemes:

- (a) the aid referred to in Article 5 of Regulation (EC) No 1452/2001;
- (b) the aid referred to in Article 15 of Regulation (EC) No 1452/2001;
- (c) the aid referred to in Article 6 of Regulation (EC) No 1453/2001;
- (d) the aid referred to in Article 30(3) of Regulation (EC) No 1453/2001;
- (e) the aid referred to in Article 10 of Regulation (EC) No 1454/2001.

Article 46

Annual contracts

1. 'Annual contract' shall mean a contract by which an operator, either a natural person or a legal entity established elsewhere in the Community, outside the outermost region of production, undertakes, before the beginning of the marketing period for the product or products concerned, to purchase all or part of the production of an individual producer, a member of a producer group or a producer organisation in the outermost regions, with a view to marketing it outside the production region.

2. Operators who intend to submit an application for aid shall send the annual contract to the competent French, Portuguese or Spanish authorities, as the case may be, before the start of the marketing period for the product or products concerned.

Contracts shall include at least the following information:

- (a) the business names of the contracting parties and their places of establishment;
- (b) a precise description of the products covered;
- (c) the total quantity to be supplied and the forecast delivery schedule;
- (d) the references and areas of the parcels on which the products are grown and the names and addresses of each grower concerned;
- (e) the duration of the undertaking;
- (f) the packaging and presentation method and information relating to transport (conditions and costs);

- (g) the exact delivery stage.

Contractors may increase the quantity initially specified in the contract by no more than 30 %, by means of an amendment in writing to the contract.

3. The competent authorities shall assess the contracts for compliance with the relevant provisions referred to in Article 45 and with this section. They shall verify that the contracts contain all the information specified in paragraph 2. They shall inform the operator whether Article 48 is likely to be applied.

4. For the purpose of calculating the aid, the value of marketed production, delivered to destination zone, shall be evaluated on the basis of the annual contract, the particular transport documents and any other supporting documents submitted to justify the application for payment. The value of the marketed production to be taken into account shall be that of a delivery to the first port or airport of unloading. The competent authorities may request any information or additional supporting documentation appropriate for calculating the aid.

5. Applications for aid shall be submitted by the buyer or, in cases as referred to in Article 6 of Regulation (EC) No 1453/2001, by the seller who has signed an undertaking to market the product. Where administration of the aid scheme so requires, the competent authorities may specify marketing periods or years other than those referred to in Article 53 for each product.

Article 47

Marketing flowers and plants produced in the Azores and Madeira

1. For the purposes of Article 6 of Regulation (EC) No 1453/2001 as regards marketing flowers and plants produced in the Azores and Madeira elsewhere in the Community, individual producers, producer groups and producer organisations as referred to in Articles 11, 13 and 14 of Regulation (EC) No 2200/96 wishing to participate in the aid scheme shall submit their applications to the body designated by the competent Portuguese authorities before a date to be determined by the latter.

That body shall lay down the conditions for approval and shall publish each year a list of approved individual producers, producer groups or producer organisations, at least one month before the beginning of the marketing period.

2. Individual producers, producer groups and producer organisations as referred to above wishing to qualify under the aid scheme shall send a declaration to the office designated by the competent authorities before the beginning of the marketing period of the products concerned, undertaking in particular:

- (a) to market the flowers and plants only elsewhere in the Community;
- (b) to notify the names of the contracting firms or intermediaries and their place of establishment;

- (c) to indicate, in particular:
- the plants and flowers to be marketed,
 - the references and areas of the parcels, identified in accordance with Articles 4 and 5 of Regulation (EEC) No 3508/92, on which the products concerned are grown and, in the case of producer organisations, the names and addresses of each grower concerned; the parcel references need not be notified in the case of dried flowers falling within CN code 0603 90 00;
- (d) to indicate the packaging and presentation method and information relating to transport (conditions and costs) and the exact delivery stage;
- (e) to keep separate accounts covering the conduct of the sales referred to in this Article;
- (f) to provide the competent Portuguese authorities, at the request of the latter, with all supporting documentation concerning the conduct of the sales referred to in this article and fulfilment of the undertakings made under this Regulation.

3. For the purpose of calculating the aid, the value of marketed production, delivered to destination zone, shall be evaluated on the basis of the particular transport documents and any other supporting documents submitted to justify the application for payment. The value of the marketed production to be taken into account shall be that of a delivery to the first port or airport of unloading. The competent authorities may request any information or additional supporting documentation appropriate for calculating the aid.

4. Aid applications shall be submitted by individual producers, producer groups or producer organisations as referred to in Articles 11, 13 and 14 of Regulation (EC) No 2200/96 who have undertaken to market the product. Where administration of the aid scheme so requires, the competent authorities may specify marketing periods or years other than those referred to in Article 53 for each product.

Article 48

Reduction coefficient

1. Where the quantities covered by aid applications for a given product exceed the volume laid down in Article 15(1) of Regulation (EC) No 1452/2001 or, in the case of melons falling within CN code ex 0807 10 90 and pineapples falling within CN code 0804 30 00, the limit laid down in paragraph 6 of that Article or the limits laid down in Article 10(2) of Regulation (EC) No 1454/2001, the competent authorities shall determine a standard percentage reduction to be applied to all aid applications.

2. For rice from French Guiana:

- (a) if necessary, the competent French authorities shall fix a standard reduction coefficient to be applied to the applications concerned to ensure that the quantity for which aid is granted each year, expressed in terms of milled rice equivalent, does not exceed 12 000 tonnes for all quantities covered by applications and, within that ceiling, that the quantities disposed of elsewhere in the Community outside Guadeloupe and Martinique do not exceed 4 000 tonnes;

- (b) the standard reduction coefficient shall be calculated as follows:

- (i) where the total quantity covered by aid applications is less than 12 000 tonnes but the quantity of rice disposed of or marketed elsewhere in the Community outside Guadeloupe and Martinique exceeds the maximum volume of 4 000 tonnes, the coefficient *i* obtained from the following formula shall be applied to the latter quantities only:

$$i = \frac{4\,000}{x}$$

where:

x = the quantity of rice from French Guiana actually disposed of and marketed elsewhere in the Community outside Martinique and Guadeloupe;

- (ii) where the total quantity covered by aid applications exceeds 12 000 tonnes but the quantity of rice disposed of or marketed elsewhere in the Community outside Guadeloupe and Martinique is less than the maximum volume of 4 000 tonnes, the coefficient *j* obtained from the following formula shall be applied to all quantities:

$$j = \frac{12\,000}{y}$$

where:

y = the total quantity of rice from French Guiana covered by aid applications;

- (iii) where the total quantity covered by aid applications exceeds 12 000 tonnes and the quantity of rice disposed of or marketed elsewhere in the Community outside Guadeloupe and Martinique exceeds the maximum volume of 4 000 tonnes, the coefficient *z* obtained from the following formula shall be applied:

$$z = \frac{12\,000}{(i \times x) + k}$$

where:

x = the quantity of rice from French Guiana actually disposed of and marketed elsewhere in the Community outside Martinique and Guadeloupe;

i = the reduction coefficient to be applied to aid applications for the quantity of rice from French Guiana actually disposed of and marketed elsewhere in the Community other than in Martinique and Guadeloupe referred to at (i),

k = the quantity of rice from French Guiana actually disposed of and marketed in Martinique and Guadeloupe.

The competent French authorities shall immediately notify the Commission when this paragraph is applied, and of the quantities involved;

- (c) aid shall be paid for quantities actually disposed of and marketed under an annual contract or contracts in accordance with the applicable provisions;
- (d) for the purposes of this Article, the coefficient for the processing of:
 - paddy rice into wholly-milled rice is fixed at 0,45,
 - husked rice into wholly-milled rice is fixed at 0,69,
 - semi-milled rice into wholly-milled rice is fixed at 0,93.

Article 49

Joint ventures

The increase in aid provided for in Article 15(4) of Regulation (EC) No 1452/2001, Article 6(4) of Regulation (EC) No 1453/2001 and Article 10(4) of Regulation (EC) No 1454/2001 shall be paid on presentation of proof of the commitments entered into by the partners for a period of not less than three years to pool the knowledge and know-how required to achieve the objective of the joint venture. These commitments shall include a clause prohibiting cancellation of the contract before the end of the aforementioned three-year period.

Where the aforementioned commitments are broken, the operator may not submit an application for aid for the marketing year concerned.

Article 50

Reconsignment and re-export of rice

1. Products receiving aid under Article 5 of Regulation (EC) No 1452/2001 may not be exported; in addition, products disposed of and marketed in Guadeloupe and Martinique may not be reconsigned to the rest of the Community.

Products disposed of and marketed elsewhere in the Community on which the aid referred to in the first subparagraph has been paid may not be reconsigned to Guadeloupe, Martinique or French Guiana.

2. The competent authorities shall take all the necessary monitoring measures to ensure compliance with paragraph 1. Such measures shall include, in particular, unannounced physical checks. The Member State concerned shall notify the Commission of the measures taken to this effect.

Section II

Madeira wine

Article 51

1. The aid referred to in Article 20(6) of Regulation (EC) No 1453/2001 shall be granted up to and including the end of the 2005/06 wine year.

2. Where the aid is applied for in respect of containers of less than one litre, a reduction coefficient shall be applied to take account of the volume of the bottle.

3. The aid shall be paid to shippers who submit an application to the competent body for each lot for the period laid down by that body.

4. Applications shall contain at least the following:

- a copy of section 3 of the accompanying administrative document (AAD), duly completed, with particulars of the consignor and the consignee (name, address, country), the volume of wine dispatched in litre equivalent, the customs code description, the stamp of the Madeira Wine Institute certifying the product and the stamp of the Madeira customs authorities certifying that the product has left the territory,
- a copy of the invoice from the carrier/shipping agent showing the final destination or the marine bill of lading,
- a copy of the invoice to the buyer showing the volume in litre equivalent, which must correspond to that shown on the AAD.

TITLE V

STUDIES

Article 52

1. The contract to carry out the studies referred to in Article 7 of Regulation (EC) No 1453/2001 and in Article 11 of Regulation (EC) No 1454/2001 shall be awarded by invitation to tender on the responsibility of the competent authorities.

2. The draft invitation to tender, including the specifications, shall be sent to the Commission by the competent authorities. The Commission shall make known its observations, if any, within a period of one month following the date of receipt of the draft.

3. The competent authorities shall forward the final study to the Commission, which shall make any comments known within 45 days following receipt of the study.

4. The Community's financial contribution shall be paid subject to:

- compliance with Article 7 of Regulation (EC) No 1453/2001 or Article 11 of Regulation (EC) No 1454/2001, the specifications and any observations made,
- payment of the contribution from the Spanish or Portuguese public authorities.

TITLE VI

GENERAL AND FINAL PROVISIONS

CHAPTER I

Aid applications

Article 53

Marketing years

Marketing years shall run from 1 January to 31 December, except for wine.

Article 54

Submission of applications and payment of aid

1. Without prejudice to Articles 5, 25, 34 and 36, aid applications shall be submitted to the office designated by the competent authorities of the Member State in accordance with the models established by the latter and within the periods they have laid down. For the aid covered by Title I, those periods shall be fixed so as to allow time for the necessary on-the-spot checks.

2. Each aid application shall include at least the following information:

- (a) the surname, forenames and address of the applicant;
- (b) for the aid covered by Title I, the areas cultivated in hectares and in ares, identified in accordance with Articles 4 and 5 of Regulation (EEC) No 3508/92;
- (c) for the aid covered by Chapter I of Title II, the quantity of pineapples harvested and the quantity covered by the aid application;
- (d) for the aid covered by Chapter III of Title II, applications shall be accompanied by cane delivery notes drawn up by the competent bodies or the processing enterprises designated by France for each department;
- (e) for the aid covered by Chapter II of Title II, Chapter I of Title III and Chapters I and II of Title IV, applications shall be accompanied by grouped or individual invoices and all other supporting documents relating to the operations carried out, in particular the references of delivery contracts, processing contracts or annual contracts.

3. Without prejudice to Articles 6 and 9, after verifying the aid applications and the relevant supporting documents, the competent authorities shall pay the aid calculated in accordance with this Regulation within three months following the end of the period for lodging applications.

Where more than one harvest is possible during the course of a calendar year in the context of the crops covered by Chapter I of Title I, the deadline fixed in the first subparagraph shall start to run from the end of the period for submitting aid applications for the last harvest of the year concerned.

4. The Member States may adopt additional rules regarding how producer organisations are to pay the aid covered by Title IV to their members.

Article 55

Correction of obvious errors

An aid application may be adjusted at any time after its submission, in cases of where the competent authority recognises an obvious error.

Article 56

Late submission

Except in cases of *force majeure* and exceptional circumstances within the meaning of Article 65, submission of an aid application after the time limit laid down in accordance with Article 54(1) shall lead to a 1 % reduction per working day in the amounts to which the grower would have been entitled if the aid application had been lodged within the time limit. If the delay amounts to more than 25 calendar days, the application shall be considered inadmissible.

Article 57

Withdrawal of aid applications

1. An aid application may be totally or partially withdrawn at any time. However, where the competent authority has already informed the grower of irregularities in the aid application or has given notice to the grower of its intention to carry out an on-the-spot check, and where this check reveals irregularities, withdrawals shall not be authorised in respect of the parts of the aid application affected by the irregularities.

2. Withdrawals under paragraph 1 shall return the claimant to the situation prior to submitting the aid application or part of the aid application in question.

CHAPTER II

Checks

Article 58

1. Verifications shall be carried out by means of administrative and on-the-spot checks. Administrative checks shall be exhaustive and shall include cross-checks wherever appropriate with, *inter alia*, data from the integrated administration and control system. Based on a risk analysis, the national authorities shall perform on-the-spot checks by sampling at least 10 % of aid applications.

In all appropriate cases, Member States shall make use of the integrated administration and control system established by Regulation (EEC) No 3508/92.

2. For the aid covered by section I of Chapter II of Title III, checks shall also cover the quantity of cane delivered and compliance with the minimum price.

Article 59

General principles

1. On-the-spot checks shall be unannounced. However, provided that the purpose of the check is not compromised, advance notice limited to the strict minimum necessary may be given. Such notice shall not exceed 48 hours, except in duly justified cases.

2. Where applicable, the on-the-spot checks provided for in this Regulation shall be carried out at the same time as any other checks provided for in Community rules.

3. The application or applications concerned shall be rejected if growers or their representatives prevent an on-the-spot check from being carried out.

Article 60

Selection of applications to be checked on the spot

1. Growers shall be selected to undergo on-the-spot checks by the competent authority on the basis of a risk analysis and the representativeness of the aid applications submitted. The risk analysis shall take account of:

- (a) the amount of aid involved;
- (b) the number of agricultural parcels, the area covered by the application or the quantity produced, transported, processed or marketed;
- (c) changes from the previous year;
- (d) the findings of checks made in past years;
- (e) other parameters to be determined by the Member States.

To provide the element of representativeness, the Member States shall randomly select between 20 % and 25 % of the minimum number of growers to be subject to on-the-spot checks.

2. The competent authority shall keep records of the reasons for the selection of each grower for an on-the-spot check. The inspector performing the on-the-spot check shall be informed of these reasons before starting it.

Article 61

Inspection report

1. Every on-the-spot check shall be the subject of an inspection report relating the details of the checks carried out. Reports shall indicate in particular:

- (a) the aid schemes and applications checked;
- (b) the persons present;
- (c) the agricultural parcels checked, the agricultural parcels measured, the results of the measurements per measured parcel and the measuring methods used;
- (d) the quantities produced, transported, processed or marketed covered by the check, the findings and the methods used;
- (e) whether advance notice was given to the grower of the visit and, if so, how much;
- (f) any further inspection measures carried out.

2. Growers or their representatives shall be given the opportunity to sign the report to attest their presence at the check and to add observations. Where irregularities are found the grower shall receive a copy of the control report.

Where the on-the-spot check is carried out by remote sensing, the Member States may decide not to give the growers or their representatives the opportunity to sign the control report if no irregularities are revealed during the check by remote-sensing.

CHAPTER III

Consequences of undue payments

Article 62

Recovery of undue payments

1. If undue payment is made, the grower shall repay the amount in question plus interest calculated in accordance with paragraph 3.

2. The Member States may decide to recover an undue payment by deducting that amount from any advances or payments made to the grower under other aid schemes following the date of the decision to recover. However, the grower may repay the amount without waiting for the deduction.

3. Interest shall be calculated for the period elapsing between the notification of the repayment obligation to the grower and either repayment or deduction. The rate of interest applicable shall be calculated according to the provisions of national law but shall not be lower than the interest rate applicable for the recovery of amounts under the national provisions.

4. Where the undue payment has been made because of a false declaration, false documents or serious negligence on the part of the beneficiary, a penalty shall be imposed equal to the amount unduly paid, with interest calculated in accordance with paragraph 3.

5. The repayment obligation referred to in paragraph 1 shall not apply if the payment was made by error of the competent authority itself or of another authority and if the error could not reasonably have been detected by the grower.

However, where the error relates to factual elements relevant for the calculation of the payment concerned, the first subparagraph shall apply only if the decision to recover was not communicated within 12 months of the payment.

6. The repayment obligation referred to in paragraph 1 shall not apply if more than 10 years elapse between the date of the payment of the aid and the date on which the beneficiary is first notified by the competent authority that the payment made was undue.

However, the period referred to in the first sentence shall be limited to four years if the beneficiary has acted in good faith.

7. Amounts to be recovered as a consequence of reductions and exclusions applied under this title shall be subject to a period of limitations of four years.

8. Paragraphs 5 and 6 shall not apply in the case of advances.

9. The Member States may decide not to recover amounts of EUR 100 or less, not including interest, per grower and per premium period, provided that their national law provides for non-recovery in such cases.

10. The aid recovered shall be paid to the paying agencies or departments and deducted by them from the expenditure financed by the European Agricultural Guidance and Guarantee Fund.

Article 63

Reductions and exclusions in cases of overdeclaration for area aid

1. In the case of aid covered by Title I, where the area declared for a group of crops exceeds the area recorded during the check, the aid shall be calculated on the basis of the area recorded, minus twice the difference found, where this is more than 3 % or two hectares but not more than 20 % of the area determined.

Where the difference found is more than 20 % of the area recorded, no area aid shall be granted for the group of crops concerned.

2. If, in respect of the overall area determined covered by an aid application under the aid schemes covered by Title I, the declared area exceeds the area found by more than 30 %, the aid which the grower could claim under those aid schemes shall be refused for the calendar year concerned.

If the difference is more than 50 %, the grower shall also be penalised by an amount equal to the amount refused under the first subparagraph. That amount shall be withheld from aid payments under any of the aid schemes covered by this Regulation or to which the grower is entitled under applications lodged during the three calendar years following the year of the finding.

Article 64

Exemptions from the application of reductions and exclusions

1. The reductions and exclusions provided for in this title shall not apply where growers have submitted factually correct information or can show otherwise that they are not at fault.

2. The reductions and exclusions provided for in this title shall not apply to those parts of an aid application which the grower informs the competent authority in writing are incorrect or have become incorrect since it was lodged, provided that the competent authority has not already informed the grower of its intention to carry out an on-the-spot check or of any irregularity in the application.

On the basis of the information given by the grower as referred to in the first subparagraph, the aid application shall be adjusted to reflect the actual situation.

Article 65

Force majeure and exceptional circumstances

1. Growers shall notify the competent authority in writing of cases of *force majeure* or exceptional circumstances, with relevant evidence to the satisfaction of that authority, within 10 working days of the date on which they are first in a position to do so.

2. The competent authority may recognise exceptional circumstances in cases such as, for example:

- (a) the death of the grower;
- (b) long-term occupational incapacity of the grower;
- (c) a severe natural disaster substantially affecting the holding's agricultural land.

Article 66

Withdrawal of approval

The national authorities shall withdraw approval as referred to in Article 42 where the commitments to which such approval is subject are not fulfilled. They may suspend the payment of aid for one or more marketing years depending on the seriousness of the irregularities uncovered.

CHAPTER IV

General provisions

Article 67

Additional national measures

The Member States shall adopt all additional measures needed to apply this Regulation, in particular regarding the checks on quantities of cane delivered for the purposes of the aid covered by Chapter III of Title II.

Article 68

Notifications

1. The Member States concerned shall notify the Commission not later than:

- (a) 30 April, of the areas covered by applications for aid under Chapter II of Title I for the current marketing year and for which the aid has actually been paid;
- (b) 31 May:
 - of the areas covered by applications for aid under Chapter I of Title I for the previous marketing year for which the aid has actually been paid,
 - the quantities covered by contracts for the current marketing year, broken down by category or product;
- (c) 30 June, a report on the implementation of the measures covered by this Regulation in the preceding marketing year showing in particular:
 - the quantities for which the aid and increased aid covered by Title III has been paid, broken down by product set out in part A of Annex II, III or IV,
 - the quantities qualifying for the aid covered by Title IV, broken down by product, and their average value within the meaning of Article 40(4);
- (d) for the aid covered by section II of chapter II of Title III, within 45 working days following the end of each marketing year, Portugal shall notify the Commission:
 - of the areas and the overall amount for which the flat-rate aid per hectare has been requested and paid,
 - of the quantities of white sugar produced and the overall amount of the special processing aid paid;
- (e) for the aid covered by section I of Chapter II of Title III, within 45 days of the end following the end of each calendar year, France and Portugal shall notify the Commission:
 - of the total quantities of sugar syrup, sucrose syrup and agricultural rum covered by aid applications, expressed as white sugar or hectolitres of pure alcohol,

- of the refineries and distilleries in receipt of aid,
- of the aid received and the quantity of sugar syrup, sucrose syrup or agricultural rum produced by each refinery or distillery.

2. Before the beginning of each marketing year, France shall notify the minimum prices referred to in Title II, fixed in accordance with Article 13 of Regulation (EC) No 1452/2001 for each category of products set out in Annex I and shall specify in its implementation report:

- the quantities of green vanilla and essential oil of geranium and vetiver qualifying for the aid covered by Chapter II of Title II,
- the quantities of raw materials qualifying for the aid covered by Chapter I of Title III, broken down by product as set out in part A of Annex I, and the quantities, expressed in net weight, of finished products broken down in accordance with part B of Annex I.

3. Portugal shall notify the Commission before 1 November each year of the quantities of pineapples harvested for which aid has been paid.

4. The Member States shall inform the Commission immediately of cases which they recognise as *force majeure* or exceptional circumstances justifying continued entitlement to the aid.

5. For the aid covered by Chapter III of Title II, France shall notify the Commission:

- (a) within four months following the entry into force of this Regulation:
 - of the criteria for determining the unit amounts granted to producers,
 - of the additional measures adopted under Article 67;
- (b) in the annual report provided for in Article 27 of Regulation (EC) No 1452/2001, for each department:
 - of the total quantities of cane, expressed in tonnes, covered by aid applications,
 - of the total amount of the aid and the variation in the amounts of aid per tonne transported,
 - of any changes to the criteria and additional measures referred to in point (a).

Article 69

Producer organisations in the French overseas departments

Annex I to Regulation (EC) No 412/97 is hereby replaced by Annex VI to this Regulation

CHAPTER V

Final provisions

Article 70

Repeal

Regulations (EEC) No 980/92, (EEC) No 2165/92, (EEC) No 2311/92, (EEC) No 3491/92, (EEC) No 3518/92, (EC) No 1524/98, (EC) No 2477/2001, (EC) No 396/2002, (EC) No 738/2002, (EC) No 1410/2002 and (EC) No 1491/2002 are hereby repealed.

Article 71

Entry into force and application

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 2002, except for the aid referred to in Article 1(b), (c), (f) and (g) and the aid for bananas other than plantains produced in French Guiana and Réunion granted under Chapter I of Title IV, which shall apply from 1 January 2002.

Article 53 shall not apply to annual contracts concluded before the entry into force of this Regulation under Article 15 of Regulation (EC) No 1452/2001, Article 6 of Regulation (EC) No 1453/2001 or Article 10 of Regulation (EC) No 1454/2001.

For 2003, for the purposes of determining the amount of aid to be granted under Article 12(1) of Regulation (EC) No 1452/2001, Article 5(1) of Regulation (EC) No 1453/2001 and Article 9(1) of Regulation (EC) No 1454/2001, the beneficiary's status shall be assessed at the time the aid application is lodged.

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

Done at Brussels, 23 December 2002.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX I

FRENCH OVERSEAS DEPARTMENTS

Part A

Products referred to in Article 13 of Regulation (EC) No 1452/2001

Maximum quantities per marketing year as referred to in Article 13(2) of Regulation (EC) No 1452/2001

Amounts of aid as referred to in Article 13(2) of Regulation (EC) No 1452/2001

Column I	Column II		Column III	Column IV
Product categories	CN code	Product	Quantities (tonnes)	Aid (EUR/tonne)
A	ex 0703 10	Onions for rougail and achards	8 320	216
	ex 0706 10 00	Carrots for rougail and achards		
	ex 0709 90 90	Chayotes, breadfruit		
	0803 00 11	Plantains (all French overseas departments)		
	0803 00 19	Bananas other than plantains (French Guiana and Réunion)		
	0804 30 00	Pineapples (except Martinique)		
	0810 10	Strawberries		
	ex 0810 90 95	Strawberry guavas		
	ex 0810 90 95	Ambarellas		
B	ex 0704 90	Cabbage for rougail and achards	1 550	354
	ex 0709 90 90	Turban squash		
	0714 10	Manioc		
	0714 20 10	Sweet potatoes		
	ex 0714 90	Dachines		
	ex 0805 20	Tangor mandarins		
	0805 50 90	Limes		
	0807 20 00	Pawpaws		
	ex 0810 90 30	Jackfruit, lychees, rambutans		
	ex 0810 90 40	Carambolas		
	ex 0810 90 95	Antilles apricots, Surinam cherries, soursops		
	ex 0804 50 00	Guavas		
C	0703 20 00	Garlic for rougail and achards	560	412
	0709 60 99	Peppers		
	0708 20 00	Beans for rougail and achards		
	ex 0714 90	Yams		
	ex 0804 50 00	Mangoes		
	ex 0805 90 00	Combava		
	ex 0810 90 40	Passion fruit, maracujas and granadillas		

Part B

Products as referred to in Article 13(2)

CN code	Product
ex 0710	Vegetables, frozen, uncooked
ex 0712	Dried vegetables
ex 0714	Dried vegetables
2001	Fruit and vegetables preserved in vinegar or acetic acid
2004 90 98	Frozen vegetables
ex 2005 90	Vegetable preserves and vegetables, vacuum sterilised
ex 2006 00	Fruit preserved in sugar
2007	Jams, fruit jellies, marmalades, fruit or nut puree and paste
ex 2008	Fruit pulps
2009	Fruit juices
2008 20	Pineapples (except in Martinique)

ANNEX II

FRENCH OVERSEAS DEPARTMENTS

Products as referred to in Article 12(1) of Regulation (EC) No 1452/2001

Maximum quantities as referred to in Article 12(1) of Regulation (EC) No 1452/2001 per period from 1 January to 31 December

FRUIT AND VEGETABLES

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (tonnes)	Aid (EUR/tonnes)	
A	0701 90	Potatoes	7 800	80 ⁽¹⁾	160
	ex 0706 10	Carrots			
	ex 0707 00 05	Cucumbers			
	0709 90 90	Chayotes, breadfruit			
	0803 00 11	Plantains (all French overseas departments)			
	0803 00 19	Bananas other than plantains (French Guiana and Réunion)			
	0804 30 00	Pineapples			
	0807 11 00	Water melons			
B	0702 00 00	Tomatoes	13 000	120 ⁽²⁾	241
	ex 0703 10	Onions			
	ex 0704	Cabbage			
	ex 0705	Lettuce			
	0709 90 10	Salad vegetables other than lettuce and chicory			
	0709 30 00	Aubergines			
	0714 20 10	Sweet potatoes			
	0709 90 70	Courgettes			
	ex 0714 90 11	Dasheens, taro			
	ex 0709 60 10	Sweet peppers			
	ex 0709 60 99	Other peppers			
	ex 0709 90 90	Turban squash			
	0804 40 00	Avocados			
	ex 0804 50 00	Mangoes			
	ex 0805	Citrus fruit (oranges, mandarins, lemons and limes, grapefruit and pomelos)			
	0807 19 00	Melons			
	0807 20 00	Papayas			
	ex 0810 90 30	Lychees, rambutans			
	ex 0810 90 85	Strawberry guavas			
C	0703 20 00	Garlic	700	158 ⁽³⁾	315
	0708 20	Green beans			
	0810 10	Strawberries			
	ex 0810 90 40	Passion fruit, maracuja, granadilla			
	0809 30	Peaches			
	ex 0714 90	Yams			
	0709 90 90	Gombo			
	ex 0910 10	Ginger			
	ex 0910 30 00	Turmeric (curcuma)			

- (¹) However, the aid shall be:
 — EUR 120/tonne for 2003,
 — EUR 96/tonne for 2004.
- (²) However, the aid shall be:
 — EUR 180/tonne for 2003
 — EUR 145/tonne for 2004.
- (³) However, the aid shall be:
 — EUR 236/EUR/tonne for 2003,
 — EUR 189/tonne for 2004.

FRESH CUT FLOWERS

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (units)	Aid (EUR/1 000 units)	
A	ex 0603 10 80	Tropical flowers (standard anthurium, alpinas, heliconias, porcelain rose, strelitzias)	2 640 000	150	157
	ex 0604 99 90	Foliage (arecas, cariotas)			
	0602 90 91	Flowering plants with buds or flowers			
C	ex 0603 10 80	Tropical flowers (hybrid anthurium, Canna indica)	2 500 000	300	315
	ex 0603 10 30	Orchids			
	0603 10 10	Roses			
	ex 0604 99 90	Foliage (dracaena, alocasia)			
	0602 90 91	Flowering plants (geranium, pelargonium, begonia, ...)			

ANNEX III

AZORES

Products as referred to in Article 5 of Regulation (EC) No 1453/2001

Maximum quantities as referred to in the fourth subparagraph of Article 5(1) of Regulation (EC) No 1453/2001 per period from 1 January to 31 December

FRUIT AND VEGETABLES

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (tonnes)	Aid (EUR/tonne)	
A	0709 90 90	Other fruit and vegetables not mentioned elsewhere	60 000	100	200
	0701 90	Other potatoes			
	0703 10 19	Shallots			
	0704 10 00	Cauliflowers and headed broccoli			
	0704 90 90	Other cauliflowers not mentioned elsewhere			
	0704 90 10	Red cabbages			
	0704 10	Cauliflowers			
	0704 90 90	Chinese cabbages			
	0709 70 00	Spinach			
	0708 90 00	Other leguminous vegetables			
	0706 10 00	Turnips			
	0713 33	Kidney beans			
	0804 40 00	Avocados			
	0803 00	Bananas			
	0804 50 00	Guavas			
	0805 10	Oranges			
	0805 20	Mandarins/tangerines			
	0805 50	Lemons			
B	0703 90 00	Leeks	10 000	150	300
	0709 40 00	Celery			
	0705	Lettuces and chicory			
	0709 90 20	Chard			
	0706 90 90	Beetroot			
	0714 20	Sweet potatoes			
	0714 90 90	Other potatoes			
	0706 90 90	Radishes			
	0707 00 05	Cucumbers			
	0709 90 60	Sweetcorn			
	0709 60	Peppers			
	0709	Other vegetables			

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (tonnes)	Aid (EUR/tonne)	
C	0709 90	Other	7 000	200	400
	0703 20 00	Garlic			
	0709 90 90	Other			
	0708 10 00	Peas			
	0708 20 00	Green beans			
	0709 90 90	Other			
	0709	Other vegetables not mentioned elsewhere			
	0810	Other fresh fruit			
	0808 10	Apples			
	0810	Kiwi			
	0805 20	Clementines			
	0805 30 90	Limes			
	0807 19 00	Other melons			
	0810	Maracujas			
	0810	Strawberries			
	0810	Other fresh fruit			
	0807 20 00	Papayas			
	0806 10 10	Table grapes			
	0802 40 00	Chestnuts			

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (tonnes)	Aid (EUR/tonne)	
A	0902	Orange pekoe tea	10	1 480	2 960
B	0902	Pekoe tea	10	1 090	2 180
C	0902	Broken leaf tea	5	440	880
A	0904	Peppers	20	230	460
A	0409 00	Honey	110	250	500

LIVE PLANTS AND FLOWERS

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (tonnes)	Aid (EUR/tonne)	

Category A: Bulbs and rhizomes

A1	0601 10	Bulbs and rhizomes with a value of EUR 0,10 to EUR 0,15 each	100 000	0,010	0,015
A2	0601 10	Bulbs and rhizomes with a value of EUR 0,16 to EUR 0,30 each	100 000	0,015	0,020

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (tonnes)	Aid (EUR/tonne)	
Category B: Live flowers, cuttings and grafts					
B1	0602	Live flowers, cuttings and grafts with a value of EUR 1 to EUR 3 each	46 000	0,20	0,25
B2	0602	Live flowers, cuttings and grafts with a value of EUR 3,01 to EUR 5 each	10 000	0,40	0,45
B3	0602	Live flowers, cuttings and grafts with a value of EUR 5,01 to EUR 10 each	1 000	0,70	0,75
B4	0602	Live flowers, cuttings and grafts with a value of EUR 10,01 to EUR 20 each	1 000	1,5	1,75
Category C: Fresh flowers					
C1	0603 10	Fresh flowers with a value of EUR 0,20 to EUR 0,40 each	65 000	0,030	0,035
C2	0603 10	Fresh flowers with a value of EUR 0,41 to EUR 0,70 each	30 000	0,055	0,060
C3	0603 10	Fresh flowers with a value of EUR 0,71 to EUR 1,5 each	25 000	0,22	0,30
C4	0603 10	Fresh flowers with a value greater than EUR 1,5 each	20 000	0,50	0,55
Category D: Foliage, leaves and branches, fresh and dried					
D1	0604	Foliage, leaves and branches, fresh and dried, with a value of EUR 0,05 to EUR 0,15 each	725 000	0,10	0,15
D2	0604	Foliage, leaves and branches, fresh and dried, with a value of EUR 0,16 to EUR 0,30 each	25 000	0,22	0,25
D3	0604	Foliage, leaves and branches, fresh and dried, with a value of EUR 0,31 to EUR 0,50 each	10 000	0,40	0,45
D4	0604	Foliage, leaves and branches, fresh and dried, with a value greater than EUR 0,51 each	10 000	0,50	0,55

ANNEX IV

MADEIRA

Products as referred to in Article 5 of Regulation (EC) No 1453/2001

Maximum quantities as referred to in the fourth subparagraph of Article 5(1) of Regulation (EC) No 1453/2001 per period from 1 January to 31 December

FRUIT AND VEGETABLES

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (tonnes)	Aid (EUR/tonne)	
A	ex 0703 10 19	Other onions	1 500	100	200
	ex 0706 10 00	Carrots			
	ex 0706 10 00	Turnips			
	ex 0706 90 90	Other			
	ex 0714 20	Sweet potatoes			
	ex 0714 90 90	Yam			
	0807 11	Water melons			
B	ex 0703 90 00	Leeks	1 000	125	250
	ex 0704 90 90	Other cabbages			
	ex 0706 90 90	Beetroot			
	ex 0708 90 00	Broad beans			
	0709 90 60	Sweetcorn			
	0709	Other vegetables not mentioned elsewhere			
	0805 10	Oranges			
	0805 50 10	Lemons			
	0808 10	Apples			
	0808 20 50	Pears			
	ex 0809 30	Peaches			
	0809 40 05	Plums			
	0810	Other non tropical fruit not mentioned elsewhere			
C	0702 00 00	Tomatoes	750	150	300
	0704 10 00	Cauliflowers and broccoli			
	ex 0705	Lettuces			
	0707 00 05	Cucumbers			
	0708 10 00	Peas			
	0709 90 10	Salad vegetables			
	0709 90 70	Courgettes			
	ex 0709 90 90	Other fruit and vegetables			
	ex 0802 40 00	Chestnuts			
	0804 30 00	Pineapples			
	ex 0804 40 00	Avocados			
	ex 0804 50 00	Guavas			
	ex 0805 20 50	Mandarins			
	0809 10 00	Apricots			
	0810 50 00	Kiwi			

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (tonnes)	Aid (EUR/tonne)	
D	0703 20 00	Garlic	250	150	300
	0708 20 00	Beans			
	ex 0709 60 10	Sweet peppers			
	ex 0709 90 90	Other fruit and vegetables not mentioned elsewhere			
	0802 31 00	Walnuts in shell			
	ex 0804 50 00	Mangoes			
	0805 20 70	Tangerines			
	0806 10 10	Fresh table grapes			
	0807 20 00	Papayas			
	0809 20 95	Cherries			
	0810 10 00	Strawberries			
	ex 0810 90 40	Passion fruit			
	ex 0810 90 95	Other tropical fruit			
E	0701 90	Potatoes	10 000	80	240

FRESH CUT FLOWERS

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (units)	Aid (EUR/1 000 units)	
A	0603 10 10	Roses	500 000	100	200
	0603 10 20	Carnations			
		Gladioli			
	0603 10 40	Chrysanthemums			
		Other (fresh)			
	0603 10 50	Other (not fresh)			
	0603 10 80				
	0603 90 00				
B	ex 0603 10 80	Heliconias	400 000	120	240
C	0603 10 80	Proteas	150 000	120	240
D	0603 10 30	Orchids	650 000	140	280
	0603 10 80	Anthuriums			
E	0603 10 80	Strelitzias	400 000	140	280

ANNEX V

CANARY ISLANDS

Products as referred to in Article 9 of Regulation (EC) No 1454/2001

Maximum quantities as referred to in the fourth subparagraph of Article 9(1) of Regulation (EC) No 1454/2001 per period from 1 January to 31 December

Amounts of aid as referred to in Article 9(1) of Regulation (EC) No 1454/2001

FRUIT AND VEGETABLES

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (tonnes)	Aid (EUR/tonne)	
A	ex 0703 10	Onions	16 320	40	120
	0704 90	Cabbage			
	0709 90 60	Sweetcorn			
	ex 0709 90 90	Pumpkins			
	ex 0709	Other vegetables not mentioned elsewhere			
	0805 40 00	Grapefruit			
	0805 50 10	Lemons			
	0807 11 00	Water melons			
	ex 0807 19 00	Melons			
B	0703 20 00	Garlic	32 830	90	180
	ex 0703 90 00	Leeks			
	0704 10 00	Cauliflowers			
	0705	Lettuces and chicory			
	ex 0706 10 00	Carrots			
	0707 00 05	Cucumbers			
	0709 30 00	Aubergines			
	0709 40 00	Celery			
	ex 0709 60 10	Peppers			
	0709 90 20	Chard (silver beet) and cardoons			
	0709 90 70	Courgettes			
	0714 20	Sweet potatoes			
	0805 10	Oranges			
	ex 0805 20	Mandarins			
	0806 10 10	Table grapes			
	0808 10	Apples			
	0808 20	Pears			
	0809 10 00	Apricots			
	0809 30	Peaches and nectarines			
	0809 40 05	Plums			
	ex 0810 90 95	Other non-tropical fruit not mentioned elsewhere			

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (tonnes)	Aid (EUR/tonne)	
C	0708 20 00	Green beans	14 550	120	210
	ex 0709 70 00	Spinach			
	ex 0709 90	Cress			
	ex 0802	Almonds			
	0804 20 10	Fresh figs			
	0804 30 00	Pineapples			
	0804 40 00	Avocados			
	ex 0804 50 00	Mangoes			
	0807 20 00	Papayas			
	0810 10 00	Strawberries			
	ex 0810 90 95	Barbary figs and other tropical fruits not mentioned elsewhere			
D	0701 90	Potatoes harvested from 1 April to 31 December	30 000	60	150

FLOWERS AND LIVE PLANTS

Column I	Column II		Column III	Column IV	Column V
Product categories	CN code	Product	Quantities (units)	Aid (EUR/1 000 units)	
Category A: Cuttings					
A	0602 90 45	Cuttings	24 000 000	10	11
Category B: Flowers					
B 1	ex 0603 10	Flowers with a value of EUR 0,07 to EUR 0,15 each	8 000 000	18	19
B 2	ex 0603 10	Flowers with a value of EUR 0,16 to EUR 0,45 each	6 000 000	40	44
B 3	ex 0603 10	Flowers with a value of EUR 0,46 to EUR 1,20 each	1 090 000	60	66
Category C: Plants					
C 1	ex 0602 90	Plants with a value of EUR 0,15 to EUR 0,45 each	2 500 000	45	48
C 2	ex 0602 90	Plants with a value of EUR 0,46 to EUR 1,50 each	1 000 000	222	240
C 3	ex 0602 90	Plants with a value of EUR 1,51 to EUR 3,00 each	750 000	456	480
C 4	ex 0602 90	Plants with a value of EUR 3,01 and above each	500 000	601	637

ANNEX VI

RECOGNITION CRITERIA FOR PRODUCER ORGANISATIONS OTHER THAN FOR CITRUS FRUITS

Member States or specific regions	Producer organisations Article 11(1)(a) categories (i) to (iv)		Producer organisations Article 11(1)(a) categories (vi) and (vii) and Article 11(3)	
	Minimum number of producers	Minimum volume (EUR million)	Minimum number of producers	Minimum volume (EUR million)
Belgium, Germany, Spain (except Balearic Islands and Canaries), France (except overseas departments), Greece ⁽¹⁾ , Italy, Netherlands, Austria, United Kingdom (except Northern Ireland)	40 or 15 or 5	1,5 2,5 3	5	0,25
Denmark, Ireland, Northern Ireland, Greece ⁽²⁾ , Balearic and Canary Islands, Portugal (except Madeira and Azores)	15 or 5	0,5 1		
Finland, Sweden, Greece (<i>Nomoi</i> (regions) other than under ⁽¹⁾ and ⁽²⁾)	10 or 5	0,25 0,5		
Greece (islands), Luxembourg, Madeira and Azores, French overseas departments	5	0,1	5	0,1

⁽¹⁾ *Nomoi*: Imathias, Pellas, Artas, Argolidas, Korinthias, Viotias, Serron, Kavallas.

⁽²⁾ *Nomoi*: Larisas, Magnisias, Karditsas, Evrou, Thessaloniki, Prevezas, Kilkis, Pierias, Lakonias, Kastorias.

**COMMISSION REGULATION (EC) No 44/2003
of 10 January 2003**

amending Regulation (EC) No 2584/2000 establishing a system for the communication of information on certain supplies of beef, veal and pigmeat by road to the territory of the Russian Federation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Commission Regulation (EC) No 2345/2001 ⁽²⁾, and in particular Article 33(12) and Article 41 thereof, and to the corresponding provisions of the other regulations on the common organisation of the markets in agricultural products,

Whereas:

- (1) Article 2 of Protocol 2 on mutual administrative assistance for the correct application of customs legislation annexed to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part ⁽³⁾, provides that the parties are to assist each other in ensuring that customs legislation is correctly applied, in particular by the prevention, detection and investigation of contraventions of that legislation. To implement that administrative assistance, the Commission, represented by the European Anti-Fraud Office (hereinafter referred to as 'OLAF'), and the Russian authorities have concluded an arrangement establishing a mechanism for the communication of information on movements of goods between the Community and the Russian Federation.
- (2) As part of that administrative assistance, Regulation (EC) No 2584/2000 ⁽⁴⁾ laid down, specifically in relation to the transport by road of beef, veal and pigmeat products bound for the Russian Federation, the information which operators must forward to the competent authorities of the Member States and the system for communicating that information between the competent authorities of the Member States, OLAF and the Russian authorities.
- (3) That information and the system of communication introduced will make it possible to trace exports of the products concerned to the Russian Federation and, where appropriate, detect cases in which a refund is not due and must be recovered.
- (4) In view of the success of the system introduced by Regulation (EC) No 2584/2000, the system for the communication of information should be extended to exports of

the products concerned by any type of transport, a means should be devised to enable the exporter to specify more precisely the type of transport employed and a legal value should be conferred on the information obtained through this system.

- (5) Article 16(4) of Commission Regulation (EC) No 800/1999 of 15 April 1999 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽⁵⁾, as last amended by Regulation (EC) No 1253/2002 ⁽⁶⁾, specifies that the Commission may provide in certain specific cases for proof of import to be furnished by specific documents or in some other way. Consequently, for the exports provided for by this Regulation, the information from the Russian authorities should be considered a new source of proof supplementing the existing sources of proof.
- (6) Regulation (EC) No 2584/2000 should accordingly be amended.
- (7) The measures provided for in this Regulation are in accordance with the opinions of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2584/2000 is hereby amended as follows:

1. In the title, the words 'by road' are deleted.
2. In the first subparagraph of Article 1, the words 'by truck' are deleted.
3. Article 2 is replaced by the following:

'Article 2

Exporters wishing to benefit from the provisions referred to in Article 4(2) shall communicate to the central body designated by each Member State of export, for each export declaration, within ten working days of the date of unloading of the products in Russia, the following information:

- (a) the export declaration number, the customs office of export and the date on which the export customs formalities were completed;

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 315, 1.12.2001, p. 29.

⁽³⁾ OJ L 327, 28.11.1997, p. 48.

⁽⁴⁾ OJ L 298, 25.11.2000, p. 16.

⁽⁵⁾ OJ L 102, 17.4.1999, p. 11.

⁽⁶⁾ OJ L 183, 12.7.2002, p. 12.

- (b) a description of the goods, indicating the eight-figure product code of the combined nomenclature;
- (c) the net quantity in kilograms;
- (d) the TIR carnet number or the reference number of the Russian DKD internal transit document, or the number of the TD1/IM40 declaration of release for home use in Russia;
- (e) the container number, if applicable;
- (f) the identification number and/or the name of the means of transport at the time of entry of the consignment in Russia;
- (g) the licence number of the warehouse under customs supervision to which the product was delivered in Russia;

- (h) the date of delivery of the product to the warehouse under customs supervision in Russia.'

4. Article 4(2) is replaced by the following:

'2. Where it is positive, the reply of the Russian authorities, as referred to in Article 3(3), shall be regarded as proof that the customs import formalities have been completed in accordance with Article 16(1) of Regulation (EC) No 800/1999.'

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 to consignments for which export declarations are accepted from 1 June 2003.

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

Done at Brussels, 10 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

COMMISSION REGULATION (EC) No 45/2003**of 10 January 2003****correcting Regulation (EEC) No 1274/91 introducing detailed rules for implementing Regulation (EEC) No 1907/90 on certain marketing standards for eggs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1907/90 of 26 June 1990 on certain marketing standards for eggs ⁽¹⁾, as last amended by Regulation (EC) No 5/2001 ⁽²⁾, and in particular Article 10(3) and Article 20(1) and (4) thereof,

Whereas:

- (1) The text of the Italian version of Article 12(4) of Commission Regulation (EEC) No 1274/91 ⁽³⁾, as amended by Regulation (EC) 1651/2001 ⁽⁴⁾, is incorrect. The Italian version should therefore be corrected.
- (2) According to the last amendment of Regulation (EEC) No 1274/91 the farming methods may be indicated on all eggs and not only on eggs of Grade 'A'. The Swedish version should therefore be corrected accordingly.
- (3) Farming methods may be indicated on all packs containing eggs and not only on small packs. The Dutch version should therefore be corrected accordingly.
- (4) The measurements provided for in this Regulation are in accordance with the opinion of the Management Committee for Poultrymeat and Eggs,

Article 1

Regulation (EEC) No 1274/91 is corrected as follows:

1. for the Italian version only:
in Article 12(4) the words in brackets '(entro un raggio di 20 km dal centro di imballaggio e)' shall be deleted;
2. for the Swedish version only:
in Article 18(1), third line, the words 'av klass "A"' and 'sådana' shall be deleted;
3. for the Dutch version only:
in Article 18(1), second line, the term 'kleine' shall be deleted.

Article 2

This Regulation shall enter into force on the third 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, 10 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 173, 6.7.1990, p. 5.

⁽²⁾ OJ L 2, 5.1.2001, p. 1.

⁽³⁾ OJ L 121, 16.5.1991, p. 11.

⁽⁴⁾ OJ L 220, 15.8.2001, p. 5.

COMMISSION REGULATION (EC) No 46/2003**of 10 January 2003****amending the marketing standards for fresh fruit and vegetables as regards mixes of different types of fresh fruit and vegetables in the same sales package**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 545/2002 ⁽²⁾, and in particular Article 2(2) thereof,

Whereas:

- (1) Under Article 3 of Regulation (EC) No 2200/96, fresh fruit and vegetables covered by marketing standards adopted under Article 2 of that Regulation may be placed on sale, sold, delivered or marketed only where they comply with those marketing standards. All those standards lay down that all the products contained in the same package must be of the same type.
- (2) Packages containing different types of fruit and vegetables are becoming more common on the market in response to demand from certain consumers. All the marketing standards for fresh fruit and vegetables should therefore be amended to authorise this practice under the terms of Commission Regulation (EC) No 48/2003 of 10 January 2003 laying down the rules applicable to mixes of different types of fresh fruit and vegetables in the same sales package ⁽³⁾.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph is added to point A (Uniformity) of Title V (Provisions concerning presentation) in the Annex to the Regulations listed in the Annex to this Regulation:

‘Notwithstanding the preceding provisions in this point, products covered by this Regulation may be mixed, in sales packages of a net weight of less than three kilograms, with different types of fresh fruit and vegetables on the conditions laid down by Commission Regulation (EC) No 48/2003 (*).

(*) OJ L 7, 11.1.2003, p. 65.’

Article 2

This Regulation shall enter into force on the 20th 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, 10 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 84, 28.3.2002, p. 1.

⁽³⁾ See page 65 of this Official Journal.

ANNEX

Commission Regulation (EEC) No 1292/81 ⁽¹⁾, as last amended by Regulation (EC) No 1135/2001 ⁽²⁾.

Commission Regulation (EEC) No 2213/83 ⁽³⁾, as last amended by Regulation (EC) No 1508/2001 ⁽⁴⁾.

Commission Regulation (EEC) No 899/87 ⁽⁵⁾, as last amended by Regulation (EC) No 843/2002 ⁽⁶⁾.

Commission Regulation (EEC) No 1591/87 ⁽⁷⁾, as last amended by Regulation (EC) No 1135/2001.

Commission Regulation (EEC) No 1677/88 ⁽⁸⁾, as last amended by Regulation (EC) No 888/97 ⁽⁹⁾.

Commission Regulation (EEC) No 410/90 ⁽¹⁰⁾, as last amended by Regulation (EC) No 888/97.

Commission Regulation (EC) No 831/97 ⁽¹¹⁾, as last amended by Regulation (EC) No 1167/1999 ⁽¹²⁾.

Commission Regulation (EC) No 1093/97 ⁽¹³⁾, as last amended by Regulation (EC) No 1615/2001 ⁽¹⁴⁾.

Commission Regulation (EC) No 2288/97 ⁽¹⁵⁾.

Commission Regulation (EC) No 963/98 ⁽¹⁶⁾, as last amended by Regulation (EC) No 1135/2001.

Commission Regulation (EC) No 730/1999 ⁽¹⁷⁾.

Commission Regulation (EC) No 1168/1999 ⁽¹⁸⁾, as last amended by Regulation (EC) No 848/2000 ⁽¹⁹⁾.

Commission Regulation (EC) No 1455/1999 ⁽²⁰⁾, as last amended by Regulation (EC) No 2706/2000 ⁽²¹⁾.

Commission Regulation (EC) No 2335/1999 ⁽²²⁾.

Commission Regulation (EC) No 2377/1999 ⁽²³⁾.

Commission Regulation (EC) No 2561/1999 ⁽²⁴⁾, as last amended by Regulation (EC) No 532/2001 ⁽²⁵⁾.

Commission Regulation (EC) No 2789/1999 ⁽²⁶⁾, as last amended by Regulation (EC) No 716/2001 ⁽²⁷⁾.

Commission Regulation (EC) No 790/2000 ⁽²⁸⁾, as last amended by Regulation (EC) No 717/2001 ⁽²⁹⁾.

Commission Regulation (EC) No 851/2000 ⁽³⁰⁾.

Commission Regulation (EC) No 175/2001 ⁽³¹⁾.

Commission Regulation (EC) No 912/2001 ⁽³²⁾.

Commission Regulation (EC) No 1508/2001.

⁽¹⁾ OJ L 129, 15.5.1981, p. 38.

⁽²⁾ OJ L 154, 9.6.2001, p. 9.

⁽³⁾ OJ L 213, 4.8.1983, p. 13.

⁽⁴⁾ OJ L 200, 25.7.2001, p. 14.

⁽⁵⁾ OJ L 88, 31.3.1987, p. 17.

⁽⁶⁾ OJ L 134, 22.5.2002, p. 24.

⁽⁷⁾ OJ L 146, 6.6.1987, p. 36.

⁽⁸⁾ OJ L 150, 16.6.1988, p. 21.

⁽⁹⁾ OJ L 126, 17.5.1997, p. 11.

⁽¹⁰⁾ OJ L 43, 17.2.1990, p. 22.

⁽¹¹⁾ OJ L 119, 8.5.1997, p. 13.

⁽¹²⁾ OJ L 141, 4.6.1999, p. 4.

⁽¹³⁾ OJ L 158, 17.6.1997, p. 21.

⁽¹⁴⁾ OJ L 214, 8.8.2001, p. 21.

⁽¹⁵⁾ OJ L 315, 19.11.1997, p. 3.

⁽¹⁶⁾ OJ L 135, 8.5.1998, p. 18.

⁽¹⁷⁾ OJ L 154, 9.6.2001, p. 9.

⁽¹⁸⁾ OJ L 93, 8.4.1999, p. 14.

⁽¹⁹⁾ OJ L 141, 4.6.1999, p. 5.

⁽²⁰⁾ OJ L 103, 28.4.2000, p. 9.

⁽²¹⁾ OJ L 167, 2.7.1999, p. 22.

⁽²²⁾ OJ L 311, 12.12.2000, p. 35.

⁽²³⁾ OJ L 281, 4.11.1999, p. 11.

⁽²⁴⁾ OJ L 287, 10.11.1999, p. 6.

⁽²⁵⁾ OJ L 310, 4.12.1999, p. 7.

⁽²⁶⁾ OJ L 79, 17.3.2001, p. 21.

⁽²⁷⁾ OJ L 336, 29.12.1999, p. 13.

⁽²⁸⁾ OJ L 100, 11.4.2001, p. 9.

⁽²⁹⁾ OJ L 95, 15.4.2000, p. 24.

⁽³⁰⁾ OJ L 100, 11.4.2001, p. 11.

⁽³¹⁾ OJ L 103, 28.4.2000, p. 22.

⁽³²⁾ OJ L 26, 27.1.2001, p. 24.

Commission Regulation (EC) No 1543/2001 ⁽¹⁾.

Commission Regulation (EC) No 1615/2001 ⁽²⁾.

Commission Regulation (EC) No 1619/2001 ⁽³⁾.

Commission Regulation (EC) No 1799/2001 ⁽⁴⁾, as last amended by Regulation (EC) No 453/2002 ⁽⁵⁾.

Commission Regulation (EC) No 2396/2001 ⁽⁶⁾.

Commission Regulation (EC) No 843/2002.

Commission Regulation (EC) No 982/2002 ⁽⁷⁾.

Commission Regulation (EC) No 1284/2002 ⁽⁸⁾.

⁽¹⁾ OJ L 129, 11.5.2001, p. 4.

⁽²⁾ OJ L 203, 28.7.2001, p. 9.

⁽³⁾ OJ L 214, 8.8.2001, p. 21.

⁽⁴⁾ OJ L 215, 9.8.2001, p. 3.

⁽⁵⁾ OJ L 244, 14.9.2001, p. 12.

⁽⁶⁾ OJ L 72, 14.3.2002, p. 9.

⁽⁷⁾ OJ L 325, 8.12.2001, p. 11.

⁽⁸⁾ OJ L 150, 8.6.2002, p. 45.

COMMISSION REGULATION (EC) No 47/2003
of 10 January 2003
amending Annex I to Council Regulation (EC) No 2200/96

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 545/2002 ⁽²⁾, and in particular Article 2(3) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 2200/96 lists the products which are to be supplied fresh to the consumer and are subject to standards.
- (2) Consumer packaging containing different species of fruit and vegetables are becoming more common on the market and enable demand from certain consumers to be met.
- (3) Fair trading requires fresh fruit and vegetables sold in the same package to be of uniform quality. This makes it necessary to extend the list of products subject to marketing standards to include other products when combined in sales packages with products already on that list.

(4) Annex I to Regulation (EC) No 2200/96 should therefore be amended.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

The following is added to Annex I to Regulation (EC) No 2200/96:

‘Other products referred to in Article 1, when combined in a sales package of a net weight of less than three kilograms with at least one of the products in this Annex.’

Article 2

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

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

Done at Brussels, 10 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 84, 28.3.2002, p. 1.

COMMISSION REGULATION (EC) No 48/2003**of 10 January 2003****laying down the rules applicable to mixes of different types of fresh fruit and vegetables in the same sales package**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 545/2002 ⁽²⁾, and in particular Article 2(2) thereof,

Whereas:

- (1) Packages containing different types of fruit and vegetables are becoming more common on the market in response to demand from certain consumers.
- (2) Fair trading requires that fresh fruit and vegetables sold in the same package must be of uniform quality. This can be ensured for products for which Community standards have not been adopted by recourse to general provisions.
- (3) The marketing standards contain provisions on the labelling of packages containing fruit and vegetables. Labelling requirements should be laid down for mixes of different types of fruit and vegetables in the same package, but these should be less strict than those laid down by the standards to take account, in particular, of the space available on the label. However, in order to prevent consumers from being misled, the same details should be laid down for products not covered by marketing standards as for those that are.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Sales packages of fresh fruit and vegetables of a net weight of three kilograms or less may contain mixes of different types of fresh fruit and vegetables provided that:

- (a) the products are of uniform quality and that each type concerned complies with the standards in accordance with Article 2;

- (b) the package is appropriately marked, in accordance with Article 3; and

- (c) the mix is not such as to mislead the consumer.

Article 2

The products contained in mixes as referred to in Article 1 must be of the same commercial class (Class I, Class II or 'Extra' Class where there is an 'Extra' Class for each of the products in the mix).

Where a mix contains fruit and vegetables not covered by Community marketing standards, those products must be classed either in the same class, in accordance with the Annex.

Article 3

The marking on sales packages as referred to in Article 1 and/or on each package containing them shall show at least the following details:

- (a) name and address or officially issued or accepted code of the packer and/or dispatcher. Where a code mark is used, the reference 'packer and/or dispatcher' (or equivalent abbreviations) must be indicated close to the code mark;
- (b) name of each of the products/types contained in the package;
- (c) name of the variety or of the commercial type for each product contained in the mix for which the Community marketing standard requests it for non-mixed products;
- (d) country of origin of each of the products concerned, next to the name of the products concerned;
- (e) class.

For fruit and vegetables covered by Community marketing standards, these details shall replace the particulars laid down by those standards.

Article 4

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

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 84, 28.3.2002, p. 1.

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

Done at Brussels, 10 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Quality conditions to be satisfied by each product for which there is no Community marketing standard**Minimum quality requirements**

In all classes, and bearing in mind the permitted tolerances (see below), the products must be:

- intact,
- sound; products affected by rotting or deterioration such as to make them unfit for consumption are excluded,
- clean, practically free of any visible foreign matter,
- practically free from pests,
- practically free from damage caused by pests,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

‘Extra’ class

Products in this class must be of superior quality. They must be characteristic of the variety and/or commercial type.

They must be free from defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the product, its quality, keeping quality and presentation in the package.

Class I

Products in this class must be of good quality. They must be characteristic of the variety and/or commercial type.

Slight defects may be allowed, however, provided that they do not affect the general appearance of the product, its quality, keeping quality and presentation in the package.

Class II

This class includes products which do not qualify for inclusion in the higher classes but satisfy the minimum requirements required above.

They may present defects, provided they retain their essential characteristics as regards quality, keeping quality and presentation.

Quality tolerances

Quality tolerances shall be allowed in each package for products not satisfying the requirements of the class indicated.

— ‘Extra’ class

5 % by number or weight of products not satisfying the requirements of the class, but meeting those of Class I or, exceptionally, coming within the tolerances of that class.

— Class I

10 % by number or weight of products not satisfying the requirements of the class, but meeting those of Class II or, exceptionally, coming within the tolerances of that class.

— Class II

10 % by number or weight of products not satisfying the requirements of the class, nor the minimum requirements, with the exception of products affected by rotting or any other deterioration rendering them unfit for consumption.

Uniformity

The products must be of the same origin, variety or commercial class and quality.

COMMISSION REGULATION (EC) No 49/2003
of 10 January 2003
on the issue of licences for the import of garlic in the quarter from 1 December 2002 to 28 February 2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 1881/2002 ⁽²⁾,

Having regard to Commission Regulation (EC) No 565/2002 of 2 April 2002 establishing the method for managing the tariff quotas and introducing a system of certificates of origin for garlic imported from third countries ⁽³⁾, and in particular Article 8(2) thereof,

Whereas:

- (1) The quantities for which licence applications have been lodged by traditional importers and by new importers on 6 and 7 January 2003, under Article 5(2) of Regulation (EC) No 565/2002 exceed the quantities available for products originating in all third countries other than China and Argentina.
- (2) It is now necessary to establish the extent to which the licence applications sent to the Commission on 9 January 2003 can be met and to fix, for each category of importer and product origin, the dates until which the issue of certificates must be suspended,

Article 1

Applications for import licences lodged under Article 3(1) of Regulation (EC) No 565/2000 on 6 and 7 January 2003 and sent to the Commission on 9 January 2003, shall be met at a percentage rate of the quantities applied for as set out in Annex I hereto.

Article 2

For each category of importer and the origin involved, applications for import licences under Article 3(1) of Regulation (EC) No 565/2002 relating to the quarter from 1 December 2002 to 28 February 2003 and lodged after 7 January 2003 but before the date in Annex II hereto, shall be rejected.

Article 3

This Regulation shall enter into force on 11 January 2003.

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

Done at Brussels, 10 January 2003.

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

⁽¹⁾ OJ L 297, 21.11.1996, p. 1.

⁽²⁾ OJ L 285, 23.10.2002, p. 13.

⁽³⁾ OJ L 86, 3.4.2002, p. 11.

ANNEX I

Origin of the products	Percentage allocations		
	China	Third countries other than China or Argentina	Argentina
— traditional importers (Article 2(c) of Regulation (EC) No 565/2002)	—	6,438 %	100 %
— new importers (Article 2(e) of Regulation (EC) No 565/2002)	—	6,438 %	100 %

X: No quota for this origin for the quarter in question.

—: No application for a licence has been sent to the Commission.

ANNEX II

Origin of the products	Dates	
	China	Third countries other than China or Argentina
— traditional importers (Article 2(c) of Regulation (EC) No 565/2002)	28.2.2003	28.2.2003
— new importers (Article 2(e) of Regulation (EC) No 565/2002)	28.2.2003	28.2.2003

COMMISSION REGULATION (EC) No 50/2003**of 10 January 2003****fixing the maximum export refund on wholly milled round grain rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1896/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, 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 1896/2002 ⁽³⁾.(2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, 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 1896/2002 is hereby fixed on the basis of the tenders submitted from 6 to 9 January 2003 at 153,00 EUR/t.

Article 2

This Regulation shall enter into force on 11 January 2003.

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

Done at Brussels, 10 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission⁽¹⁾ OJ L 329, 30.12.1995, p. 18.⁽²⁾ OJ L 62, 5.3.2002, p. 27.⁽³⁾ OJ L 287, 25.10.2002, p. 5.⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

COMMISSION REGULATION (EC) No 51/2003**of 10 January 2003****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 1897/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, 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 1897/2002 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, 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 1897/2002 is hereby fixed on the basis of the tenders submitted from 6 to 9 January 2003 at 156,00 EUR/t.

Article 2

This Regulation shall enter into force on 11 January 2003.

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

Done at Brussels, 10 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 287, 25.10.2002, p. 8.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

COMMISSION REGULATION (EC) No 52/2003**of 10 January 2003****fixing the maximum export refund on wholly milled long grain B rice to certain third countries in connection with the invitation to tender issued in Regulation (EC) No 1898/2002**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, 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 1898/2002 ⁽³⁾.(2) Article 5 of Commission Regulation (EEC) No 584/75 ⁽⁴⁾, as last amended by Regulation (EC) No 1948/2002 ⁽⁵⁾, 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 B rice to be exported to certain third countries pursuant to the invitation to tender issued in Regulation (EC) No 1898/2002 is hereby fixed on the basis of the tenders submitted from 6 to 9 January 2003 at 260,00 EUR/t.

Article 2

This Regulation shall enter into force on 11 January 2003.

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

Done at Brussels, 10 January 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 287, 25.10.2002, p. 11.

⁽⁴⁾ OJ L 61, 7.3.1975, p. 25.

⁽⁵⁾ OJ L 299, 1.11.2002, p. 18.

COMMISSION REGULATION (EC) No 53/2003
of 10 January 2003
determining the world market price for unginned cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginned cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginned cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 ⁽³⁾, as amended by Regulation (EC) No 1486/2002 ⁽⁴⁾. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginned cotton is to be determined in respect of a product of specific characteristics and by reference to the most favourable

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 26,027/100 kg.

Article 2

This Regulation shall enter into force on 11 January 2003.

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

Done at Brussels, 10 January 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

⁽⁴⁾ OJ L 223, 20.8.2002, p. 3.

II

(Acts whose publication is not obligatory)

COUNCIL

**COUNCIL DECISION
of 10 December 2002**

on the fulfilment of the conditions laid down in the Additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, with regard to an extension of the period laid down in Article 8(4) of Protocol 2 to the Europe Agreement

(2003/9/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 87(3)(e) thereof,

Having regard to the Council decision of 29 July 2002 on the signature and provisional application of an Additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, with regard to an extension of the period laid down in Article 8(4) of Protocol 2 to the Europe Agreement,

Having regard to the Additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, with regard to an extension of the period laid down in Article 8(4) of Protocol 2 to the Europe Agreement, and in particular Article 3 thereof,

Having regard to the proposal of the Commission,

Whereas:

- (1) The Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part ⁽¹⁾, was signed on 4 October 1993.
- (2) Article 8(4) of Protocol 2 of the Europe Agreement lays down that during the first five years after the entry into force of the Agreement, and by way of derogation from paragraph 1(iii) of that Article, the Czech Republic may exceptionally, as regards steel products, grant public aid for restructuring purposes, provided that this leads to the viability of the benefiting firms under normal market conditions at the end of the restructuring period; that the amount and intensity of such aid are strictly limited to what is absolutely necessary in order to restore viability

and are progressively reduced; and that the restructuring programme is linked to a global rationalisation and reduction of capacity in the Czech Republic.

- (3) The initial period of five years expired on 31 December 1996.
- (4) The Czech Republic requested an extension of the abovementioned period in February 1998.
- (5) It is appropriate to grant an extension of this period for an additional period of eight years starting on 1 January 1997 or until the date of the Czech Republic's accession to the European Union, whichever comes first.
- (6) To this effect, an Additional Protocol to the Europe Agreement was signed by the Community and the Czech Republic on 9 October 2002 and is provisionally applied from that date.
- (7) Article 1 of the Additional Protocol grants an extension of the abovenamed period, subject to the fulfilment of conditions laid out in Articles 2 and 3 of the Additional Protocol.
- (8) Under Article 2 of the Additional Protocol, the extension of the abovementioned period is made conditional on the submission by the Czech Republic to the Commission of a restructuring programme and business plans which meet the requirements of Article 8(4) of Protocol 2 of the Europe Agreement and have been assessed and agreed by its national State aid monitoring authority (the Office for the Protection of Economic Competition).
- (9) In June, July and September 2002, the Czech Republic submitted to the Commission a restructuring programme and business plans which have been assessed and agreed by the Office for the Protection of Economic Competition.

⁽¹⁾ OJ L 360, 31.12.1994, p. 2.

(10) Under Article 3 of the Additional Protocol, the extension of the abovementioned period is made conditional on a final assessment of the restructuring programme and plans by the Commission.

(11) The Commission has made a final assessment of the restructuring programme and plans submitted by the Czech Republic. The assessment indicates that restructuring aid is necessary to return certain companies in the Czech steel industry to viability. The assessment confirms that implementation of the restructuring programme and plans will lead to the viability of the companies under normal market conditions by the end of the restructuring period; that the amount and intensity of aid are strictly limited to what is absolutely necessary to reach this objective and that restructuring aid to the Czech steel industry will cease by the end of 2003; and that the restructuring programme is linked to a global rationalisation and reduction of overall production capacity in the Czech Republic. The assessment therefore concludes that the restructuring programme and plans submitted by the Czech Republic meet the requirements of Article 8(4) of Protocol 2 to the Europe Agreement.

(12) The conditions laid down in Articles 2 and 3 of the Additional Protocol to the Europe Agreement are accordingly met,

HAS DECIDED AS FOLLOWS:

Sole Article

The restructuring programme and business plans submitted to the Commission by the Czech Republic pursuant to Article 2 of the Additional Protocol to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, with regard to an extension of the period laid down in Article 8(4) of Protocol 2 to the Europe Agreement, are in compliance with the requirements of Article 8(4) of Protocol 2.

Done at Brussels, 10 December 2002.

For the Council

The President

P. S. MØLLER

COMMISSION

COMMISSION RECOMMENDATION

of 10 January 2003

concerning a coordinated programme for the official control of foodstuffs for 2003

(notified under document number C(2002) 5556)

(Text with EEA relevance)

(2003/10/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HEREBY RECOMMENDS:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs⁽¹⁾, and in particular Article 14(3) thereof,

After consultation of the Standing Committee on the Food Chain and Animal Health,

Whereas:

- (1) It is necessary, with a view to the sound operation of the internal market, to arrange for coordinated food inspection programmes at Community level designed to improve the harmonised implementation of the official controls by the Member States.
- (2) Such programmes place emphasis on compliance with Community legislation, the protection of public health, consumer interests and fair trade practices.
- (3) Article 3 of Council Directive 93/99/EEC of 29 October 1993 on the subject of additional measures concerning the official control of foodstuffs⁽²⁾ requires the laboratories referred to in Article 7 of Directive 89/397/EEC to comply with the criteria in European standard EN 45000 series, now replaced by EN ISO 17025:2000.
- (4) The results from simultaneous implementation of national programmes and coordinated programmes may provide information and experience on which to base future control activities and legislation,

1. During 2003 Member States should carry out inspections and controls including, where indicated, taking samples and analysing such samples in laboratories, with the aim of:

- monitoring that olive oils are clearly and correctly labelled according to Community rules,
- assessing the safety of certain fishery products (bacteriological safety of cooked crustaceans and molluscan shellfish and level of histamine in fish species of families *Scombridae*, *Clupeidae*, *Engraulidae* and *Coryphaenidae*).

2. Although sampling and/or inspection rates are not set in this recommendation, Member States should ensure that they are sufficient to provide an overview of the subject under consideration in each Member State.
3. Member States should provide information as requested following the format of the record sheets provided in the Annex to this recommendation to help enhance the comparability of results. This information should be sent to the Commission by 1 May 2004 accompanied by an explanatory report.
4. Foodstuffs submitted for analysis under this programme should be submitted to laboratories complying with the provisions of Article 3 of Directive 93/99/EEC. However, if such laboratories do not exist in Member States for certain analysis included in this recommendation, Member States may also nominate other laboratories providing the capacity to carry out these analyses.

⁽¹⁾ OJ L 186, 30.6.1989, p. 23.

⁽²⁾ OJ L 290, 24.11.1993, p. 14.

5. Labelling of oils from olives

The results of the controls should be recorded on the record sheet model provided in Annex I to this recommendation.

5.1. Scope of the programme

In 2001 a contamination problem of polycyclic aromatic hydrocarbons (PAHs e.g. benzo(a)pyrene) was identified in the low grade oil known as olive-residue oil or pomace oil. In their investigations, the Member States identified a labelling problem for different grades of oils from olives, with confusion between olive-residue oil, olive oil and virgin olive oils. This created difficulties in managing the contamination problem. Incorrect or misleading product labels were found regarding the grade(s) of oil in the products as sold. Moreover, the possible illegal mixing of low grade oils in higher grade products was identified. Not only does this mislead consumers, but it poses a risk to public health where low grade contaminated oil might be present.

The aim of this element of the programme is to verify that oil products from olives are correctly labelled, to ensure that unlawful mixing using lower grade possibly contaminated oils is not practised and which might otherwise pose a health risk to consumers. This will assist in the management of risks from possible contaminated oils as well as helping to avoid misleading the consumer.

5.2. Sampling and method of analysis

The competent authorities of the Member States should carry out controls, including, where possible, documentary checks, at production level before placing on the market, at retail level to cover products for direct sale to consumers and also at appropriate points such as wholesale level to cover products destined for catering use. The purpose of the controls is to verify that labelling of oils from olives is accurate with respect to the grade(s) of oil contained in the product, with reference to Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs ⁽¹⁾, Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organisation of the market in oils and fats ⁽²⁾ and Commission Regulation (EC) No 1019/2002 of 13 June 2002 on marketing standards for olive oil ⁽³⁾.

Samples of products should be taken and analysed to determine the oil components with reference to Commission Regulations (EEC) No 2568/91 ⁽⁴⁾ and (EC) No 796/2002 ⁽⁵⁾.

The overall level of sampling is left to the judgement of the competent authorities of Member States.

6. Safety of fishery products: bacteriological safety of cooked crustaceans and molluscan shellfish

6.1. Scope of the programme

The microbiological quality of cooked crustaceans and molluscan shellfish is often critical. These products are typically able to support the growth of a wide variety of micro-organisms. In addition certain specific features in their production, such as cooking on board in fishing vessels, chilling with seawater, intensive handling and long transports, make them susceptible for undesirable microbiological contamination and growth.

Commission Decision 93/51/EEC ⁽⁶⁾ lays down some microbiological criteria for these products. These criteria include end product criteria for *Staphylococcus aureus* and *Salmonella* as well as process criteria for *Escherichia coli*, thermotolerant coliforms and mesophilic aerobic bacteria. Recently special attention has been paid for human health risk linked to the presence of pathogenic *Vibrio parahaemolyticus* in this type of product. However, there is currently not enough scientific information to set a criterion into Community legislation for this pathogen/commodity combination.

The aim of this element of the programme is to investigate the microbiological safety of cooked crustaceans and shellfish in order to promote a high level of consumer protection and to collect information on the prevalence of pathogenic and indicator microorganisms in these products.

6.2. Sampling and method of analysis

The investigations should concern cooked crustaceans and molluscan shellfish before placing on the market, at production level, and which are already on the market. The competent authorities of the Member States should take representative samples of these products, both at the production level and the retail level, with a view of testing for the presence of *Salmonella* and enumeration of *Staphylococcus aureus*, *Escherichia coli* and total *Vibrio parahaemolyticus* count. The samples, of one hundred grams minimum each, should be handled hygienically, placed in refrigerated containers and sent immediately to the laboratory for analysis.

The overall level of sampling is left to the judgement of the competent authorities of Member States.

⁽¹⁾ OJ L 109, 6.5.2000, p. 29.

⁽²⁾ OJ L 155, 30.9.1966, p. 3025/66.

⁽³⁾ OJ L 155, 14.6.2002, p. 27.

⁽⁴⁾ OJ L 248, 5.9.1991, p. 1.

⁽⁵⁾ OJ L 128, 15.5.2002, p. 8.

⁽⁶⁾ OJ L 13, 21.1.1993, p. 11.

Laboratories are allowed to use a method of their choice provided that its level of performance matches the aim to be achieved. However, the most recent version of standard ISO 6579 is recommended for the detection of *Salmonella*, the most recent version of standard EN/ISO 6888-1,2 is recommended for *Staphylococcus aureus*, the most recent version of standard ISO 16649-1,2,3 for *Escherichia coli* and the most recent version of standard ISO 8914 with MPN technique ⁽¹⁾ is recommended for *Vibrio parahaemolyticus*. Additional equivalent methods recognised by competent authorities may also be used.

The results of these controls should be recorded on the record sheet model provided in the Annex II to this recommendation.

7. Safety of fishery products: levels of histamine in certain fish species

7.1. Scope of the programme

The ingestion of fishery products containing high levels of histamine can cause consumer illness. Histamine and other amines are formed by the growth of certain bacteria as a result of time/temperature abuse and of unhygienic practices during harvesting, storage, processing and distribution of fishery products. Fish of the families *Scombridae*, *Clupeidae*, *Engraulidae*, *Coryphaenidae*, which include the tunas, sardines, mackerel, abalone, etc., are the most implicated in this food poisoning because of their high content of the aminoacid histidine which is considered the precursor of the histamine. Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽²⁾ establishes safety requirements as concern the limits admitted of histamine, sampling and methods of analysis.

The aim of this element of the programme is to verify that fishery products placed on the market do not exceed the limits of histamine established in the Community law in order to ensure a high level of consumer protection.

7.2. Sampling and method of analysis

Member States should carry out controls at the level of auction and wholesale markets, establishments of production and at retail level, in order to verify that fishery products do not exceed the level of histamine as detailed below. The verifications should concern fish of families *Scombridae*, *Clupeidae*, *Engraulidae*, *Coryphaenidae* either fresh or frozen, prepared, processed or preserved.

According to Directive 91/493/EEC, nine samples must be taken from each batch. These must fulfil the following requirements:

- the mean value must not exceed 100 ppm,
- two samples may have a value of more than 100 ppm but less than 200 ppm,
- no sample may have a value exceeding 200 ppm.

However, products which have undergone enzyme ripening treatment in brine may have higher histamine levels but not more than twice the above values.

Examination should be carried out in accordance with reliable scientifically recognised methods, such as high-performance liquid chromatography (HPLC).

The overall level of sampling is left to the judgement of the competent authorities of Member States.

The results of the following controls should be recorded on the record sheet model provided in the Annex III to this recommendation.

Done at Brussels, 10 January 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ Use a 3×3 MPN technique with Alkaline Salt Peptone Water (ASPW) as the enrichment medium as follows. Prepare an initial 10^{-1} suspension of the food, and two decimal dilutions of this (giving 10^{-2} and 10^{-3} suspensions), using ASPW as diluent. For each dilution, add 1 ml to each of three tubes containing 9 ml of single-strength ASPW. Incubation, subculture and identification procedures should be undertaken as in ISO 8914. Any tube yielding confirmed *V. parahaemolyticus* is considered positive. MPN tables can be found in Annex B to ISO 4831. Multiplication of the MPN index by 10 will yield the *V. parahaemolyticus* count per gram.

⁽²⁾ OJ L 268, 24.9.1991, p. 15.

ANNEX II

SAFETY OF FISHERY PRODUCTS
MICROBIOLOGICAL SAFETY OF COOKED CRUSTACEANS AND MOLLUSCAN SHELLFISH

Member State:

	Product identification	Number of samples	Analysis results ⁽¹⁾			Measures taken (number)						
			S	A	U	None	Verbal warning	Written warning	Improved in-house control required	Recall of product required	Administrative penalty	Court action
Bacterial pathogens												
<i>Salmonella</i> spp. n = 5 c = 0 absent in 25 g												
<i>Staphylococcus aureus</i> n = 5 c = 2 m = 100 cfu/g M = 1 000 cfu/g												
<i>Escherichia coli</i> n = 5 c = 1 m = 100 cfu/g M = 1 000 cfu/g												
Total <i>Vibrio parahaemolyticus</i> count ⁽²⁾ n = 5 c = 2 m = 10 cfu/g M = 100 cfu/g												

⁽¹⁾ S = satisfactory, A = acceptable, I = unsatisfactory. As regards *Staphylococcus aureus*, *Escherichia coli* and *Vibrio parahaemolyticus*, the result is satisfactory if all the values observed are < 3 m, acceptable if maximum of c values are between 3 m and 10 m (= M), and unsatisfactory if one or more values is/are > M or more than c values between 3 m and M.

⁽²⁾ The scope of the enquiry is collecting of information on levels of these bacteria in cooked crustacean and molluscs in the EU and the criterion recommended is an indicator for hygiene in production and handling. The criterion should be used only as a guideline.

COMMISSION DECISION
of 10 January 2003
amending Council Directive 85/511/EEC as regards the lists of laboratories authorised to handle
live foot-and-mouth disease virus

(notified under document number C(2002) 5559)

(Text with EEA relevance)

(2003/11/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease⁽¹⁾, as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular the second subparagraph of Article 13(2) thereof,

Whereas:

- (1) The cessation of routine vaccination against foot-and-mouth disease virus in the Community in 1991 has increased the susceptibility of Community herds to this disease. It is therefore essential to ensure that laboratories which handle the virus do so under secure conditions, to avoid the dissemination of the virus which might endanger the Community herds.
- (2) Directive 85/511/EEC lists the national and commercial laboratories authorised to handle the live foot-and-mouth disease virus. That Directive requires those laboratories to comply with the minimum standards recommended by the Food and Agriculture Organisation (FAO) of the United Nations.
- (3) Certain Member States have decided to discontinue the handling of the foot-and-mouth disease virus in certain laboratories, while other Member States have provided the necessary guarantees that the required standards are complied with by laboratories which they have approved

for that purpose. In addition, the details of certain laboratories listed in Directive 85/511/EEC have changed.

- (4) It is therefore necessary to update the lists of laboratories as set out in Annexes A and B to Directive 85/511/EEC.
- (5) Directive 85/511/EEC should therefore be amended accordingly.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Annexes A and B to Council Directive 85/511/EEC are replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 January 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 315, 26.11.1985, p. 11.

ANNEX

‘ANNEX A

Commercial laboratories authorised to handle live foot-and-mouth disease virus for vaccine production

GERMANY	Bayer AG, Köln
FRANCE	Merial, SAS, Laboratoire IFFA, Lyon
NETHERLANDS	CIDC-Lelystad, Central Institute for Animal Disease Control, Lelystad
UNITED KINGDOM	Merial, SAS, Pirbright Laboratory, Pirbright

ANNEX B

National laboratories authorised to handle live foot-and-mouth disease virus

BELGIUM	Veterinary and Agrochemical Research Centre CODA-CERVA-VAR, Uccle
DENMARK	Danish Veterinary Institute, Department of Virology, Lindholm
GERMANY	Bundesforschungsanstalt für Viruskkrankheiten der Tiere — Anstaltsteil Tübingen — Anstaltsteil Friedrich Loeffler Institute, Insel Riems
GREECE	Ινστιτούτο Αφθώδους Πυρετού Αγία Παρασκευή Αττικής
SPAIN	Laboratorio Central de Sanidad Animal INIA (CSIA-INIA), Valdeolmos, Madrid
FRANCE	Agence française de sécurité sanitaire des aliments (AFSSA) — Laboratoire d'études et de recherches en pathologie bovine et hygiène des viandes, Lyon — Laboratoire d'études et de recherches en pathologie animale et zoonoses, Maison-Alfort
ITALY	Istituto zooprofilattico sperimentale della Lombardia e dell'Emilia Romagna, Brescia
NETHERLANDS	CIDC-Lelystad, Central Institute for Animal Disease Control, Lelystad
AUSTRIA	Österreichische Agentur für Gesundheit und Ernährungssicherheit Veterinärmedizinische Untersuchungen Mödling
UNITED KINGDOM	Institute for Animal Health, Pirbright'

COMMISSION DECISION

of 10 January 2003

amending Decision 92/452/EEC establishing lists of embryo collection teams and embryo production teams approved in third countries for export of bovine embryos to the Community as regards the United States of America and Switzerland

(notified under document number C(2002) 5560)

(Text with EEA relevance)

(2003/12/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species OJ L 302, 19.10.1989, p. 1., as last amended by Commission Decision 94/113/EC OJ L 53, 24.2.1994, p. 23., and in particular Article 8 thereof,

(2) Guarantees regarding compliance with the requirements specified in Article 8 of Directive 89/556/EEC have been provided to the Commission by the competent veterinary services of the countries concerned, and they have officially approved the collection teams concerned for exports to the Community.

(3) Decision 92/452/EEC should therefore be amended accordingly.

(4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Whereas:

Article 1

(1) The competent veterinary services of the United States of America and Switzerland have forwarded requests for amendments to the list established by Commission Decision 92/452/EEC OJ L 250, 29.8.1992, p. 40., as last amended by Decision 2002/637/EC OJ L 206, 3.8.2002, p. 29., of teams officially approved in their territory for the export of embryos of domestic animals of the bovine species to the Community.

In the Annex to Decision 92/452/EEC:

- the row for the US team No 96ID083 is deleted;
- the row for US team No 01WI098 is replaced by the following:

'US		01WI098 E 1306		Dairyland Veterinary Practice 370 Flower Court Platerville, WI 53818	Dr Leah Penza'
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3. the following row is added concerning US teams:

'US		02ID106 E 1107		Western Genetics, Inc. 2875 E 3000 N Sugar City, ID 83448	Dr Galen B. Lusk'
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4. the following row is added concerning Switzerland teams:

'CH		CH-ET-1133		Embryotransfer Pokorny Murtenstrasse 22 CH-3177 Laupen	Dr Eli Schipper Dr Norbert Stäuber'
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Article 2

This Decision shall apply as from 31 January 2003.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 10 January 2003.

For the Commission

David BYRNE

Member of the Commission

COMMISSION DECISION
of 10 January 2003
on the temporary admission of horses participating in the pre-Olympic test event in Greece in 2003

(notified under document number C(2002) 5561)

(Text with EEA relevance)

(2003/13/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and imports from third countries of equidae ⁽¹⁾, as last amended by Commission Decision 2002/160/EC ⁽²⁾, and in particular Article 19(ii) thereof,

Whereas:

- (1) In accordance with Commission Decision 92/260/EEC of 10 April 1992 on animal health conditions and veterinary certification for temporary admission of registered horses ⁽³⁾, as last amended by Decision 2002/635/EC ⁽⁴⁾, guarantees must be provided to ensure that uncastrated male horses older than 180 days do not pose a risk as regards the spreading of equine viral arteritis.
- (2) Registered horses participating in the pre-Olympic test event in Athens, Greece, in August 2003 will be under the veterinary supervision of the competent authorities of Greece and the organising Fédération équestre internationale (FEI).
- (3) Certain male horses qualified for the participation in this high level equestrian event may not comply with the requirements laid down in Decision 92/260/EEC as regards equine viral arteritis.
- (4) A derogation from those requirements should therefore be provided for horses temporarily admitted for this sporting event. That derogation should set out conditions excluding any risk of spreading equine viral arteritis.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

Article 1

1. By way of derogation from Decision 92/260/EEC, Member States shall authorise the temporary admission of uncastrated male registered horses for the purpose of participation in the pre-Olympic test event in Athens, Greece, in August 2003 without requiring the guarantees provided for in that Decision as regards equine viral arteritis provided that the conditions set out in paragraph 2 are fulfilled.

2. The animal health certificate established in accordance with Annex II to Decision 92/260/EEC shall comply with the following requirements:

- (a) section III(e)(v) of the applicable certificate, relating to equine viral arteritis, shall be deleted by the official veterinarian who signs the certificate;
- (b) the following words shall be added to that certificate:
'Registered horse admitted in accordance with Commission Decision 2003/13/EC (*).

(*) OJ L 7, 11.1.2003.;

- (c) the following shall be added to the declaration which is attached to that certificate:

'The horse covered by this certificate will not be used for breeding or for the collection of semen during its residence in a Member State of the European Union.

Arrangements have been made to transport the horse out of the European Union without delay after the pre-Olympic test event has ended.'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 January 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 42.

⁽²⁾ OJ L 53, 23.2.2002, p. 37.

⁽³⁾ OJ L 130, 15.5.1992, p. 67.

⁽⁴⁾ OJ L 206, 3.8.2002, p. 20.

COMMISSION DECISION

of 10 January 2003

amending Decision 2001/783/EC as regards the bluetongue protection and surveillance zones and conditions for movements of animals for immediate slaughter*(notified under document number C(2002) 5562)***(Text with EEA relevance)**

(2003/14/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/75/EC of 20 November 2000 laying down specific provisions for the control and eradication of bluetongue ⁽¹⁾, and in particular Article 8(2)(d) and (3), Article 9(1)(c) and Article 12(1), thereof,

Whereas:

- (1) In the light of the evolution of the bluetongue situation in four Member States in 2001, Commission Decision 2001/783/EC of 9 November 2001 on protection and surveillance zones in relation to bluetongue and on rules applicable to movements of animals in and from those zones ⁽²⁾, as last amended by Decision 2002/906/EC ⁽³⁾, was adopted.
- (2) It is clear from the results of the epidemiological survey carried out by Spain that the Balearic Islands are free of bluetongue and therefore, at the request of Spain, they should be deleted from Annex I B to Decision 2001/783/EC.
- (3) As serotype 2 is the only serotype circulating in the provinces of Isernia and Aquila, it is appropriate that the epidemiological situation of those two provinces be considered as equivalent to the one prevailing in Latium and Toscana. Therefore, at the request of Italy, those two provinces should be moved from Annex I A, which lists territories where serotypes 2 and 9 are circulating, to Annex I C which lists territories where only serotype 2 circulates.
- (4) In 2002, during the activity period of the vector and following the vaccination campaigns the virus circulation has been as negligible in regions listed in Annex I B than in regions listed in Annex I C, therefore the two annexes should be aggregated as they are now epidemiologically equivalent.
- (5) Provision should be made for movements of animals to be slaughtered when the risk of contact between those animals and vectors may be ruled out from the point of entry in a non-restricted zone to the slaughterhouse.

(6) Decision 2001/783/EC should therefore be amended accordingly.

(7) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2001/783/EC is amended as follows:

1. in Article 2 the fourth indent is deleted;
2. Article 5(a) is replaced by the following:

‘(a) Either no virus circulation has been demonstrated in an area of at least 20 km surrounding the farm of origin for at least 100 days before the transport;

or, when the vaccination is mandatory in an epidemiologically significant area around the localities of origin of the animals with a coverage of more than 80 % and the animals have been vaccinated for more than 30 days, a case-by-case risk assessment on the possible contact between animals and the vectors during the transport from the entry in a non-restricted zone to the slaughterhouse is made, taking into consideration:

 - (i) the distance from the point of entry in the non restricted zone to the slaughterhouse, and the entomological data on this route;
 - (ii) the period of the day during which the transport takes place in relation with the hours of activity of the vectors;
 - (iii) the possible use of insecticides in compliance with Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products (*).

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

3. Annex I is replaced by the text in the Annex to this Decision.

⁽¹⁾ OJ L 327, 22.12.2000, p. 74.

⁽²⁾ OJ L 293, 10.11.2001, p. 42.

⁽³⁾ OJ L 313, 16.11.2002, p. 30.

Article 2

The Member States shall amend the measures they apply to trade so as to bring them into compliance with this Decision and they shall give immediate appropriate publicity to the measures adopted. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 10 January 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX

'ANNEX I

(protection zones and surveillance zones)

ANNEX I A

Italy:

Sicilia: Agrigento, Caltanissetta, Catania, Enna, Messina, Palermo, Ragusa, Siracusa, Trapani

Calabria: Catanzaro, Cosenza, Crotone, Reggio Calabria, Vibo Valentia

Basilicata: Matera, Potenza

Puglia: Bari, Brindisi, Foggia, Lecce, Taranto

Campania: Avellino, Benevento, Caserta, Napoli, Salerno

ANNEX I B

France:

Corse-du-Sud, Haute-Corse

Italy:

Sardegna: Cagliari, Nuoro, Sassari, Oristano

Lazio: Viterbo, Latina, Frosinone, Roma

Toscana: Grosseto, Livorno, Pisa, Massa-Carrara

Molise: Isernia

Abruzzo: Aquila

ANNEX I C

Greece: all *nomos*.'

COMMISSION DECISION
of 10 January 2003
amending Decision 2002/613/EC as regards the approved semen collection centres of Slovenia

(notified under document number C(2002) 5564)

(Text with EEA relevance)

(2003/15/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/429/EEC of 26 June 1990 laying down the animal health requirements applicable to intra-Community trade in and imports of semen of domestic animals of the porcine species ⁽¹⁾, as last amended by Commission Decision 2000/39/EC ⁽²⁾, and in particular Article 7(1) and Article 8(1) thereof,

Whereas:

- (1) Commission Decision 2002/613/EC ⁽³⁾ establishes a list of third countries from which Member States may authorise the importation of semen of domestic animals of the porcine species and a list of semen collection centres from those third countries approved for the export to the Community.
- (2) Slovenia should be added to the list of third countries from which imports are authorised by Decision 2002/613/EC, following Commission missions and in the light of the situation achieved with regard to animal health in this country.
- (3) The competent veterinary services of Slovenia have sent a list of semen collection centres officially approved for the export of pig semen to the Community.
- (4) Guarantees regarding compliance with the requirements specified in Article 8 of Directive 90/429/EEC have been provided to the Commission by the competent veterinary services of Slovenia, and they have officially approved the collection centres concerned for exports to the Community.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2002/613/EC is amended as follows:

- (a) Slovenia is added to Annex II;

- (b) Slovenia is added to the title of Annex IV;

- (c) in Annex V, the following rows are added for Slovenia:

ISO	Approval number	Name and address of approved centre
SLOVENIA		
SI	SI 593	Semen collection centre for porcine animals, Murska Sobota; Chamber of Agriculture and Forestry of Slovenia, Agriculture and Forestry Centre of Murska Sobota Štefana Kovača 40 9000 Murska Sobota
SI	SI 594	Semen collection centre for porcine animals, Ptuj; Chamber of Agriculture and Forestry of Slovenia, Agriculture and Forestry Centre of Ptuj Ormoška cesta 28 2250 Ptuj

Article 2

This Decision shall apply as from 31 January 2003.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 10 January 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 62.

⁽²⁾ OJ L 13, 19.1.2000, p. 21.

⁽³⁾ OJ L 196, 25.7.2002, p. 45.

COMMISSION DECISION
of 10 January 2003
amending Decision 2000/159/EC on the provisional approval of residue plans of third countries
according to Council Directive 96/23/EC

(notified under document number C(2002) 5565)

(Text with EEA relevance)

(2003/16/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products and repealing Directives 85/358/EEC and 86/469/EEC and Decisions 89/187/EEC and 91/664/EEC ⁽¹⁾, and in particular Article 29 thereof,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽²⁾, as last amended by Regulation (EC) No 1452/2001 ⁽³⁾, and in particular Article 3 thereof,

Whereas:

- (1) Commission Decision 2000/159/EC of 8 February 2000 on the provisional approval of residue plans of third countries according to Council Directive 96/23/EC ⁽⁴⁾, as amended by Decision 2002/336/EC ⁽⁵⁾, lists the third countries which have submitted a plan, setting out the guarantees offered by the third country as regards the monitoring of the groups of residues and substances referred to in Annex I to Directive 96/23/EC.
- (2) Certain third countries have presented residue monitoring plans to the Commission for products and species not originally indicated in the Annex of Decision 2000/159/EC. The evaluation of these monitoring plans and

the additional information requested by the Commission provided sufficient guarantees on the residue monitoring in these third countries for the products or species indicated.

(3) Decision 2000/159/EC should therefore be amended accordingly.

(4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2000/159/EC is amended as set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 January 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 125, 23.5.1996, p. 10.

⁽²⁾ OJ L 302, 31.12.1972, p. 28.

⁽³⁾ OJ L 198, 21.7.2001, p. 11.

⁽⁴⁾ OJ L 51, 24.2.2000, p. 30.

⁽⁵⁾ OJ L 116, 3.5.2002, p. 51.

ANNEX

The Annex to Decision 2000/159/EC is amended as follows:

The rows concerning Belize, Falkland Islands, Mozambique, Namibia, New Caledonia, Taiwan and Venezuela are replaced by the corresponding rows:

ISO code	Country	Bovine	Ovine/caprine	Swine	Equine	Poultry	Aqua-culture	Milk	Eggs	Rabbit	Wild game	Farmed game	Honey
BZ	Belize						X						
EE	Estonia	X	X	X	X ⁽¹⁾	X	X	X	X		X		X
FK	Falkland Islands		X										
MZ	Mozambique						X						
NA	Namibia	X	X				X				X	X	
NC	New Caledonia	X					X				X	X	
TW	Taiwan						X						X
VE	Venezuela						X						

⁽¹⁾ Exports of live horses for slaughter (food-producing animals only).