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## Legislation

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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 399/2001**  
**of 28 February 2001**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 March 2001.

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

Done at Brussels, 28 February 2001.

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

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

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

## ANNEX

**to the Commission Regulation of 28 February 2001 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	100,1
	204	46,7
	212	95,4
	624	127,8
	999	92,5
0707 00 05	052	91,6
	068	133,9
	628	144,3
0709 90 70	999	123,3
	052	106,3
	204	73,6
0805 10 10, 0805 10 30, 0805 10 50	999	89,9
	052	60,8
	204	42,6
	212	49,8
	624	51,9
0805 30 10	999	51,3
	600	62,2
0808 10 20, 0808 10 50, 0808 10 90	999	62,2
	388	111,3
	400	79,8
	404	76,9
	508	91,5
	512	108,6
	720	104,3
	728	101,4
	999	96,3
	0808 20 50	388
400		98,1
512		75,6
528		76,6
999		82,1

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

**COMMISSION REGULATION (EC) No 400/2001**  
**of 28 February 2001**  
**fixing the import duties in the cereals sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 March 2001.

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

Done at Brussels, 28 February 2001.

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

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

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

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

<sup>(4)</sup> OJ L 256, 10.10.2000, p. 13.

## ANNEX I

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

CN code	Description	Import duty by land inland waterway or sea from Mediterranean, the Black Sea or Baltic Sea ports (EUR/tonne)	Import duty by air or by sea from other ports <sup>(2)</sup> (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00	0,00
	medium quality <sup>(1)</sup>	0,00	0,00
1001 90 91	Common wheat seed	0,00	0,00
1001 90 99	Common high quality wheat other than for sowing <sup>(3)</sup>	0,00	0,00
	medium quality	26,95	16,95
	low quality	53,50	43,50
1002 00 00	Rye	45,31	35,31
1003 00 10	Barley, seed	45,31	35,31
1003 00 90	Barley, other <sup>(3)</sup>	45,31	35,31
1005 10 90	Maize seed other than hybrid	66,67	56,67
1005 90 00	Maize other than seed <sup>(3)</sup>	66,67	56,67
1007 00 90	Grain sorghum other than hybrids for sowing	45,31	35,31

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

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

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

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

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

## ANNEX II

**Factors for calculating duties**

(period from 15 February to 27 February 2001)

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

Exchange quotations	Minneapolis	Kansas City	Chicago	Chicago	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	HRW2. 11,5 %	SRW2	YC3	HAD2	Medium quality (*)	US barley 2
Quotation (EUR/t)	128,26	124,49	105,70	91,14	217,95 (**)	207,95 (**)	125,04 (**)
Gulf premium (EUR/t)	43,72	18,91	11,14	12,53	—	—	—
Great Lakes premium (EUR/t)	—	—	—	—	—	—	—

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

(\*\*) Fob Gulf.

## 2. Freight/cost: Gulf of Mexico — Rotterdam: 18,30 EUR/t; Great Lakes — Rotterdam: 29,39 EUR/t.

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



**COMMISSION REGULATION (EC) No 401/2001****of 28 February 2001****fixing the maximum export refund for white sugar for the 29th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1531/2000**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

- (3) Following an examination of the tenders submitted in response to the 29th partial invitation to tender, the provisions set out in Article 1 should be adopted.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the 29th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1531/2000 the maximum amount of the export refund is fixed at 46,011 EUR/100 kg.

*Article 2*

This Regulation shall enter into force on 1 March 2001.

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

Done at Brussels, 28 February 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

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

**COMMISSION REGULATION (EC) No 402/2001**

**of 28 February 2001**

**fixing the representative prices and the additional import duties for molasses in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 March 2001.

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

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

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

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

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

Done at Brussels, 28 February 2001.

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

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ANNEX

**to the Commission Regulation of 28 February 2001 fixing the representative prices and additional import duties to imports of molasses in the sugar sector**

*(in EUR)*

CN code	Amount of the representative price in 100 kg net of the product in question	Amount of the additional duty in 100 kg net of the product in question	Amount of the duty to be applied to imports in 100 kg net of the product in question because of suspension as referred to in Article 5 of Regulation (EC) No 1422/95 <sup>(2)</sup>
1703 10 00 <sup>(1)</sup>	9,14	—	0
1703 90 00 <sup>(1)</sup>	11,13	—	0

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

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

**COMMISSION REGULATION (EC) No 403/2001**  
**of 28 February 2001**  
**altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 346/2001 <sup>(3)</sup>.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 346/2001 to the information known to the Commission that the export refunds at present in

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 2038/1999, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 346/2001 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 March 2001.

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

Done at Brussels, 28 February 2001.

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

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

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

<sup>(3)</sup> OJ L 52, 22.2.2001, p. 6.

## ANNEX

**to the Commission Regulation of 28 February 2001 altering the export refunds on white sugar and raw sugar exported in its unaltered state**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	39,35 <sup>(1)</sup>
1701 11 90 9910	A00	EUR/100 kg	35,23 <sup>(1)</sup>
1701 11 90 9950	A00	EUR/100 kg	<sup>(2)</sup>
1701 12 90 9100	A00	EUR/100 kg	39,35 <sup>(1)</sup>
1701 12 90 9910	A00	EUR/100 kg	35,23 <sup>(1)</sup>
1701 12 90 9950	A00	EUR/100 kg	<sup>(2)</sup>
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4278
1701 99 10 9100	A00	EUR/100 kg	42,78
1701 99 10 9910	A00	EUR/100 kg	42,78
1701 99 10 9950	A00	EUR/100 kg	42,78
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4278

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

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

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

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

**COMMISSION REGULATION (EC) No 404/2001****of 28 February 2001****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 18 of Regulation (EC) No 2038/1999 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Article 3 of Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector <sup>(3)</sup>, provides that the export refund on 100 kilograms of the products listed in Article 1(1)(d) of Regulation (EC) No 2038/1999 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.
- (3) Article 21(3) of Regulation (EC) No 2038/1999 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on sugar used in the chemical industry <sup>(4)</sup>, as last amended by Commission Regulation (EC) No 1888/2000 <sup>(5)</sup>, to the products listed in the Annex to the last mentioned Regulation;
- (4) According to the terms of Article 21(1) of Regulation (EC) No 2038/1999, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said

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

- (5) According to the terms of Article 21(4) of Regulation (EC) No 2038/1999, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.
- (6) Article 18 of Regulation (EC) No 2038/1999 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 2038/1999 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article 1(1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.
- (7) The refunds referred to above must be fixed every month; they may be altered in the intervening period.
- (8) Application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

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

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

<sup>(3)</sup> OJ L 214, 8.9.1995, p. 16.

<sup>(4)</sup> OJ L 94, 9.4.1986, p. 9.

<sup>(5)</sup> OJ L 227, 7.9.2000, p. 15.

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1(1)(d)(f)(g) and (h) of Regulation (EC) No 2038/1999, exported in the natural state, shall be set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 March 2001.

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

Done at Brussels, 28 February 2001.

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

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## ANNEX

**to the Commission Regulation of 28 February 2001 fixing the export refunds on syrups and certain other sugar products exported in the natural state**

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	A00	EUR/100 kg dry matter	42,78 <sup>(2)</sup>
1702 60 10 9000	A00	EUR/100 kg dry matter	42,78 <sup>(2)</sup>
1702 60 80 9100	A00	EUR/100 kg dry matter	81,28 <sup>(4)</sup>
1702 60 95 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4278 <sup>(1)</sup>
1702 90 30 9000	A00	EUR/100 kg dry matter	42,78 <sup>(2)</sup>
1702 90 60 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4278 <sup>(1)</sup>
1702 90 71 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4278 <sup>(1)</sup>
1702 90 99 9900	A00	EUR/1 % sucrose × net 100 kg of product	0,4278 <sup>(1)</sup> <sup>(3)</sup>
2106 90 30 9000	A00	EUR/100 kg dry matter	42,78 <sup>(2)</sup>
2106 90 59 9000	A00	EUR/1 % sucrose × net 100 kg of product	0,4278 <sup>(1)</sup>

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

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

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

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

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

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



**COMMISSION REGULATION (EC) No 405/2001**  
**of 28 February 2001**  
**determining the world market price for unginne cotton and the rate for the aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton, as last amended by Council Regulation (EC) No 1553/95 <sup>(1)</sup>,

Having regard to Council Regulation (EC) No 1554/95 of 29 June 1995 <sup>(2)</sup> laying down general rules for the system of aid for cotton and repealing Regulation (EEC) No 2169/81, as last amended by Regulation (EC) No 1419/98 <sup>(3)</sup>, and in particular Articles 3, 4 and 5 thereof,

Whereas:

- (1) Article 3 of Regulation (EC) No 1554/95 requires a world market price for unginne cotton to be periodically determined from the world market price determined for ginned cotton, using the historical relationship between the two prices as specified in Article 1(2) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules for implementing the system of aid for cotton <sup>(4)</sup>, as last amended by Regulation (EC) No 1624/1999 <sup>(5)</sup>. If it cannot be determined in this way it is to be based on the last price determined.
- (2) Article 4 of Regulation (EC) No 1554/95 requires the world market price for ginned cotton to be determined for a product of specific characteristics using the most favourable offers and quotations on the world market of those considered representative of the real market trend. To this end an average is to be calculated of offers and quotations on one or more European exchanges for a cif product to a North European port from the supplier countries considered most representative as regards international trade. These rules for determination of the world market price for ginned cotton provide for adjust-

ments to reflect differences in product quality and the nature of offers and quotations. These adjustments are specified in Article 2 of Regulation (EEC) No 1201/89.

- (3) Application of the above rules gives the world market price for unginne cotton indicated hereunder.
- (4) The second subparagraph of Article 5(3a) of Regulation (EC) No 1554/95 stipulates that the advance payment rate for the aid is to be the guide price less the world market price and less a further amount calculated by the formula applicable when the guaranteed maximum quantity is based on the revised production estimate for unginne cotton plus at least 7,5 %. Commission Regulation (EC) No 2714/2000 <sup>(6)</sup> fixes the revised production estimate for the 2000/2001 marketing year, and the relevant percentage increase. The application of this method results in the fixing of the advance payment rate for each Member State at the levels set out below,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The world market price for unginne cotton as indicated in Article 3 of Regulation (EC) No 1554/95 is set at 33,962 EUR/100 kg.
2. The advance payment of the aid referred to in Article 5(3a), second subparagraph, of Regulation (EC) No 1554/95 is fixed at:
- 57,775 EUR/100 kg in Spain,
  - 33,326 EUR/100 kg in Greece,
  - 72,338 EUR/100 kg in other Member States.

*Article 2*

This Regulation shall enter into force on 1 March 2001.

<sup>(1)</sup> OJ L 148, 30.6.1995, p. 45.

<sup>(2)</sup> OJ L 148, 30.6.1995, p. 48.

<sup>(3)</sup> OJ L 190, 4.7.1998, p. 4.

<sup>(4)</sup> OJ L 123, 4.5.1989, p. 23.

<sup>(5)</sup> OJ L 192, 24.7.1999, p. 39.

<sup>(6)</sup> OJ L 313, 13.12.2000, p. 7.

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

Done at Brussels, 28 February 2001.

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

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**COMMISSION REGULATION (EC) No 406/2001**  
**of 27 February 2001**  
**establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code <sup>(1)</sup>, as last amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council <sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code <sup>(3)</sup>, as last amended by Regulation (EC) No 1602/2000 <sup>(4)</sup>, and in particular Article 173 (1) thereof,

Whereas:

- (1) Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish

unit values for the products referred to in the classification in Annex 26 to that Regulation.

- (2) The result of applying the rules and criteria laid down in the abovementioned Articles to the elements communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 2 March 2001.

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

Done at Brussels, 27 February 2001.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

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<sup>(1)</sup> OJ L 302, 19.10.1992, p. 1.

<sup>(2)</sup> OJ L 311, 12.12.2000, p. 17.

<sup>(3)</sup> OJ L 253, 11.10.1993, p. 1.

<sup>(4)</sup> OJ L 188, 26.7.2000, p. 1.

## ANNEX

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.10	New potatoes 0701 90 50	a) b) c)	36,79 218,74 334,11	506,23 241,32 1 484,08	71,95 28,97 23,05	274,58 71 234,41	12 536,02 81,07	6 121,26 7 375,63
1.30	Onions (other than seed) 0703 10 19	a) b) c)	14,68 87,28 133,32	201,99 96,29 592,17	28,71 11,56 9,20	109,56 28 423,28	5 002,01 32,35	2 442,45 2 942,96
1.40	Garlic 0703 20 00	a) b) c)	123,80 736,06 1 124,29	1 703,48 812,05 4 993,93	242,12 97,50 77,56	923,95 239 703,26	42 183,62 272,81	20 597,99 24 818,95
1.50	Leeks ex 0703 90 00	a) b) c)	59,29 352,49 538,42	815,78 388,89 2 391,56	115,95 46,69 37,14	442,48 114 792,15	20 201,43 130,65	9 864,23 11 885,62
1.60	Cauliflowers 0704 10 00	a) b) c)	55,28 328,68 502,04	760,67 362,61 2 229,99	108,12 43,54 34,63	412,58 107 037,01	18 836,66 121,82	9 197,82 11 082,64
1.80	White cabbages and red cabbages 0704 90 10	a) b) c)	13,29 79,01 120,68	182,85 87,17 536,06	25,99 10,47 8,33	99,18 25 730,12	4 528,06 29,28	2 211,02 2 664,11
1.90	Sprouting broccoli or calabrese ( <i>Brassica oleracea</i> <i>L. convar. botrytis (L.) Alef var. italica Plenck</i> ) ex 0704 90 90	a) b) c)	74,29 441,71 674,69	1 022,25 487,31 2 996,85	145,30 58,51 46,54	554,46 143 845,50	25 314,32 163,71	12 360,82 14 893,81
1.100	Chinese cabbage ex 0704 90 90	a) b) c)	87,83 522,19 797,62	1 208,52 576,10 3 542,91	171,77 69,17 55,02	655,49 170 055,62	29 926,85 193,54	14 613,08 17 607,61
1.110	Cabbage lettuce (head lettuce) 0705 11 00	a) b) c)	90,36 537,26 820,63	1 243,38 592,72 3 645,11	176,73 71,16 56,61	674,40 174 961,36	30 790,17 199,13	15 034,64 18 115,55
1.130	Carrots ex 0706 10 00	a) b) c)	36,55 217,33 331,96	502,97 239,77 1 474,52	71,49 28,79 22,90	272,81 70 775,12	12 455,20 80,55	6 081,79 7 328,08
1.140	Radishes ex 0706 90 90	a) b) c)	130,69 777,05 1 186,90	1 798,34 857,27 5 272,04	255,61 102,93 81,88	975,41 253 052,09	44 532,79 288,00	21 745,07 26 201,09
1.160	Peas ( <i>Pisum sativum</i> ) 0708 10 00	a) b) c)	262,32 1 559,70 2 382,36	3 609,64 1 720,72 10 582,07	513,06 206,60 164,35	1 957,84 507 927,38	89 386,43 578,08	43 646,81 52 590,96

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
1.170	Beans:							
1.170.1	Beans ( <i>Vigna</i> spp., <i>Phaseolus</i> spp.) ex 0708 20 00	a) b) c)	167,57 996,33 1 521,85	2 305,83 1 099,20 6 759,81	327,74 131,97 104,98	1 250,67 324 463,47	57 099,95 369,28	27 881,53 33 595,05
1.170.2	Beans ( <i>Phaseolus</i> ssp., <i>vulgaris</i> var. <i>Compressus</i> Savi) ex 0708 20 00	a) b) c)	194,71 1 157,70 1 768,32	2 679,28 1 277,22 7 854,61	380,82 153,35 121,99	1 453,22 377 012,49	66 347,67 429,09	32 397,13 39 035,99
1.180	Broad beans ex 0708 90 00	a) b) c)	157,74 937,88 1 432,56	2 170,55 1 034,71 6 363,22	308,51 124,23 98,82	1 177,29 305 427,23	53 749,91 347,61	26 245,73 31 624,03
1.190	Globe artichokes 0709 10 00	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
1.200	Asparagus:							
1.200.1	— green ex 0709 20 00	a) b) c)	549,82 3 269,09 4 993,36	7 565,70 3 606,59 22 179,72	1 075,36 433,02 344,46	4 103,59 1 064 601,71	187 351,47 1 211,65	91 482,50 110 229,19
1.200.2	— other ex 0709 20 00	a) b) c)	397,04 2 360,69 3 605,84	5 463,39 2 604,41 16 016,55	776,54 312,69 248,75	2 963,31 768 776,64	135 291,38 874,96	66 061,90 79 599,37
1.210	Aubergines (eggplants) 0709 30 00	a) b) c)	153,37 911,88 1 392,85	2 110,38 1 006,03 6 186,83	299,96 120,79 96,08	1 144,66 296 961,08	52 260,01 337,98	25 518,22 30 747,44
1.220	Ribbed celery ( <i>Apium graveolens</i> L., var. <i>dulce</i> (Mill.) Pers.) ex 0709 40 00	a) b) c)	78,14 464,58 709,62	1 075,18 512,54 3 152,01	152,82 61,54 48,95	583,17 151 293,17	26 624,98 172,19	13 000,80 15 664,94
1.230	Chantarelles 0709 51 30	a) b) c)	2 154,59 12 810,61 19 567,56	29 647,80 14 133,18 86 915,95	4 214,01 1 696,88 1 349,85	16 080,78 4 171 867,98	734 176,54 4 748,09	358 493,61 431 956,51
1.240	Sweet peppers 0709 60 10	a) b) c)	184,35 1 096,12 1 674,27	2 536,78 1 209,29 7 436,85	360,57 145,19 115,50	1 375,93 356 960,67	62 818,90 406,26	30 674,06 36 959,82
1.270	Sweet potatoes, whole, fresh (intended for human consumption) 0714 20 10	a) b) c)	93,56 556,27 849,67	1 287,38 613,70 3 774,11	182,98 73,68 58,61	698,27 181 152,97	31 879,79 206,17	15 566,69 18 756,63
2.10	Chestnuts ( <i>Castanea</i> spp.), fresh ex 0802 40 00	a) b) c)	176,48 1 049,30 1 602,76	2 428,42 1 157,63 7 119,19	345,16 138,99 110,56	1 317,16 341 712,93	60 135,56 388,91	29 363,80 35 381,06
2.30	Pineapples, fresh ex 0804 30 00	a) b) c)	85,60 508,97 777,42	1 177,91 561,51 3 453,17	167,42 67,42 53,63	638,89 165 748,39	29 168,85 188,64	14 242,96 17 161,64

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.40	Avocados, fresh ex 0804 40 00	a) b) c)	146,43 870,63 1 329,84	2 014,90 960,51 5 906,92	286,39 115,32 91,74	1 092,87 283 525,69	49 895,61 322,69	24 363,70 29 356,34
2.50	Guavas and mangoes, fresh ex 0804 50 00	a) b) c)	101,23 601,89 919,35	1 392,96 664,03 4 083,62	197,99 79,73 63,42	755,53 196 009,39	34 494,26 223,08	16 843,32 20 294,87
2.60	Sweet oranges, fresh:							
2.60.1	— Sanguines and semi-sanguines 0805 10 10	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.2	— Navels, navelines, navelates, salustianas, vernas, Valencia lates, Maltese, shamoutis, ovalis, trovita and hamlins 0805 10 30	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.60.3	— Others 0805 10 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.70	Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:							
2.70.1	— Clementines ex 0805 20 10	a) b) c)	85,91 510,79 780,20	1 182,13 563,52 3 465,54	168,02 67,66 53,82	641,18 166 342,24	29 273,36 189,32	14 293,99 17 223,13
2.70.2	— Monreales and satsumas ex 0805 20 30	a) b) c)	81,70 485,77 741,98	1 124,22 535,92 3 295,77	159,79 64,34 51,19	609,77 158 193,26	27 839,28 180,04	13 593,74 16 379,38
2.70.3	— Mandarines and wilkings ex 0805 20 50	a) b) c)	60,10 357,33 545,81	826,98 394,22 2 424,39	117,54 47,33 37,65	448,55 116 368,08	20 478,77 132,44	9 999,65 12 048,79
2.70.4	— Tangerines and others ex 0805 20 70 ex 0805 20 90	a) b) c)	105,01 624,34 953,64	1 444,91 688,79 4 235,92	205,37 82,70 65,79	783,71 203 319,39	35 780,69 231,40	17 471,48 21 051,75
2.85	Limes ( <i>Citrus aurantifolia</i> , <i>Citrus latifolia</i> ), fresh ex 0805 30 90 ex 0805 90 00	a) b) c)	133,25 792,24 1 210,11	1 833,50 874,04 5 375,13	260,61 104,94 83,48	994,48 258 000,23	45 403,57 293,64	22 170,27 26 713,42
2.90	Grapefruit, fresh:							
2.90.1	— white ex 0805 40 00	a) b) c)	48,58 288,87 441,24	668,54 318,69 1 959,90	95,02 38,26 30,44	362,61 94 072,90	16 555,20 107,07	8 083,80 9 740,34
2.90.2	— pink ex 0805 40 00	a) b) c)	53,91 320,54 489,61	741,84 353,64 2 174,78	105,44 42,46 33,78	402,37 104 387,22	18 370,34 118,81	8 970,12 10 808,29
2.100	Table grapes 0806 10 10	a) b) c)	180,22 1 071,55 1 636,74	2 479,91 1 182,18 7 270,13	352,48 141,94 112,91	1 345,09 348 958,26	61 410,61 397,16	29 986,40 36 131,25

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.110	Water melons 0807 11 00	a) b) c)	60,70 360,89 551,24	835,22 398,15 2 448,54	118,71 47,80 38,03	453,02 117 526,94	20 682,71 133,76	10 099,23 12 168,78
2.120	Melons (other than water melons):							
2.120.1	— Amarillo, cuper, honey dew (including cantalene), onteniente, piel de sapo (including verde liso), rochet, tendral, futuro ex 0807 19 00	a) b) c)	84,28 501,10 765,41	1 159,70 552,83 3 399,81	164,84 66,38 52,80	629,02 163 186,90	28 718,07 185,73	14 022,85 16 896,42
2.120.2	— other ex 0807 19 00	a) b) c)	167,57 996,32 1 521,83	2 305,81 1 099,19 6 759,74	327,74 131,97 104,98	1 250,66 324 460,18	57 099,38 369,28	27 881,25 33 594,71
2.140	Pears							
2.140.1	Pears — nashi ( <i>Pyrus pyrifolia</i> ), Pears — Ya ( <i>Pyrus bretschneideri</i> ) ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.140.2	Other ex 0808 20 50	a) b) c)	— — —	— — —	— — —	— — —	— — —	— — —
2.150	Apricots 0809 10 00	a) b) c)	690,21 4 103,82 6 268,38	9 497,54 4 527,50 27 843,12	1 349,94 543,59 432,42	5 151,40 1 336 438,73	235 190,08 1 521,03	114 841,78 138 375,28
2.160	Cherries 0809 20 95 0809 20 05	a) b) c)	443,51 2 636,97 4 027,84	6 102,78 2 909,21 17 891,00	867,42 349,29 277,86	3 310,11 858 747,94	151 124,77 977,36	73 793,24 88 915,03
2.170	Peaches 0809 30 90	a) b) c)	217,41 1 292,66 1 974,48	2 991,63 1 426,12 8 770,30	425,22 171,22 136,21	1 622,64 420 964,65	74 082,49 479,11	36 174,00 43 586,81
2.180	Nectarines ex 0809 30 10	a) b) c)	155,12 922,32 1 408,80	2 134,55 1 017,54 6 257,67	303,40 122,17 97,18	1 157,77 300 361,37	52 858,40 341,85	25 810,41 31 099,51
2.190	Plums 0809 40 05	a) b) c)	139,92 831,95 1 270,76	1 925,39 917,84 5 644,50	273,67 110,20 87,66	1 044,32 270 929,87	47 678,97 308,35	23 281,33 28 052,16
2.200	Strawberries 0810 10 00	a) b) c)	354,01 2 104,85 3 215,06	4 871,29 2 322,16 14 280,76	692,38 278,81 221,79	2 642,16 685 460,49	120 629,18 780,14	58 902,44 70 972,79
2.205	Raspberries 0810 20 10	a) b) c)	1 632,79 9 708,13 14 828,67	22 467,68 10 710,40 65 866,59	3 193,46 1 285,93 1 022,94	12 186,33 3 161 522,29	556 373,19 3 598,20	271 673,40 327 345,00
2.210	Fruit of the species <i>Vaccinium myrtillus</i> 0810 40 30	a) b) c)	1 545,69 9 190,27 14 037,67	21 269,19 10 139,08 62 353,06	3 023,11 1 217,33 968,38	11 536,27 2 992 877,24	526 694,58 3 406,26	257 181,53 309 883,44
2.220	Kiwi fruit ( <i>Actinidia chinensis</i> Planch.) 0810 50 00	a) b) c)	85,34 507,41 775,04	1 174,30 559,79 3 442,61	166,91 67,21 53,47	636,94 165 241,28	29 079,60 188,06	14 199,38 17 109,13

Code	Description Species, varieties, CN code	Amount of unit values per 100 kg						
		a) b) c)	EUR FIM SEK	ATS FRF BEF/LUF	DEM IEP GBP	DKK ITL	GRD NLG	ESP PTE
2.230	Pomegranates ex 0810 90 85	a)	109,79	1 510,77	214,73	819,43	37 411,66	18 267,87
		b)	652,79	720,19	86,47	212 587,15	241,95	22 011,34
		c)	997,11	4 429,00	68,78			
2.240	Khakis (including sharon fruit) ex 0810 90 85	a)	148,31	2 040,82	290,07	1 106,93	50 537,28	24 677,02
		b)	881,82	972,86	116,81	287 171,88	326,84	29 733,87
		c)	1 346,94	5 982,89	92,92			
2.250	Lychees ex 0810 90 30	a)	181,55	2 498,20	355,08	1 355,01	61 863,57	30 207,58
		b)	1 079,45	1 190,90	142,98	351 532,14	400,09	36 397,75
		c)	1 648,81	7 323,76	113,74			



**COMMISSION REGULATION (EC) No 407/2001**

**of 28 February 2001**

**opening a preferential tariff quota in respect of imports of raw cane sugar originating in the ACP States for supply to refineries in the period 1 March to 30 June 2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the markets in the sugar sector <sup>(1)</sup>, as amended by Commission Regulation (EC) No 1527/2000 <sup>(2)</sup> and in particular Articles 14(2) and 44(6) thereof,

Whereas:

(1) Article 44 of Regulation (EC) No 2038/1999 lays down that, during the marketing years 1995/1996 to 2000/2001 and in order to ensure adequate supplies to Community refineries, a special reduced duty is to be levied on imports of raw cane sugar originating in States with which the Community has concluded supply arrangements on preferential terms. At present such agreements have been concluded, by Council Decision 95/284/EC <sup>(3)</sup>, only with the ACP States party to Protocol 8 on ACP sugar annexed to the fourth ACP-EEC Lomé Convention and with the Republic of India.

(2) The quantities of special preferential sugar to be imported are calculated in accordance with the said Article 44 on the basis of a Community forecast annual supply balance. The balance has indicated the need to import raw sugar and to open at this stage for the 2000/01 marketing year tariff quotas at the special reduced rate of duty as provided for in the above agreements so that the Community refineries' supply needs can be met for part of the year. Commission Regulation (EC) No 1469/2000 <sup>(4)</sup> opened quotas for the period 1 July 2000 to 28 February 2001. The forecasts for raw cane sugar production are now available for the 2000/2001 marketing year. The necessary quotas should therefore be opened for the second part of that year. In view of the presumed maximum refining needs fixed by Member State and the shortfall resulting from the forecast supply balance, provision should be made to

authorise imports for each refining Member State for the period 1 March to 30 June 2001.

- (3) The above agreements lay down that the refiners in question must pay a minimum purchase price equal to the guaranteed price for raw sugar, minus the adjustment aid fixed for the marketing year in question. This minimum price must therefore be fixed by taking account of the factors applying in the 2000/01 marketing year.
- (4) In order to avoid disruption of supplies, it should be laid down that, for the quantities to be imported under Regulation (EC) No 1469/2000 for which no licences have been applied for by 28 February 2001, the Member states concerned shall be authorised to issue those licences after that date in the course of the 2000/2001 marketing year.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the period 1 March to 30 June 2001, a tariff quota of 84 000 tonnes expressed as white sugar originating in the ACP States covered by Decision 95/284/EC is opened in respect of imports of raw cane sugar for refining falling with CN code 1701 11 10.

This tariff quota shall bear the serial number 09.4097.

*Article 2*

1. A reduced duty of EUR 5,41 per 100 kg of standard quality raw sugar shall apply to imports of the quantity referred to in Article 1.

2. Notwithstanding Article 7 of Commission Regulation (EC) No 1916/95 <sup>(5)</sup>, the minimum purchase price to be paid by Community refiners shall be fixed for the period referred to in Article 1 at EUR 49,68 per 100 kg of standard-quality raw sugar.

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

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

<sup>(3)</sup> OJ L 181, 1.8.1995, p. 22.

<sup>(4)</sup> OJ L 165, 6.7.2000, p. 14.

<sup>(5)</sup> OJ L 184, 3.8.1995, p. 18.

*Article 3*

The following Member States are authorised to issue import licences, under the quota fixed in Article 1 and on the terms laid down in Article 2, for the following quantities expressed as white sugar:

- (a) Finland: 15 900 tonnes;
- (b) metropolitan France: 15 500 tonnes;
- (c) mainland Portugal: 47 600 tonnes;
- (d) United Kingdom: 5 000 tonnes.

*Article 4*

The Member States referred to in Article 3 of Regulation (EC) No 1469/2000 shall be authorised, for the quantities listed in that Article for which no applications for import licences have been submitted by 1 March 2001, to issue licences for the import and refining of those quantities up until 30 June 2001.

*Article 5*

This Regulation shall enter into force on 1 March 2001.

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

Done at Brussels, 28 February 2001.

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

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## COMMISSION REGULATION (EC) No 408/2001

of 28 February 2001

## fixing the exchange rate applicable to certain direct aids and measures of a structural or environmental nature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2799/98 of 15 December 1998 establishing agrimonetary arrangements for the euro <sup>(1)</sup>,

Having regard to Commission Regulation (EC) No 1410/1999 of 29 June 1999 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture <sup>(2)</sup>, and in particular Article 2 thereof,

Whereas:

(1) Under Article 42 of Commission Regulation (EC) No 2342/1999 of 28 October 1999 laying down detailed rules for the application of Council Regulation (EC) No 1254/1999 on the common organisation of the market of beef and veal as regards premium schemes <sup>(3)</sup>, as last amended by Regulation (EC) No 192/2001 <sup>(4)</sup> the date of submission of the application constitutes the operative event for determining the year to which animals covered by the premium schemes in the beef and veal sector are allocated. Under Article 43 of that Regulation conversion into national currency of the premium amounts is carried out in accordance with the average, calculated *pro rata temporis*, of the exchange rates applicable in the month of December preceding the allocation year.

(2) Under Article 4(2) of Commission Regulation (EC) No 2808/98 of 22 December 1998 laying down detailed rules for the application of the agrimonetary system for the euro in agriculture <sup>(5)</sup>, as last amended by Regulation (EC) No 2452/2000 <sup>(6)</sup>, the operative event for the exchange rate in the case of amounts of a structural or environmental nature is 1 January of the year during which the decision to grant the aid is taken. Under Article 4(3) of that Regulation, as amended by Regulation (EC) No 1410/1999, the exchange rate to be used is the average of the exchange rates applicable during the

month preceding the date of the operative event, calculated *pro rata temporis*.

(3) Under Article 12 of Commission Regulation (EC) No 293/98 of 4 February 1998 determining the operative events applicable to products in the fruit and vegetables sector, to processed fruit and vegetable products and partly to live plants and floricultural products and to certain products listed in Annex I to the EC Treaty, and repealing Regulation (EEC) No 1445/93 <sup>(7)</sup>, as last amended by Regulation (EC) No 1410/1999, the conversion rate to be applied for the conversion each year into national currency of the maximum aid per hectare to improve the quality and marketing of nuts and locust beans fixed in Article 2 of Council Regulation (EEC) No 790/89 <sup>(8)</sup>, as last amended by Commission Regulation (EC) No 1825/97 <sup>(9)</sup>, is the average of the exchange rates applicable during the month before 1 January of the annual reference period within the meaning of Article 19 of Commission Regulation (EEC) No 2159/89 <sup>(10)</sup>, as last amended by Regulation (EC) No 1363/95 <sup>(11)</sup>, calculated *pro rata temporis*.

(4) Under Article 6(2) of Commission Regulation (EEC) No 2700/93 of 30 September 1993 on detailed rules for the application of the premium in favour of sheepmeat and goatmeat producers <sup>(12)</sup>, as last amended by Regulation (EC) No 1410/1999, the conversion rate to be applied to the amount of the balance of the premium in the sheepmeat sector is the average of the exchange rates applicable during the month before the last day of the marketing year in respect of which the premium is granted, calculated *pro rata temporis*.

(5) Under Article 6(1) of Regulation (EEC) No 2700/93, the conversion rate to be applied to the amount of the advance payment in the sheepmeat sector is the average of the exchange rates applicable during the month before the first day of the marketing year in respect of which the premium is granted, calculated *pro rata temporis*.

(6) The Council has established the irrevocably fixed exchange rate between the Greek drachma and the euro in Regulation (EC) No 1478/2000 of 19 June 2000 amending Regulation (EC) No 2866/98 on the conversion rate between the euro and the currencies of the Member States adopting the euro <sup>(13)</sup>. This rate is valid with effect from 1 January 2001 and applies to the measures having an operative event on or after that date. Regulation (EC) No 1410/1999 no longer applies to these measures as a result,

<sup>(1)</sup> OJ L 349, 24.12.1998, p. 1.

<sup>(2)</sup> OJ L 164, 30.6.1999, p. 53.

<sup>(3)</sup> OJ L 281, 4.11.1999, p. 30.

<sup>(4)</sup> OJ L 29, 31.1.2001, p. 27.

<sup>(5)</sup> OJ L 349, 24.12.1998, p. 36.

<sup>(6)</sup> OJ L 282, 8.11.2000, p. 9.

<sup>(7)</sup> OJ L 30, 5.2.1998, p. 16.

<sup>(8)</sup> OJ L 85, 30.3.1989, p. 6.

<sup>(9)</sup> OJ L 260, 23.9.1997, p. 9.

<sup>(10)</sup> OJ L 207, 19.7.1989, p. 19.

<sup>(11)</sup> OJ L 132, 16.6.1995, p. 8.

<sup>(12)</sup> OJ L 245, 1.10.1993, p. 99.

<sup>(13)</sup> OJ L 167, 7.7.2000, p. 1.

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The conversion rate to be applied to:

- the amounts of premiums in the beef and veal sector referred to in Council Regulation (EC) No 1254/1999 <sup>(1)</sup>,
- the maximum aid per hectare to improve marketing in the nuts and locust beans sector fixed in Article 2 of Regulation (EEC) No 790/89,
- the amount of the advance payment referred to in the second subparagraph of Article 5(6) of Council Regulation (EC) No 2467/98 <sup>(2)</sup> and the amount of the deduction referred to in Article 4 of Council Regulation (EEC) No 3493/90 <sup>(3)</sup>, and

— the amounts of a structural or environmental nature referred to in Article 5 of Regulation (EC) No 2799/98, is set out in Annex I.

2. The conversion rate to be applied to the amount of the premium and of the balance referred to in the fourth subparagraph of Article 5(6) of Regulation (EC) No 2467/98 and to the amount of the deduction referred to in Article 4 of Regulation (EEC) No 3493/90 is set out in Annex II.

*Article 2*

This Regulation shall enter into force on the seventh 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, 28 February 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 160, 26.6.1999, p. 21.

<sup>(2)</sup> OJ L 312, 20.11.1998, p. 1.

<sup>(3)</sup> OJ L 337, 4.12.1990, p. 7.

## ANNEX I

**Conversion rate referred to in Article 1(1)***EUR 1 = (average 1.12.1999 to 31.12.1999)*

7,45834	Danish krone
8,68177	Swedish krona
0,614545	Pound sterling

## ANNEX II

**Conversion rate referred to in Article 1(2)***EUR 1 = (average 30.11.2000 to 30.12.2000)*

7,45819	Danish krone
340,690	Greek drachma
8,67698	Swedish krona
0,613990	Pound sterling

**COMMISSION REGULATION (EC) No 409/2001**  
**of 28 February 2001**  
**amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the**  
**system of import and export licences for cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

*Article 1*

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EC) No 1666/2000 <sup>(2)</sup>, and in particular Article 13(11) thereof,

The following Article 7a is added to Regulation (EC) No 1162/95:

*'Article 7a*

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice <sup>(3)</sup>, as last amended by Regulation (EC) No 1667/2000 <sup>(4)</sup>, and in particular Articles 9(2) and 13(15) thereof,

1. The following provisions shall apply to exports to Poland of products falling within CN codes 1101 90, 1101, 1102 and ex 2302, with the exception of products falling within CN code 2302 50, referred to in Article 1(1) of Regulation (EEC) No 1766/92.

Whereas:

2. Exports as referred to in paragraph 1 shall be subject to the presentation to the competent authorities of Poland of a certified copy of the export licence issued in accordance with Article 7(3a) and with this Article, and a duly endorsed copy of the export declaration for each consignment. The goods shall not have been exported previously to another third country.

(1) Council Regulation (EC) No 2851/2000 <sup>(5)</sup> establishes certain concessions in the form of Community tariff quotas for certain agricultural products and provides for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Poland. The abolition of refunds for common wheat, flour and bran exported to Poland is one of the concessions.

3. Licences shall contain:

(2) The Polish authorities have undertaken to ensure that only the consignments of Community products falling within CN codes 1001 90, 1101, 1102 and ex 2302 on which no refund has been granted are allowed for import into Poland. To that end, an Article should be inserted in Commission Regulation (EC) No 1162/95 <sup>(6)</sup>, as last amended by Regulation (EC) No 2110/2000 <sup>(7)</sup>, providing for the obligation to present a certified copy of the export licence, including specific information guaranteeing that no export refund has been granted on the products referred to. To establish a link between the products imported and those indicated on the export licence, operators are required, on import into Poland, to present a certified copy of the export declaration bearing specific information referring to the export licence.

- (a) in box 7, the word "Poland";
- (b) in box 15, a description of the goods in accordance with the Combined Nomenclature;
- (c) in box 16, the eight-figure Combined Nomenclature code and the quantity in tonnes for each product referred to in box 15;
- (d) in boxes 17 and 18, the total quantity of the products referred to in box 16;
- (e) in box 20, one of the following:

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

- Exportación a Polonia. Artículo 7 bis del Reglamento (CE) n° 1162/95
- Udførsel til Polen. Artikel 7a i forordning (EF) nr. 1162/95
- Ausfuhr nach Polen. Artikel 7a der Verordnung (EG) Nr. 1162/95
- Εξαγωγή στην Πολωνία. Άρθρο 7α του κανονισμού (ΕΚ) αριθ. 1162/95
- Export to Poland. Article 7a of Regulation (EC) No 1162/95
- Exportation en Pologne. Article 7 bis du règlement (CE) n° 1162/95
- Esportazione in Polonia. Articolo 7 bis del regolamento (CE) n. 1162/95
- Uitvoer naar Polen. Artikel 7 bis van Verordening (EG) nr. 1162/95

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

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

<sup>(3)</sup> OJ L 329, 30.12.1995, p. 18.

<sup>(4)</sup> OJ L 193, 29.7.2000, p. 3.

<sup>(5)</sup> OJ L 332, 28.12.2000, p. 7.

<sup>(6)</sup> OJ L 117, 24.5.1995, p. 2.

<sup>(7)</sup> OJ L 250, 5.10.2000, p. 23.

- Exportação para a Polónia. Artigo 7.ºA do Regulamento (CE) n.º 1162/95
  - Vienti Puolaan. Asetuksen (EY) N:o 1162/95 7 a artikla
  - Export till Polen. Artikel 7a i förordning (EG) nr 1162/95;
- (f) in box 22, in addition to the words provided for in Article 7(3a), one of the following:
- Sin restitución por exportación
  - Uden eksportrestitution
  - Ohne Ausfuhrerstattung
  - Χωρίς επιστροφή κατά την εξαγωγή
  - No export refund
  - Sans restitution à l'exportation
  - Senza restituzione all'esportazione
  - Zonder uitvoerrestitutie
  - Sem restituição à exportação

- Ilman vientitukea
- Utan exportbidrag;

(g) Licences shall be valid only for the products and quantities thus specified.

4. Licences issued under this Article shall carry with them an obligation to export to the destination indicated in box 7.

5. At the request of the party concerned, a certified copy of the endorsed licence shall be issued.

6. On the first Monday of each month the competent authorities of the Member States shall notify the Commission of the quantities for which licences have been issued broken down by combined nomenclature code.'

#### *Article 2*

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

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

Done at Brussels, 28 February 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 410/2001**

**of 28 February 2001**

**fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 15 May 1999 on the common organisation of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EC) No 1670/2000 <sup>(2)</sup>, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund. Whereas Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds <sup>(3)</sup>, as amended by Regulation (EC) No 2390/2000 <sup>(4)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999.

(2) In accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.

(3) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products.

(4) Article 11(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(5) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs <sup>(5)</sup>, as last amended by Regulation (EC) No 635/2000 <sup>(6)</sup>, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1 of Regulation (EC) No 1255/1999, exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 March 2001.

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

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 10.

<sup>(3)</sup> OJ L 177, 15.7.2000, p. 1.

<sup>(4)</sup> OJ L 276, 28.10.2000, p. 3.

<sup>(5)</sup> OJ L 350, 20.12.1997, p. 3.

<sup>(6)</sup> OJ L 76, 25.3.2000, p. 9.



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

Done at Brussels, 28 February 2001.

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

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## ANNEX

**to the Commission Regulation of 28 February 2001 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty**

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):	
	(a) On exportation of goods of CN code 3501	—
	(b) On exportation of other goods	15,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):	
	(a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	34,88
	(b) On exportation of other goods	68,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):	
	(a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	75,00
	(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	177,25
	(c) On exportation of other goods	170,00

**COMMISSION REGULATION (EC) No 411/2001****of 28 February 2001****fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2038/1999 of 13 September 1999 on the common organisation of the market in sugar <sup>(1)</sup>, as amended by Commission Regulation (EC) No 1527/2000 <sup>(2)</sup>, and in particular Article 18(5)(a) and (15),

Whereas:

- (1) Article 18(1) and (2) of Regulation (EEC) No 1785/81 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds <sup>(3)</sup>, as amended by Regulation (EC) No 2390/2000 <sup>(4)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EC) No 2038/1999.
- (2) In accordance with Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (3) Article 18(3) of Regulation (EC) No 2038/1999 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not

exceed the refund applicable to that product when exported without further processing.

- (4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (5) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardized by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.
- (6) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1(1) and (2) of Regulation (EC) No 2038/1999, exported in the form of goods listed in Annex I to Regulation (EC) No 2038/1999, are fixed as shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 March 2001.

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

Done at Brussels, 28 February 2001.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

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

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

<sup>(3)</sup> OJ L 177, 15.7.2000, p. 1.

<sup>(4)</sup> OJ L 276, 28.10.2000, p. 3.

## ANNEX

**to the Commission Regulation of 28 February 2001 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

Product	Rate of refund in EUR/100 kg	
	In case of advance fixing of refunds	Other
White sugar:	42,78	42,78

**COMMISSION REGULATION (EC) No 412/2001**  
**of 28 February 2001**  
**fixing the import duties in the rice sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 March 2001.

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

Done at Brussels, 28 February 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ L 193, 29.7.2000, p. 3.

<sup>(3)</sup> OJ L 189, 30.7.1996, p. 71.

<sup>(4)</sup> OJ L 351, 29.12.1998, p. 25.

## ANNEX I

## Import duties on rice and broken rice

(EUR/t)

CN code	Duties (€)				
	Third countries (except ACP and Bangladesh) (1)	ACP (1) (2) (3)	Bangladesh (4)	Basmati India and Pakistan (5)	Egypt (6)
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	264,00	88,06	127,66		198,00
1006 20 13	264,00	88,06	127,66		198,00
1006 20 15	264,00	88,06	127,66		198,00
1006 20 17	219,29	72,41	105,30	0,00	164,47
1006 20 92	264,00	88,06	127,66		198,00
1006 20 94	264,00	88,06	127,66		198,00
1006 20 96	264,00	88,06	127,66		198,00
1006 20 98	219,29	72,41	105,30	0,00	164,47
1006 30 21	(7)	133,21	193,09		312,00
1006 30 23	(7)	133,21	193,09		312,00
1006 30 25	(7)	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	(7)	133,21	193,09		312,00
1006 30 44	(7)	133,21	193,09		312,00
1006 30 46	(7)	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	(7)	133,21	193,09		312,00
1006 30 63	(7)	133,21	193,09		312,00
1006 30 65	(7)	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	(7)	133,21	193,09		312,00
1006 30 94	(7)	133,21	193,09		312,00
1006 30 96	(7)	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

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

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

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

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

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

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

(7) Duties fixed in the Common Customs Tariff.

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

## ANNEX II

**Calculation of import duties for rice**

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	( <sup>1</sup> )	219,29	416,00	264,00	416,00	( <sup>1</sup> )
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	317,74	264,99	261,92	267,33	—
(b) fob price (EUR/tonne)	—	—	—	229,18	234,59	—
(c) Sea freight (EUR/tonne)	—	—	—	32,74	32,74	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(<sup>1</sup>) Duties fixed in the Common Customs Tariff.

**COMMISSION REGULATION (EC) No 413/2001**  
**of 28 February 2001**  
**altering the corrective amount applicable to the refund on malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The corrective amount applicable to the refund on malt was fixed by Commission Regulation (EC) No 225/2001 <sup>(3)</sup>.
- (2) On the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market

into account, the corrective amount at present applicable to the refund on malt should be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 March 2001.

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

Done at Brussels, 28 February 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ L 31, 2.2.2001, p. 15.



## ANNEX

**to the Commission Regulation of 28 February 2001 altering the corrective amount applicable to the refund on malt**

(EUR/t)

Product code	Destination	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	0	-1,27	-2,54	-3,81	-5,08	-6,35
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	0	-1,27	-2,54	-3,81	-5,08	-6,35
1107 20 00 9000	A00	0	-1,49	-2,98	-4,47	-5,96	-7,45

(EUR/t)

Product code	Destination	6th period 9	7th period 10	8th period 11	9th period 12	10th period 1	11th period 2
1107 10 11 9000	A00	0	0	0	0	0	0
1107 10 19 9000	A00	-7,62	—	—	—	—	—
1107 10 91 9000	A00	0	0	0	0	0	0
1107 10 99 9000	A00	-7,62	—	—	—	—	—
1107 20 00 9000	A00	-8,94	—	—	—	—	—

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

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

**COMMISSION REGULATION (EC) No 414/2001**  
**of 28 February 2001**  
**amending the corrective amount applicable to the refund on cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) The corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 269/2001 <sup>(3)</sup>, as amended by Regulation (EC) No 351/2001 <sup>(4)</sup>.
- (2) On the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered.

- (3) The corrective amount must be fixed according to the same procedure as the refund. It may be altered in the period between fixings,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 March 2001.

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

Done at Brussels, 28 February 2001.

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

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

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

<sup>(3)</sup> OJ L 39, 9.2.2001, p. 25.

<sup>(4)</sup> OJ L 52, 22.2.2001, p. 17.

## ANNEX

## to the Commission Regulation of 28 February 2001 altering the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8	6th period 9
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C01	0	0,00	0,00	0,00	—	—	—
1002 00 00 9000	A00	0	0,00	0,00	0,00	—	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	0	-1,00	-2,00	-2,00	—	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	0,00	0,00	0,00	—	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	-1,00	-2,00	-3,00	-4,00	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	C01	0	0,00	0,00	0,00	—	—	—
1101 00 15 9130	C01	0	0,00	0,00	0,00	—	—	—
1101 00 15 9150	C01	0	0,00	0,00	0,00	—	—	—
1101 00 15 9170	C01	0	0,00	0,00	0,00	—	—	—
1101 00 15 9180	C01	0	0,00	0,00	0,00	—	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	C01	0	0,00	0,00	0,00	—	—	—
1102 10 00 9700	C01	0	0,00	0,00	0,00	—	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	-1,50	-3,00	-3,00	—	—	—
1103 11 10 9400	A00	0	-1,34	-2,68	-2,68	—	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	-1,37	-2,74	-2,74	—	—	—
1103 11 90 9800	—	—	—	—	—	—	—	—

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

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

The other destinations are as follows:

C01 All destinations except for Poland.

**COMMISSION REGULATION (EC) No 415/2001**  
**of 28 February 2001**  
**amending representative prices and additional duties for the import of certain products in the**  
**sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Commission Regulation (EC) No 1423/95 of 23 June 1995 laying down detailed implementing rules for the import of products in the sugar sector other than molasses <sup>(3)</sup>, as last amended by Regulation (EC) No 624/98 <sup>(4)</sup>, and in particular the second subparagraph of Article 1(2), and Article 3(1) thereof,

Whereas:

- (1) The amounts of the representative prices and additional duties applicable to the import of white sugar, raw sugar and certain syrups are fixed by Commission Regulation

(EC) No 1411/2000 <sup>(5)</sup>, as last amended by Regulation (EC) No 398/2001 <sup>(6)</sup>.

- (2) It follows from applying the general and detailed fixing rules contained in Regulation (EC) No 1423/95 to the information known to the Commission that the representative prices and additional duties at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The representative prices and additional duties on imports of the products referred to in Article 1 of Regulation (EC) No 1423/95 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 March 2001.

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

Done at Brussels, 28 February 2001.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

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

<sup>(3)</sup> OJ L 141, 24.6.1995, p. 16.

<sup>(4)</sup> OJ L 85, 20.3.1998, p. 5.

<sup>(5)</sup> OJ L 161, 1.7.2000, p. 22.

<sup>(6)</sup> OJ L 58, 28.2.2001, p. 19.

## ANNEX

**to the Commission Regulation of 28 February 2001 amending representative prices and the amounts of additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99**

(EUR)

CN code	Amount of representative prices per 100 kg net of product concerned	Amount of additional duty per 100 kg net of product concerned
1701 11 10 <sup>(1)</sup>	24,57	4,01
1701 11 90 <sup>(1)</sup>	24,57	9,25
1701 12 10 <sup>(1)</sup>	24,57	3,82
1701 12 90 <sup>(1)</sup>	24,57	8,82
1701 91 00 <sup>(2)</sup>	24,24	13,44
1701 99 10 <sup>(2)</sup>	24,24	8,59
1701 99 90 <sup>(2)</sup>	24,24	8,59
1702 90 99 <sup>(3)</sup>	0,24	0,40

<sup>(1)</sup> For the standard quality as defined in Article 1 of amended Council Regulation (EEC) No 431/68 (OJ L 89, 10.4.1968, p. 3).

<sup>(2)</sup> For the standard quality as defined in Article 1 of Council Regulation (EEC) No 793/72 (OJ L 94, 21.4.1972, p. 1).

<sup>(3)</sup> By 1 % sucrose content.

**COUNCIL REGULATION (EC) No 416/2001****of 28 February 2001****amending Regulation (EC) No 2820/98 applying a multiannual scheme of generalised tariff preferences for the period 1 July 1999 to 31 December 2001 so as to extend duty-free access without any quantitative restrictions to products originating in the least developed countries**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) Article 6 of Council Regulation (EC) No 2820/98 of 21 December 1998 applying a multiannual scheme of generalised tariff preferences for the period 1 July 1999 to 31 December 2001 <sup>(1)</sup> provides for more favourable tariff treatment for the least developed countries.
- (2) The Community's multiannual scheme of generalised tariff preferences has to be reviewed before the end of 2001 in order to decide what amendments are required for the last phase of the ten-year period of the scheme up to 2004.
- (3) At the Singapore ministerial conference in December 1996 the World Trade Organisation (WTO) member countries pledged to carry out an action plan to improve access to their markets for products originating in the least developed countries.
- (4) On 2 June 1997 the Council, on the basis of a Commission communication of 16 April 1997, adopted conclusions calling for the Singapore conclusions to be implemented by granting least developed countries not party to the Lomé Convention preferences equivalent to those enjoyed by signatories and, in the medium term, duty-free access for essentially all least developed country products.
- (5) Regulation (EC) No 602/98 <sup>(2)</sup> granted least developed countries (LDCs) not party to the Lomé Convention preferences equivalent to those enjoyed by signatories to the Convention.
- (6) Article 37(9) of the Partnership Agreement between the Members of the African, Caribbean and Pacific States, of the one part, and the European Community and its Member States, of the other part, signed at Cotonou (Benin) on 23 June 2000 and put into early application by Decision No 1/2000 of the ACP-EC Council of Ministers <sup>(3)</sup>, states that, by the year 2000, the Community

will start a process which, by the end of multilateral trade negotiations and at the latest 2005, will allow duty-free access for essentially all products from all LDCs, building on the level of the existing trade provisions of the fourth ACP-EC Convention.

- (7) In the light of the real risk of the LDCs becoming increasingly marginalised in the world economy, the Community must go even further than these undertakings and grant all products from LDCs, except arms and munitions, duty-free access without quantitative restrictions immediately.
- (8) In the light of the fact that the arrangements for the common organisation of the markets in sugar, rice and bananas are currently being revised or are due to be revised, the Regulations regarding these reforms will have to take account of duty-free access for the LDCs from the outset when they establish new general import arrangements.
- (9) Provision should be made for free access for bananas through a process of progressive tariff elimination starting on 1 January 2002 and which is to result in full liberalisation on 1 January 2006, which is the date envisaged for the entry into force of the rate of the common customs tariff for fresh bananas established under the procedure provided for in Article XXVIII of the General Agreement on Tariffs and Trade pursuant to Council Regulation (EC) No 216/2001 of 29 January 2001 amending Regulation (EEC) No 404/93 on the common organisation of the market in bananas <sup>(4)</sup>.
- (10) Provision should be made for free access for rice and sugar through a process of progressive tariff elimination starting in 2006, when the current financial perspectives expire, and which is to result in full liberalisation in 2009.

In order to provide effective market access following the entry into force of this Regulation and until full liberalisation, duty-free tariff quotas should be opened for increasing quantities of rice and raw sugar originating in LDCs. The initial quantities of these global tariff quotas for the LDCs should be based on their best export levels to the Community in the recent past. In addition, a significant growth factor should be immediately applied

<sup>(1)</sup> OJ L 357, 30.12.1998, p. 1. Regulation as amended by Regulation (EC) No 1763/1999 (OJ L 211, 11.8.1999, p. 1).

<sup>(2)</sup> OJ L 80, 18.3.1998, p. 1.

<sup>(3)</sup> OJ L 195, 1.8.2000, p. 46.

<sup>(4)</sup> OJ L 31, 2.2.2001, p. 2.

and continue to be applied cumulatively every year until full liberalisation. Therefore, the tariff quota for rice should be opened at a level of 2 517 tonnes (husked-rice equivalent), and the tariff quota for sugar shall be opened at a level of 74 185 tonnes (white-sugar equivalent). Imports of sugar under the ACP-EC Sugar Protocol should be excluded from the above calculations so as to uphold the viability of this protocol.

In order to ensure adequate management of the liberalisation for sugar and rice, both the tariff elimination and the tariff quotas should be applied on the basis of the respective marketing years. The detailed rules necessary for implementing the tariff quotas should be decided upon by the Commission in accordance with the procedure laid down in Article 32 of Regulation (EC) No 2820/98.

- (11) The special arrangements provided for in this Regulation with regard to market access for the least developed countries should be maintained for an unlimited period of time and not be subject to the periodic renewal of the Community's scheme of generalised preferences. Consequently, the date of expiry of the Community's current scheme should not apply to those arrangements nor, to the extent that they are applied in conjunction with them, to the other relevant provisions of Regulation (EC) No 2820/98.
- (12) Technical amendments are needed to define more closely the scope of the provisions on the special drug prevention support measures in the light of the changes relating to the LDCs.
- (13) It is necessary to add to the reasons for the possible provisional suspension of preferences, allowing the Commission to react swiftly when the Community's financial interests are at stake, massive increases in imports of products originating in the LDCs in relation to their usual levels of production and export capacity,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

Regulation (EC) No 2820/98 is hereby amended as follows:

1. Article 1(2) shall be amended as follows:

'2. Without prejudice to Article 6, this Regulation shall apply to the products falling within Chapters 1 to 97 of the Common Customs Tariff, excluding Chapter 93, which are listed in Annex I. It shall apply only to the products listed in Annex VII on the conditions laid down in Article 7.;

2. Article 6 shall be replaced by the following:

#### *'Article 6*

1. Without prejudice to paragraphs 2 to 4, Common Customs Tariff duties on all products of Chapters 1 to 97, except those of Chapter 93, originating in the least developed developing countries listed in Annex IV, shall be entirely suspended.

2. Common Customs Tariff duties on the products of CN code 0803 00 19 shall be reduced by 20 % annually starting on 1 January 2002. They shall be entirely suspended as from 1 January 2006.

3. Common Customs Tariff duties on the products of tariff heading 1006 shall be reduced by 20 % on 1 September 2006, by 50 % on 1 September 2007 and by 80 % on 1 September 2008. They shall be entirely suspended as from 1 September 2009.

4. Common Customs Tariff duties on the products of tariff heading 1701 shall be reduced by 20 % on 1 July 2006, by 50 % on 1 July 2007 and by 80 % on 1 July 2008. They shall be entirely suspended as from 1 July 2009.

5. Until Common Customs Tariff duties are entirely suspended in accordance with the provisions of paragraphs 3 and 4, a global tariff quota at zero duty shall be opened for every marketing year for products of tariff heading 1006 and subheading 1701 11 10 respectively, originating in the least developed developing countries listed in Annex IV. The initial tariff quotas for the marketing years 2001/2002 shall be equal to 2 517 tonnes, husked rice equivalent, for products of tariff heading 1006 and 74 185 tonnes, white sugar equivalent, for products of subheading 1701 11 10. For each of the following marketing years, the quotas shall be increased by 15 % in relation to the quotas of the previous marketing year.

6. The Commission shall decide the implementation of the provisions referred to in paragraph 5 in accordance with the procedure laid down in Article 32.

7. The Commission shall, in close cooperation with the Member States, carefully monitor imports of rice, bananas and sugar.

Member States or any interested natural or legal persons shall inform the Commission, without delay, of any circumstances of which they are aware that could justify the adoption of a measure to suspend preferences. Where the Commission finds that there is sufficient evidence to establish that the conditions for temporary suspension of the preferences are met, all appropriate measures will be taken as quickly as possible.;

3. Article 7 shall be replaced by the following:

*'Article 7*

For the countries listed in Annex V, Common Customs Tariff duties shall be suspended in their entirety on the industrial products listed in Annex I falling within Chapters 25 to 97 of the Common Customs Tariff, excluding Chapter 93, and on the agricultural products listed in Annex VII, without prejudice to the procedure described in Article 31(3).';

4. Article 22(1)(d) shall be amended as follows:

'(d) fraud or failure to provide administrative cooperation as required for the verification of certificates of origin form A, or massive increases in imports into the Community of products originating in the countries listed in Annex IV in relation to their usual levels of production and export capacity.';

5. in Article 28:

— the following paragraph shall be inserted:

'2. Notwithstanding the provisions of Article 22 and paragraph 1 above, given the particular sensitivity of products of tariff headings 1006 and 1701, and CN code 0803 00 19, if imports of these products cause serious disturbance to the Community markets and their regulatory mechanisms, the Commission may suspend the preferences provided by this Regulation for the products concerned in accordance with the procedure set out below.'

— in consequence, current paragraphs 2 to 7 shall be renumbered 3 to 8;

6. Article 29(4) shall be amended as follows:

'4. Save as otherwise provided in the Annexes, with respect to products falling within Chapters 1 to 24, wherever customs duties comprise an *ad valorem* duty plus one or more specific duties, the preferential reduction shall be limited to the *ad valorem* duty. However, the exemption from customs duties provided for in Article 6 shall also apply to the specific duties. Where the customs duties comprise an *ad valorem* duty with a minimum and a maximum duty, the preferential reduction shall also apply to that minimum and maximum duty. Where they comprise more than one specific duty, the preferential reduction shall apply to all of these.';

7. the following paragraph shall be added to Article 35:

'3. The date of 31 December 2001, referred to in paragraph 2, shall not apply to the special market access arrangements for the least developed developing countries provided for in Article 6 nor, to the extent that they are applied in conjunction with those arrangements, to the provisions of Article 1(5) and (6), and of Titles III, IV and V.';

8. Annex VII shall be replaced by the text which appears in the Annex to this Regulation.

*Article 2*

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

It shall apply from 5 March 2001.

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

Done at Brussels, 28 February 2001.

*For the Council*

*The President*

A. LINDH



## ANNEX

## 'ANNEX VII

CN code	Description of goods
	Live horses, other than pure-bred animals:
0101 19 90	– Other horses
0104 20 10	Live goats, pure-bred breeding animals <sup>(1)</sup>
0106 00 10	Live domestic rabbits
0106 00 20	Live pigeons
0205 00	Meat of horses, asses, mules or hinnies, fresh, chilled or frozen
	Edible offal, fresh, chilled or frozen:
0206 80 91	– of horses, asses, mules or hinnies
0206 90 91	
0208	Other meat and edible meat offal, fresh, chilled or frozen, except products of 0208 90 50
CHAPTER 3 <sup>(2)</sup>	FISH AND CRUSTACEANS, MOLLUSCS AND OTHER AQUATIC VERTEBRATES
0407 00 90	Birds' eggs, in shell, fresh, preserved or cooked, other than poultry eggs
0409 00 00	Natural honey
0410 00 00	Edible products and animal origin, not elsewhere specified or included
CHAPTER 5	OTHER PRODUCTS OF ANIMAL ORIGIN, NOT ELSEWHERE SPECIFIED OR INCLUDED
CHAPTER 6 <sup>(3)</sup>	LIVE TREES AND OTHER PLANTS; BULBS, ROOTS, AND THE LIKE; CUT FLOWERS AND ORNAMENTAL FOLIAGE
0701	Potatoes, fresh or chilled
0706 90 30	Horseradish ( <i>Cochlearia armoracia</i> ), fresh or chilled
ex 0707 00 05	Cucumbers fresh or chilled, from 16 May to 31 October
0708	Leguminous vegetables, shelled or unshelled, fresh or chilled
	Other vegetables, fresh or chilled:
ex 0709 20 00	– Asparagus, from 1 October to 31 January
0709 30 00	– Aubergines (egg-plants)
0709 40 00	– Celery, other than celeriac
0709 51 30	– Chanterelles
0709 60 10	– Sweet peppers
0709 60 99	– Other
0709 90 70	– Courgettes
0709 90 90	– Other
ex 0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen, except products of 0710 80 10

CN code	Description of goods
ex 0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption, except products of 0711 20 10 and 0711 20 90
	Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared:
0712 20 00	– Onions
0712 30 00	– Mushrooms and truffles
0712 90 05	– Potatoes, whether or not cut or sliced, but not further prepared
0712 90 30	– Tomatoes
0712 90 50	– Carrots
ex 0712 90 90	– Other, excluding olives
0713	Dried leguminous vegetables, shelled, whether or not skinned or split
0803 00 90	Bananas, including plantains, dried
0804 10 00	Dates, pineapples, avocados, guavas, mangoes and mangosteens, fresh or dried
0804 30 00	
0804 40 00	
	Citrus fruit, fresh or dried:
ex 0805 20	– Mandarins (including tangerines and satsumas); clementines, wilkings and similar citrus hybrids, from 15 May to 15 September
0805 30 90	– Limes ( <i>Citrus aurantifolia</i> )
0805 40 00	Grapefruit
0805 90 00	– Other
	Melons (including watermelons) and papaws (papayas), fresh:
0807 11 00	– Watermelons
0807 19 00	– Other melons
0809 20 05	Sour cherries ( <i>Prunus cerasus</i> ), fresh
0809 40 90	Sloes
	Other fruit, fresh:
0810 20	Raspberries, blackberries, mulberries and loganberries
0810 30	Black-, white- or redcurrants and gooseberries
	– Fruits of the genus <i>Vaccinium</i> :
0810 40 30	– – Fruit of the species <i>Vaccinium myrtillus</i>
0810 40 50	– – Fruit of the species <i>Vaccinium macrocarpon</i> and <i>Vaccinium corymbosum</i>
0810 40 90	– – Other
0810 50 00	– Kiwifruit
0810 90 85	– – Other
0811	Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter

CN code	Description of goods
0812	Fruit and nuts, provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
	Fruit, dried, other than that of heading Nos 0801 to 0806:
0813 10 00	– Apricots
0813 20 00	– Prunes
0813 30 00	– Apples
	– Other fruit:
0813 40 10	-- Peaches, including nectarines
0813 40 30	-- Pears
0813 40 50	-- Papaws (papayas)
0813 40 95	-- Other
	Mixtures of nuts or dried fruits of this chapter:
0813 50 12	– Fruit salads of dried fruit, other than that of heading Nos 0801 to 0806
0813 50 15	
0813 50 19	
ex 0813 50 31	– Mixtures exclusively of coconut, Brazil nuts, cashew nuts, areca (or betel) nuts or colanuts
ex 0813 50 91	– Mixtures of dried guavas, mangoes and mangosteens, papaws, tamarind, cashew apples, jackfruit, lychees or sapodillo plums
0901 12 00	Coffee, not roasted, decaffeinated
0901 21 00	Coffee, roasted
0901 22 00	
0901 90 90	Coffee substitutes containing coffee
0904 20 10	Sweet peppers, dried, neither crushed nor ground
0910 40 13	Thyme, other than wild thyme ( <i>Thymus serpyllum</i> ), neither crushed nor ground
0910 40 19	Thyme, crushed or ground
0910 40 90	Bay leaves
0910 91 90	Mixtures of spices, crushed or ground
0910 99 99	Other spices, crushed or ground
ex 1008 90 90	Quinoa
1105	Flour, meal, powder, flakes, granules and pellets of potatoes
	Flour, meal and powder:
1106 10 00	– Of the dried leguminous vegetables of heading No 0713
1106 30	– Of the products of Chapter 8
ex CHAPTER 12	OIL SEEDS AND OLEAGINOUS FRUITS; MISCELLANEOUS GRAINS, SEEDS AND FRUIT; INDUSTRIAL AND MEDICINAL PLANTS; STRAW AND FODDER excluding sugar beet and sugar cane falling within subheadings 1212 91 and 1212 92
CHAPTER 13	GUMS, RESINS AND OTHER VEGETABLE SAPS AND EXTRACTS

CN code	Description of goods
	Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared, excluding lard stearin and oleostearin for industrial uses
1503 00 19	
1503 00 90	
ex 1504	Fats and oils and their fractions, of fish or marine mammals, whether or not refined, but not chemically modified, excluding products of ex 1504 30 00 (whale oil or sperm oil)
1505	Wool grease and fatty substances derived therefrom (including lanolin)
1507	Soya-bean oil and its fractions, whether or not refined, but not chemically modified
1508	Ground-nut oil and its fractions, whether or not refined, but not chemically modified
1511	Palm oil and its fraction, whether or not refined, but not chemically modified
1512	Sunflower-seed, safflower or cotton-seed oil and fractions thereof, whether or not refined, but not chemically modified
1513	Coconut (copra), palm kernel or babassu oil and fractions thereof, whether or not refined, but not chemically modified
1514	Rape, colza or mustard oil and fractions thereof, whether or not refined, but not chemically modified
1515	Other fixed vegetable fats and oils (including jojoba oil) and their fractions, whether or not refined, but not chemically modified
1516	Animal or vegetable fats and oils and their fractions, partly or wholly hydrogenated, inter-esterified, re-esterified or elaidinised, whether or not refined, but not further prepared
1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats and oils or their fractions of heading No 1516
1518 00	Animal or vegetable fats and oils and their fractions, boiled, oxidised, dehydrated, sulphurised, blown, polymerised by heat in vacuum or in inert gas or otherwise chemically modified, excluding those of heading No 1516; inedible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, not elsewhere specified or included
1521 90 99	Beeswax and other insect waxes, whether or not refined or coloured, other than raw
	Degras; residues resulting from the treatment of fatty substances or animal or vegetable waxes:
1522 00 10	– Degras
1522 00 91	– Oil foots and dregs; soapstocks
	Other prepared or preserved meat, meat offal or blood
1602 20 11	
1602 20 19	
1602 41 90	
1602 42 90	
1602 49 90	
1602 50 31	
1602 50 39	
1602 50 80	

CN code	Description of goods
1602 90 31	
1602 90 41	
1602 90 69	
1602 90 72	
1602 90 74	
1602 90 76	
1602 90 78	
1602 90 98	
1603 00 10	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates, in immediate packings of a net content of less than 20 kg
1604 <sup>(4)</sup>	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs
1605	Crustaceans, molluscs or other aquatic invertebrates, prepared or preserved
1702 50 00	Chemically pure fructose
1702 90 10	Chemically pure maltose
1704 <sup>(5)</sup>	Sugar confectionery (including white chocolate), not containing cocoa
CHAPTER 18	COCOA AND COCOA PREPARATIONS
CHAPTER 19	PREPARATIONS OF CEREALS, FLOUR, STARCH OR MILK, PASTRYCOOKS' PRODUCTS
CHAPTER 20	PREPARATIONS OF VEGETABLES, FRUIT, NUTS OR OTHER PARTS OF PLANTS
ex CHAPTER 21	MISCELLANEOUS EDIBLE PREPARATIONS, excluding sugar syrups falling within subheadings 2106 90 30, 2106 90 51, 2106 90 55 and 2106 90 59
ex CHAPTER 22	BEVERAGES, SPIRITS AND VINEGAR, excluding products falling within subheadings 2204 10 11 to 2204 30 10, 2206 00 10, 2208 40, 2208 90 11 and 2208 90 19
	Bran, sharps and other residues, whether or not in the form of pellets derived from the sifting, milling or other working of cereals or of leguminous plants:
2302 50 00	– Of leguminous plants
	Preparations of a kind used in animal feeding:
2309 10 90	– Dog or cat food put up for retail sale, other than containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products
	– Other
2309 90 91	-- Beet-pulp with added molasses
2309 90 93	-- Premixtures
2309 90 95	-- Other
2309 90 97	
CHAPTER 24	TOBACCO AND MANUFACTURED TOBACCO SUBSTITUTES

<sup>(4)</sup> Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

<sup>(5)</sup> The duty is 3,6 % for shrimps of CN code 0306 13.

<sup>(3)</sup> For cut flowers of CN code 0603, the conditions laid down by Article 28(1) are deemed to be fulfilled when the quantities put into free circulation with preferential benefit in any year exceed the volume of imports from one of those countries into the Community corresponding to the figure half-way between the highest and the average quantity for the last four years for which statistics are available.

<sup>(4)</sup> For prepared and preserved tuna of CN codes 1604 14 11, 1604 14 18, 1604 14 90, 1604 19 39 and 1604 20 70, the examination of the conditions laid down by Article 29(1) shall be carried out for a particular country when the quantities put into free circulation with preferential benefit, originating in that country, exceed the average annual quantity of its exports to the Community of the products concerned over the last three years.

<sup>(5)</sup> The specific duty for products falling within CN codes 1704 10 91 and 1704 10 99 shall be limited to 16 % of the customs value.'

## II

(Acts whose publication is not obligatory)

## EUROPEAN PARLIAMENT AND COUNCIL

### RECOMMENDATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 12 February 2001 on European cooperation in quality evaluation in school education

(2001/166/EC)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 149(4) and Article 150(4) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Economic and Social Committee <sup>(1)</sup>,

Having regard to the opinion of the Committee of the Regions <sup>(2)</sup>,

Acting in accordance with the procedure referred to in Article 251 of the Treaty <sup>(3)</sup>,

Whereas:

- (1) There is a need to promote a European dimension in education as it is an essential objective in building a people's Europe.
- (2) Quality education is one of the principal objectives of primary and secondary education, including vocational education, for all Member States in the context of the learning society.
- (3) The quality of school education must be assured at all levels and in all areas of education, regardless of any differences in educational objectives, methods and needs, and regardless of school excellence rankings where they exist.
- (4) The resources devoted to education have increased in all industrialised countries during the last decades. Education is seen not only as a personal enrichment but also as a contribution towards social cohesion, social inclusion and the solution to problems of employment. Life-

long learning is an important means of controlling one's future on a professional and personal level. Quality education is essential in the light of labour market policies, the free movement of workers within the Community and the recognition of diplomas and teaching qualifications.

- (5) It is the responsibility of the Member States to ensure, when they have the possibility, that school syllabuses take account of developments in society.
- (6) Member States should help the educational establishments to meet the educational and social requirements in the new millennium and to keep pace with the developments arising from them. Member States should therefore support the educational establishments in order to improve the quality of the services they provide by helping them to develop new initiatives geared to ensure the quality of teaching and by helping them to encourage both the movement of persons between countries and the transfer of knowledge.
- (7) In the area of labour market policies, the Council adopts each year a set of employment guidelines building on quantitative targets and indicators. Guideline 7 of the employment guidelines for 2000, set out in the Annex to Decision/2000/228/EC <sup>(4)</sup>, states that Member States will 'improve the quality of their school systems in order to reduce substantially the number of young people who drop out of the school system early. Particular attention should also be given to young people with learning difficulties'.
- (8) In guideline 8 of the said guidelines, specific reference is made to developing computer literacy, to equipping schools with computer equipment and to facilitating student access to the Internet by the end of 2002, which should have a positive impact on the quality of education and prepare young people for the digital age.

<sup>(1)</sup> OJ C 168, 16.6.2000, p. 30.

<sup>(2)</sup> OJ C 317, 6.11.2000, p. 56.

<sup>(3)</sup> Opinion of the European Parliament of 6 July 2000 (not yet published in the Official Journal), Council Common Position of 9 November 2000 (OJ C 375, 28.12.2000, p. 38) and Decision of the European Parliament of 16 January 2001 (not yet published in the Official Journal).

<sup>(4)</sup> OJ L 72, 21.3.2000, p. 15.

- (9) The promotion of mobility enshrined as an objective of the Community in Articles 149 and 150 of the Treaty should be encouraged by quality education.
- (10) European cooperation and transnational exchanges of experiences will contribute to identifying and disseminating effective and acceptable methods of evaluating quality.
- (11) Systems designed to ensure quality must remain flexible and be adaptable to the new situation created by changes in the structure and objectives of educational establishments, taking into account the cultural dimension of education.
- (12) Systems to ensure quality vary from one Member State and one educational establishment to another, given the diversity in the sizes, structures, financial circumstances, institutional character and educational approach of different establishments.
- (13) Quality evaluation and school self-evaluation in particular are tools well suited to the aim of combating the number of young people who drop out of the school system early and social exclusion in general.
- (14) In order to achieve the objective of quality education, a whole range of means are available. Quality evaluation is one of them and is a valuable contribution to securing and developing the quality of education within general and vocational schools. The quality evaluation of education must seek, *inter alia*, to assess the capacity of schools to take account of the use of the new information technologies which are becoming more widespread.
- (15) The networking at European level of institutions involved in quality evaluation in school education is of fundamental importance. Existing networks such as the European network of policy makers for the evaluation of education systems set up by the Member States in 1995 can provide invaluable aid to the implementation of this recommendation.
- (16) The Commission conducted a pilot project on quality evaluation in higher education in 1994 and 1995. Council Recommendation 98/561/EC of 24 September 1998 on European cooperation in quality assurance in higher education<sup>(1)</sup> underlines the importance of the exchange of information and experiences and cooperation regarding quality assurance between other Member States.
- (17) The Socrates programme<sup>(2)</sup>, in particular Action 6.1., invites the Commission to promote the exchange of information and experience on questions of common interest. Evaluating quality in school education is one of the priority themes of the said Action.
- (18) The Commission has, since March 1996, launched various studies and operational activities to examine the question of evaluation from different perspectives with the aim of describing the wide variety and wealth of approaches and education evaluation methodologies used at different levels.
- (19) The Commission conducted a pilot project during the academic year 1997/1998 in 101 upper and lower secondary schools in the countries participating in the Socrates programme, which raised awareness of quality issues and helped to improve the quality of education in those schools. The final report, June 1999, entitled 'Evaluation quality in school education, A European pilot project' emphasises a range of methodological elements as important elements for successful self-evaluation.
- (20) In its conclusions of 16 December 1997<sup>(3)</sup>, the Council stated that evaluation is also an important element for assuring and, where appropriate, improving quality.
- (21) The Council Presidency declared in its conclusions at the Extraordinary European Council held in Lisbon on 23 and 24 March 2000 that European education and training systems must adapt both to the needs of the information society and to the need to raise levels of employment and improve its quality.
- (22) With a view to the enlargement of the Union, the accession countries should be involved in European cooperation in the field of quality evaluation.
- (23) It is necessary to take account of the principle of subsidiarity and Member States' exclusive responsibilities for the organisation and structure of their education systems, so that the particular cultural character and educational traditions of each State can flourish,

#### I. RECOMMEND THAT MEMBER STATES:

within their specific economic, social and cultural context while taking due account of the European dimension, support the improvement of quality evaluation in school education, by:

1. supporting and, where appropriate, establishing transparent quality evaluation systems with the following aims:
  - (a) to secure quality education, whilst promoting social inclusion, and equal opportunities for girls and boys,
  - (b) to safeguard quality of school education as a basis for lifelong learning,

<sup>(1)</sup> OJ L 270, 7.10.1998, p. 56.

<sup>(2)</sup> OJ L 28, 3.2.2000, p. 1.

<sup>(3)</sup> OJ C 1, 3.1.1998, p. 4.

- (c) to encourage school self-evaluation as a method of creating learning and improving schools, within a balanced framework of school self-evaluation and any external evaluations,
  - (d) to use techniques aimed at improving quality as a means of adapting more successfully to the requirements of a world in rapid and constant change,
  - (e) to clarify the purpose and the conditions for school self-evaluation, and to ensure that the approach to self-evaluation is consistent with other forms of regulation,
  - (f) to develop external evaluation in order to provide methodological support for school self-evaluation and to provide an outside view of the school encouraging a process of continuous improvement and taking care that this is not restricted to purely administrative checks;
2. encouraging and supporting, where appropriate, the involvement of school stakeholders, including teachers, pupils, management, parents and experts, in the process of external and self-evaluation in schools in order to promote shared responsibility for the improvement of schools;
  3. supporting training in the management and the use of self-evaluation instruments with the following aims:
    - (a) to make school self-evaluation function effectively as an instrument strengthening the capacity of schools to improve,
    - (b) to ensure an efficient dissemination of examples of good practice and new instruments within self-evaluation;
  4. supporting the capacity of schools to learn from one another nationally and on a European scale, with the following aims:
    - (a) to identify and to disseminate good practice and efficient tools such as indicators and benchmarks in the field of quality evaluation in school education,
    - (b) to form networks between schools, at all appropriate levels, to support each other and provide outside impetus to the evaluation process;
  5. encouraging cooperation between all the authorities involved in quality evaluation in school education and promoting their European networking.

This cooperation could cover some of the following areas:

- (a) the exchange of information and experience, in particular on methodological developments and examples of good practice, especially by using modern information and communication technologies, and, when appropriate, by organising European conferences, seminars and workshops,
- (b) the collection of data and the development of tools such as indicators and benchmarks of particular relevance for quality evaluation in schools,

- (c) publication of results of school evaluation in accordance with the relevant policies of each Member State and its educational establishments, to be made available to authorities in the Member States,
- (d) promoting contacts between experts in order to build European expertise in the area,
- (e) making use of the results of international surveys for the development of quality evaluation in schools.

## II. INVITE THE COMMISSION:

1. to encourage, in close cooperation with the Member States, and on the basis of existing Community programmes, the cooperation referred to in points 4 and 5 of Section I, also involving relevant organisations and associations with the necessary experience in this field.

In doing this, the Commission should ensure that full benefit is drawn from the expertise of the Eurydice network referred to in Action 6.1. of the Socrates programme;

2. to establish, on the basis of the existing Community programmes, a database for the dissemination of effective tools and instruments of school quality evaluation. The database should also contain examples of good practice and be accessible on the Internet; interactive use thereof should be ensured;
3. to make use of the resources within existing Community programmes, to incorporate the experience already gained into these programmes and to develop the existing networks;
4. to make, as a first step, an inventory of the instruments and strategies for quality evaluation in primary and secondary education already in use in the various Member States. When the inventory has been compiled, the Commission will work with the Member States on appropriate follow-up. The European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions should be fully informed on a regular basis of the follow-up;
5. to present on the basis of contributions from the Member States triennial detailed reports to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions in relation to the implementation of this Recommendation;
6. to draw conclusions and make proposals on the basis of these reports.

Done at Brussels, 12 February 2001.

*For the European Parliament*

*The President*

N. FONTAINE

*For the Council*

*The President*

T. ÖSTROS



## COUNCIL

## DECISION No 1/2001 OF THE EU-LATVIA ASSOCIATION COUNCIL

of 23 January 2001

## amending Protocol 3 to the Europe Agreement with Latvia concerning the definition of the concept of 'originating products' and methods of administrative cooperation

(2001/167/EC)

THE ASSOCIATION COUNCIL,

HAS DECIDED AS FOLLOWS:

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part <sup>(1)</sup>, signed in Luxembourg on 12 June 1995, and in particular Article 38 of Protocol 3 thereto,

Whereas:

- (1) Some technical amendments are in order to correct anomalies between the different language versions of the text.
- (2) The list of insufficient working and processing needs to be amended to ensure proper interpretation and to take account of the need to include some operations not covered previously by this list.
- (3) The provisions for the temporary use of flat rates in cases where drawback is prohibited or exemptions from customs duties are granted need to be prolonged until 31 December 2001.
- (4) The need has arisen to provide for a system of accounting segregation of originating and non-originating materials, subject to authorisation by customs authorities.
- (5) The provisions concerning the amounts expressed in euro need to be revised in order to clarify the procedure and to provide greater stability for the level of the amounts in national currencies.
- (6) To take account of the lack of production of a certain material within the countries concerned, a correction should be made to the list of working and processing requirements which non-originating materials have to fulfil to qualify for originating status,

*Article 1*

Protocol 3 concerning the definition of originating products and methods of administrative cooperation is hereby amended as follows.

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

'(i) "added value" shall be taken to be the ex-works price minus the customs value of each of the materials incorporated which originate in the other countries referred to in Article 3 and 4 or, where the customs value is not known or cannot be ascertained, the first verifiable price paid for the materials in the Community or Latvia;'

2. Article 7 shall be replaced by the following:

*'Article 7***Insufficient working or processing**

1. Without prejudice to paragraph 2, the following operations shall be considered as insufficient working or processing to confer the status of originating products, whether or not the requirements of Article 6 are satisfied:

- (a) preserving operations to ensure that the products remain in good condition during transport and storage;
- (b) breaking-up and assembly of packages;
- (c) washing, cleaning; removal of dust, oxide, oil, paint or other coverings;
- (d) ironing or pressing of textiles;
- (e) simple painting and polishing operations;
- (f) husking, partial or total bleaching, polishing, and glazing of cereals and rice;
- (g) operations to colour sugar or form sugar lumps;
- (h) peeling, stoning and shelling, of fruits, nuts and vegetables;

<sup>(1)</sup> OJ L 26, 2.2.1998, p. 3.

- (i) sharpening, simple grinding or simple cutting;
- (j) sifting, screening, sorting, classifying, grading, matching; (including the making-up of sets of articles);
- (k) simple placing in bottles, cans, flasks, bags, cases, boxes, fixing on cards or boards and all other simple packaging operations;
- (l) affixing or printing marks, labels, logos and other like distinguishing signs on products or their packaging;
- (m) simple mixing of products, whether or not of different kinds;
- (n) simple assembly of parts of articles to constitute a complete article or disassembly of products into parts;
- (o) a combination of two or more operations specified in subparagraphs (a) to (n);
- (p) slaughter of animals.

2. All operations carried out either in the Community or in Latvia on a given product shall be considered together when determining whether the working or processing undergone by that product is to be regarded as insufficient within the meaning of paragraph 1.'

3. The last sentence of Article 15(6), shall be replaced by the following:

'The provisions of this paragraph shall apply until 31 December 2001.'

4. The following Article shall be inserted:

*'Article 20a*

#### **Accounting segregation**

1. Where considerable cost or material difficulties arise in keeping separate stocks of originating and non-originating materials which are identical and interchangeable, the customs authorities may, at the written request of those concerned, authorise the so-called "accounting segregation" method to be used for managing such stocks.

2. This method must be able to ensure that, for a specific reference-period, the number of products obtained which could be considered as "originating" is the same as that which would have been obtained if there had been physical segregation of the stocks.

3. The customs authorities may grant such authorisation, subject to any conditions deemed appropriate.

4. This method is recorded and applied on the basis of the general accounting principles applicable in the country where the product was manufactured.

5. The beneficiary of this facilitation may issue or apply for proofs of origin, as the case may be, for the quantity of products which may be considered as originating. At the request of the customs authorities, the beneficiary shall

provide a statement of how the quantities have been managed.

6. The customs authorities shall monitor the use made of the authorisation and may withdraw it at any time whenever the beneficiary makes improper use of the authorisation in any manner whatsoever or fails to fulfil any of the other conditions laid down in this Protocol.'

5. In the first sentence of Article 22(1), the following shall be inserted after the term 'exporter':

'hereinafter referred to as "approved exporter";'

6. Article 30 shall be replaced by the following:

*'Article 30*

#### **Amounts expressed in euro**

1. For the application of the provisions of Article 21(1)(b) and Article 26(3) in cases where products are invoiced in a currency other than euro, amounts in the national currencies of the countries referred to in Articles 3 and 4 equivalent to the amounts expressed in euro shall be fixed annually by each of the countries concerned.

2. A consignment shall benefit from the provisions of Article 21(1)(b) or Article 26(3) by reference to the currency in which the invoice is drawn up, according to the amount fixed by the country concerned.

3. The amounts to be used in any given national currency shall be the equivalent in that currency of the amounts expressed in euro as at the first working day of October. The amounts shall be communicated to the European Commission by 15 October and shall apply from 1 January the following year. The European Commission shall notify all countries concerned of the relevant amounts.

4. A country may round up or down the amount resulting from the conversion into its national currency of an amount expressed in euro. The rounded-off amount may not differ from the amount resulting from the conversion by more than 5 per cent. A country may retain unchanged its national currency equivalent of an amount expressed in euro if, at the time of the annual adjustment provided for in paragraph 3, the conversion of that amount, prior to any rounding-off, results in an increase of less than 15 % in the national currency equivalent. The national currency equivalent may be retained unchanged if the conversion were to result in a decrease in that equivalent value.

5. The amounts expressed in euro shall be reviewed by the Association Committee at the request of the Community or Latvia. When carrying out this review, the Association Committee shall consider the desirability of preserving the effects of the limits concerned in real terms. For this purpose, it may decide to modify the amounts expressed in euro.'

7. Annex II shall be amended as follows:

the entry for HS heading 5309 to 5311 shall be replaced by:

'5309 to 5311	Woven fabrics of other vegetable textile fibres; woven fabrics of paper yarn: — Incorporating rubber thread — Other	Manufacture from single yarn (*) Manufacture from (*): — coir yarn, — jute yarn, — natural fibres, — man-made staple fibres not carded or combed or otherwise prepared for spinning, — chemical materials or textile pulp, or — paper or Printing accompanied by at least two preparatory or finishing operations (such as scouring, bleaching, mercerising, heat setting, raising, calendering shrink resistance processing, permanent finishing, decatizing, impregnating, mending and burling) where the value of the unprinted fabric does not exceed 47,5 % of the ex-works price of the product	
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(\*) For special conditions relating to products made of a mixture of textile materials, see introductory note 5.'

#### Article 2

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

It is applicable from 1 January 2001.

Done at Brussels, 23 January 2001.

*For the Association Council*

*The President*

I. BĒRZIŅŠ

# COMMISSION

## COMMISSION DECISION

of 31 October 2000

on Spain's corporation tax laws

(notified under document number C(2000) 3269)

(Only the Spanish text is authentic)

(Text with EEA relevance)

(2001/168/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 4(c) thereof,

Having regard to Commission Decision No 2496/96/ECSC of 18 December 1996 establishing Community rules for State aid to the steel industry <sup>(1)</sup>, and in particular Article 6(5) thereof,

Having called on interested parties to submit their comments pursuant to the provisions cited above <sup>(2)</sup>, and having regard to their comments,

Whereas:

### I. PROCEDURE

- (1) By letter dated 16 April 1996 the Commission, having been alerted by competitors of Spanish steel firms, requested the Spanish authorities to supply information enabling it to assess the scope and effects of Article 34 of Act 43/1995 of 27 December 1995 on corporation tax <sup>(3)</sup>.
- (2) By letter dated 7 August 1997 the Commission informed the Spanish Government that it had decided to initiate the procedure laid down in Article 6(5) of Commission Decision No 2496/96/ECSC ('the Steel Aid Code') in respect of that measure. Since the provisions of Article 34 of Act 43/1995 were applied in the same terms by the Provincial Council of Vizcaya (Article 43 of Provincial Act 3/96 of 26 June 1996 <sup>(4)</sup>), the Provincial Council of Guipúzcoa (Article 43 of Provincial Act 7/1996 of 4 July 1996 <sup>(5)</sup>) and the Provincial Council of Álava (Article 43 of Provincial Act 24/1996 of 5 July 1996 <sup>(6)</sup>), those bodies enjoying autonomous taxation

powers, the Spanish authorities were informed that the Commission decision to initiate the procedure laid down in Article 6(5) of the Steel Aid Code also covered those three Articles.

- (3) The Commission decision to initiate the procedure was published in the *Official Journal of the European Communities* <sup>(7)</sup>. The Commission invited other Member States and interested parties to submit their comments on the matter.
- (4) The Spanish Government responded by letter of 13 October 1997. Unesid (Unión de Empresas Siderúrgicas), Wirtschaftsvereinigung Stahl and CEOE (Confederación Española de Organizaciones Empresariales) submitted observations to the Commission by letters dated 27 November 1997, 1 December 1997 and 27 November 1997 respectively. Spain replied to the comments received from third parties by letter dated 16 March 1998.

### II. DETAILED DESCRIPTION OF THE AID

- (5) Article 34 of Act 43/1995, entitled 'Deduction for export activities', provides that businesses engaged in export activities are entitled to tax credits amounting to 25 % of:
  - (a) investments made in the creation of branches or permanent establishments abroad as well as the acquisition of shares in foreign companies or the setting-up of subsidiaries directly associated with the export of goods or services or the sale of tourism services in Spain;

<sup>(1)</sup> OJ L 338, 28.12.1996, p. 42.

<sup>(2)</sup> OJ C 329, 31.10.1997.

<sup>(3)</sup> BOE No 310, 28.12.1995.

<sup>(4)</sup> BOB No 135, 11.7.1996.

<sup>(5)</sup> BOG No 133, 10.7.1996 and No 138, 17.7.1996 (corrected text).

<sup>(6)</sup> BOTHA No 90, 9.8.1996.

<sup>(7)</sup> See footnote 2.

- (b) the costs of multiannual advertising and publicity campaigns for product launches;
- (c) the costs of market penetration and market research abroad;
- (d) the costs of taking part in fairs, exhibitions and other similar events, including those of an international character held in Spain.

the ECSC Treaty and Decision No 2496/96/ECSC, on the ground that Spanish tax law did not provide for any tax benefit relating primarily or exclusively to exports by steel firms.

- (10) Moreover, although exporting was chosen as the feature indicating the presence of Spanish firms abroad, it was not in itself the purpose of the tax credit. It was for that reason that the amount of the credit did not depend on the extent of export activity and was not linked to the volume of exports.

### III. COMMENTS BY INTERESTED PARTIES

- (6) In their comments, both CEOE and Unesid opposed the Commission decision to initiate proceedings, mainly on the same grounds as those put forward by the Spanish authorities (see recitals 8 to 12). They emphasised in particular that, contrary to what was stated in the decision initiating proceedings, the provisions being challenged were not intended to promote the establishment of production branches abroad. CEOE added that similar measures were in force in other Member States.
- (7) Unlike the other two interested parties, Wirtschaftsvereinigung Stahl supported the Commission's decision to initiate the procedure, sharing its assessment that the measure constituted State aid. Wirtschaftsvereinigung Stahl also contended that:
  - the deliberate promotion of exports in favour of Spanish companies distorted competition to the detriment of undertakings in other Member States, thus infringing the principles of the common market,
  - the ECSC Treaty assumed that any national aid distorted competition; Article 4(c) prohibited tax aid, especially if it was aimed at facilitating sales in other Member States.

- (11) According to the Spanish Government, Article 34 of Act 43/1995 should be regarded as a general measure and cannot be classed as State aid. The general nature of the rule in Article 34 should be clear from the following features:

- (i) the Article applied to all taxable persons, whether resident in Spain or abroad, provided that they operated through a permanent establishment. Thus, Article 34 afforded equal treatment to firms residing and not residing in Spanish territory;
- (ii) it applied to all taxable persons regardless of the economic sector in which they operated;
- (iii) it was applied in a non-discretionary manner. The tax authorities did not supervise the grant of the credit provided for by Article 34. It was taxable persons who applied the credit themselves, the tax authorities having no other function than to check, as appropriate, that the requirements laid down by the rule had been met. Moreover, such checks were not carried out specifically with regard to Article 34 but, on the contrary, were part of the general monitoring of corporation tax;
- (iv) it traditionally formed part of the philosophy of the tax system in Spain.

### IV. COMMENTS BY SPAIN

- (8) In its answer to the decision initiating the procedure the Spanish Government replied that the rule which was the focus of the Commission's investigation had a long tradition in Spanish law, as it had been applied since corporation tax came into force in 1978, thus preceding Spain's accession to the European Communities.
- (9) The Spanish Government rejected the analysis that the general measures in Article 34 of Act 43/1995 possibly constituted export aid, in the form of tax credits, for investment carried out by steel firms, and contested the initiation of the procedure on the basis of Article 4 of

- (12) Lastly, the Spanish Government pointed out that the same tax credits had applied under Spanish law since Act 61/1978 of 27 December 1978 on corporation tax<sup>(8)</sup> was adopted. Article 26 of that Act, relating to tax deductions for investments, laid down in paragraph 3 the deductions available to exporting firms, in virtually the same terms as Article 34 of Act 43/1995. As the Court of Justice had consistently held, existing measures were deemed to be those which existed before the entry into force of the Treaty, in other words, in Spain's case, before the entry into force of the Act of Accession. In this respect, and given that they were laid down by law prior to Spain's entry into the Community, the tax credits in question constituted in any event existing measures.

<sup>(8)</sup> BOE No 312, 30.12.1978.

## V. ASSESSMENT OF THE AID

- (13) Article 4(c) of the ECSC Treaty provides that subsidies or aids granted by Member States are recognised as incompatible with the common market and shall accordingly be abolished and prohibited within the Community. The Steel Aid Code lays down the only exemptions from this general prohibition which can be granted under certain circumstances:
- (a) aid for research and development;
  - (b) aid for environmental protection;
  - (c) aid for closures.
- (14) It should be noted that none of these exemptions is invoked by Spain in the present case.
- (15) As to the argument, adduced both by Spain and by the two Spanish interested parties which submitted comments, that Act 43/1995 should have been regarded as existing aid as it consolidated legislation which had been in force since 1978, i.e. before Spain joined the Communities, and that the Commission therefore wrongly decided to initiate the procedure in the present case, the Commission must recall that the scope of its decision was the assessment of the measures under examination only under the ECSC Treaty rules, where the notion of existing aid does not exist. Article 4(c) of that Treaty provides, unlike Article 87 of the EC Treaty, that subsidies or aids granted by States are recognised as incompatible with the common market and shall accordingly be abolished and prohibited within the Community. In the light of these provisions, the Commission takes the view that when joining the European Coal and Steel Community each new Member State must stop granting any kind of aid previously awarded to the undertakings covered by that Treaty. If it failed to do so, any aid granted by the new Member State from the date of its accession to the European Coal and Steel Community would have to be regarded as incompatible with the common market in the light of Article 4(c) of the ECSC Treaty.
- (16) Consequently, Spain's argument could be taken into account only in relation to the State aid provisions of the EC Treaty. However, the Commission's decision to initiate proceedings did not deal with aid given to Community companies, and so the argument that, from a legal point of view, the measure constitutes existing aid cannot be shared by the Commission.
- (17) In determining whether in the present case the tax credit scheme has to be regarded as State aid, the Spanish authorities attach decisive importance — in maintaining that the scheme does not constitute State aid — to the fact that the tax reduction is, on the one hand, general and, on the other hand, directly applied by the recipient companies themselves without intervention by the public authorities; in other words, they claim that the practical application of this provision is not at the discretion of any public body.
- (18) On this aspect, in line with the case-law of the Court of Justice (see its judgment of 23 February 1961 in Case 30/59 *De Gezamenlijke Steenkolenmijnen in Limburg v High Authority* <sup>(9)</sup>) and the approach taken by the Commission <sup>(10)</sup>, it is recalled that under Community law the notion of aid covers not only positive assistance from the State but also any measure that relieves an undertaking of a burden which it would otherwise have to bear, regardless of whether or not it is directly applied by the recipient companies. In this light, non-repayable grants, preferential loans from the State and credits against income or corporation tax are all measures which have to be regarded as State aid.
- (19) In particular, and by analogy with the judgment of the Court of 15 March 1994 in Case C-387/92 *Banco Exterior de España v Ayuntamiento de Valencia* <sup>(11)</sup>, the Commission considers that a tax credit granted to certain undertakings constitutes State aid since it places the recipients in a more favourable financial position than other taxpayers <sup>(12)</sup>.
- (20) As to the specificity of the measure, it is worth noting that according to both the Commission's approach <sup>(13)</sup> and the case-law of the Court of Justice (see the judgments of 10 December 1969 in joined Cases 6 and 11/69 *Commission v France* <sup>(14)</sup> and 7 June 1988 in Case 57/86 *Greece v Commission* <sup>(15)</sup>), a measure is specific and therefore must be regarded as State aid instead of a general measure where, although prima facie it might be seen as general in form, in practice it supports only a particular group of companies. In the present case, firstly, the tax measures under examination support those companies carrying out certain export activities and exclude companies that do not export as well as exporters that carry out export activities not covered by the provision and even exporters that carry out in Spain the type of investments covered by the provision. Secondly, apart from the fact that it has existed since

<sup>(9)</sup> [1961] ECR 3.

<sup>(10)</sup> Point 10 of the Commission notice on the application of the State aid rules to measures relating to direct business taxation (98/C 384/03) (OJ C 384, 10.12.1998, p. 3).

<sup>(11)</sup> [1994] ECR I-877, paragraph 14.

<sup>(12)</sup> Point 9 of Commission notice 98/C 384/03 (see footnote 10).

<sup>(13)</sup> Points 13, 16 and 18 of Commission notice 98/C 384/03 (see footnote 10).

<sup>(14)</sup> [1969] ECR 523.

<sup>(15)</sup> [1988] ECR 2865.

1978, neither the Spanish Government nor the interested parties which submitted comments have given any reasons why the tax measures in question are necessary to the functioning and effectiveness of the Spanish tax system<sup>(16)</sup>. Thirdly, although it is true that the discretion of a public body in the application of a measure contributes to the classification of that measure as specific, the mere lack of discretion does not make the measure general.

- (21) As to the argument that comparable measures exist in other Member States, the question is of no consequence since any such measures could themselves be the subject of the procedures laid down in the ECSC Treaty (see the judgment of the Court of Justice of 22 March 1977 in Case 78/76 *Steinike & Weinlig v Germany*)<sup>(17)</sup>.
- (22) Finally, the Spanish interested parties which submitted comments as well the Spanish Government drew the Commission's attention to the fact that, contrary to what was stated in the decision initiating proceedings, the provisions in question are not intended to promote the establishment of production branches abroad. After having assessed the wording of Article 34 of Act 43/1995, namely its title and first paragraph, the Commission comes to the conclusion that the creation of production branches is not specifically envisaged in the Spanish provisions under examination except where those production branches are related to the exporting activity of the recipient company.

## VI. CONCLUSIONS

- (23) It emerges from the wording of Act 43/1995 that the provisions under examination are applicable, among other things, to steel undertakings which are taxable in Spain, are engaged in export activities and carry out certain investments or incur certain expenses abroad. Thus, such export undertakings receive a clear advantage over (i) steel undertakings which are taxable in Spain but do not export, (ii) steel undertakings which are taxable in Spain and export but do not carry out such investments abroad (because for instance, they decide to make the same type of investments in Spain) and (iii) steel undertakings which are not taxable in Spain. The Commission therefore concludes that the tax credit scheme under examination, contrary to what is claimed by the Spanish authorities and by the Spanish interested parties which submitted comments, is not general in its application and, indeed, is in itself capable of giving rise

to the grant of State aid to certain undertakings. It therefore constitutes State aid under the Community rules and, in so far as it benefits ECSC steel undertakings, is contrary to Article 4(c) of the ECSC Treaty. Neither do any of the exemptions laid down in the Steel Aid Code apply in the present case.

- (24) As to the recovery of the aid, if the Commission finds that State aid which is incompatible with the common market has been granted, it usually requires the Member State to recover it. However, the Commission will not require recovery of the aid if this would be contrary to a general principle of Community law.
- (25) In the present case, the Commission notes that on 30 September 1992 it adopted a decision on the changes made by France to the tax arrangements applicable to commercial or service establishments abroad<sup>(18)</sup>. Those changes involved the extension of the then current arrangements for commercial or service investments within the Community to those made outside the Community and the abolition of the specific arrangements for the latter. The Commission found that the arrangements did not constitute aid within the meaning of Article 92(1) of the EEC Treaty (now Article 87 EC) and that they facilitated the completion of the common market. The French scheme prior to 1992 enabled French undertakings investing abroad with a view to setting up sales subsidiaries or research departments there to receive temporary tax relief equivalent to the losses incurred by the foreign establishment (if it was located within the Community) or the amount of the investment in the foreign establishment (if it was located outside the Community). For industrial investments outside the Community agreement with the Ministry was required and the tax exemption could amount to 50 % of the investment. In Decision 73/263/EEC<sup>(19)</sup> the Commission had concluded that this tax scheme was neutral as regards competition and compatible with the rules on the right of establishment. The scheme is similar in substance to the Spanish one and was in force when Spain joined the ECSC in 1986.
- (26) The Commission also notes that in June 1996 the then Member of the Commission with special responsibility for competition, replying on behalf of the Commission to a written question by Member of the European Parliament Mr Raul Rosado Fernandes concerning the Spanish tax deduction scheme under examination, recalled that the measures had been notified by the Spanish Government on Spain's accession and that the Commission had never raised any objections to their implementation<sup>(20)</sup>.
- (27) Finally, the Commission considers that the decision to initiate the formal investigation procedure includes only a preliminary assessment as to whether the proposed measure is to be regarded as aid. The preliminary nature of the assessment was underlined by the Commission in its decision to initiate proceedings in the present case by

<sup>(16)</sup> Point 23 of Commission notice 98/C 384/03 (see footnote 10).

<sup>(17)</sup> [1977] ECR 595, paragraph 24.

<sup>(18)</sup> Commission press release dated 30 September 1992 (IP/92/770); OJ C 3, 7.1.1993, p. 2 (aid NN 96/92, p. 5).

<sup>(19)</sup> Decision of 25 July 1973 on the tax concessions granted, pursuant to Article 34 of French Law No 65-566 of 12 July 1965 and to the circular of 24 March 1967, to French undertakings setting up businesses abroad (OJ L 253, 10.9.1973, p. 10).

<sup>(20)</sup> OJ C 297, 8.10.1996, p. 2.

referring only to the likelihood of the measures in question constituting State aid. This is also evident in the present case from the length of time that the Commission took to investigate and examine these measures. It should be noted that Spain was not in any way responsible for delays in the proceedings.

- (28) In this context, and in view of the foregoing, the Commission considers that even the most cautious and well informed steel firms could not have foreseen the tax provisions under examination being classed as State aid contrary to Article 4 of the ECSC Treaty, and that they could rightly claim legitimate expectations. The Commission therefore deems it appropriate not to order the recovery of the aid in question granted prior to the adoption of the present Decision,

HAS ADOPTED THIS DECISION:

*Article 1*

Any aid granted by Spain under:

- (a) Article 34 of Act 43/1995 of 27 December 1995 on corporation tax;
- (b) Article 43 of Provincial Act 3/96 of 26 June 1996 on corporation tax adopted by the Provincial Council of Vizcaya;

(c) Article 43 of Provincial Act 7/1996 of 4 July 1996 on corporation tax adopted by the Provincial Council of Guipúzcoa; or

(d) Article 43 of Provincial Act 24/1996 of 5 July 1996 on corporation tax adopted by the Provincial Council of Álava, to ECSC steel undertakings established in Spain is incompatible with the common market in coal and steel.

*Article 2*

Spain shall forthwith take appropriate measures to ensure that ECSC steel undertakings established in Spain do not receive the aid referred to in Article 1.

*Article 3*

Spain shall inform the Commission, within two months of notification of this Decision, of the measures taken to comply with it.

*Article 4*

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 31 October 2000.

*For the Commission*

Mario MONTI

*Member of the Commission*



**COMMISSION DECISION**  
**of 16 February 2001**  
**amending for the third time Decision 2000/284/EC establishing the list of approved semen collection centres for imports of equine semen from third countries**

*(notified under document number C(2001) 390)*

**(Text with EEA relevance)**

(2001/169/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/65/EEC of 13 July 1992, laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subjected to animal health requirements laid down in specific Community rules referred to in Annex A(I) to Directive 90/425/EEC <sup>(1)</sup>, as last amended by Commission Decision 985/176/EC <sup>(2)</sup>, and in particular Article 17(3)(b) thereof,

Whereas:

- (1) Commission Decision 2000/284/EC <sup>(3)</sup>, as last amended by Decision 2000/790/EC <sup>(4)</sup>, established the list of approved semen collection centres for imports of equine semen from non-member countries.
- (2) The competent authorities of Canada officially informed the Commission of the approval in accordance with the provisions of Directive 92/65/EEC of one additional equine semen collection centre. In addition, the authorities of Canada corrected certain details of four of the collection centres included in the Annex to Decision 2000/84/EC.

(3) It is appropriate to amend the list in the light of new information received from the non-member country concerned, and to highlight the amendments in the Annex for clarity.

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

HAS ADOPTED THIS DECISION:

*Article 1*

The Annex to Decision 2000/284/EC is replaced by the Annex to this Decision.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 16 February 2001.

*For the Commission*

David BYRNE

*Member of the Commission*

<sup>(1)</sup> OJ L 268, 14.9.1992, p. 54.

<sup>(2)</sup> OJ L 117, 24.5.1995, p. 23.

<sup>(3)</sup> OJ L 94, 14.4.2000, p. 35.

<sup>(4)</sup> OJ L 314, 14.12.2000, p. 32.

- 1 Versión — Udgave — Fassung vom — Έκδοση — Version — Version — Versione — Versie — Versão — Tilanne — Version
- 2 Código ISO — ISO-kode — ISO-Code — Κωδικός ISO — ISO-code — Code ISO — Codice ISO — ISO-code — Código ISO — ISO-koodi — ISO-kod
- 3 Tercer país — Tredjeland — Drittland — Τρίτη χώρα — Third country — Pays tiers — Paese terzo — Derde land — País terceiro — Kolmas maa — Tredje land
- 4 Nombre del centro autorizado — Den godkendte tyrestations navn — Name der zugelassenen Besamungsstation — Όνομα του εγκεκριμένου κέντρου — Name of approved centre — Nom du centre agréé — Nome del centro riconosciuto — Naam van het erkende centrum — Nome approvato — Hyväksytyn aseman nimi — Tjurstationens namn
- 5 Dirección del centro autorizado — Den godkendte tyrestations adresse — Anschrift der zugelassenen Besamungsstation — Διεύθυνση του εγκεκριμένου κέντρου — Address of approved centre — Adresse du centre agréé — Indirizzo del centro riconosciuto — Adres van het erkende centrum — Endereço aprovado — Hyväksytyn aseman osoite — Tjurstationens adress
- 6 Autoridad competente en materia de autorización — Godkendelsesmyndighed — Zulassungsbehörde — Εγκρίνουσα αρχή — Approving authority — Autorité d'agrément — Autorità che rilascia il riconoscimento — Autoriteit die de erkenning heeft verleend — Autoridade de aprovação — Hyväksyntäviranomainen — Godkännandemyndighet
- 7 Número de autorización — Godkendelsesnummer — Registriernummer — Αριθμός έγκρισης — Approval number — Numéro d'agrément — Numero di riconoscimento — Registratienummer — Número de aprovação — Hyväksyntänumero — Godkännandenummer
- 8 Fecha de la autorización — Godkendelsesdato — Zulassungsdatum — Ημερομηνία έγκρισης — Approval date — Date d'agrément — Data di approvazione — Datum van erkenning — Data da aprovação — Hyväksyntäpäivä — Datum för godkännandet

1: 15.12.2000

2	3	4	5	6	7	8
AR	ARGENTINA	Haras El Atalaya	91 Cuartel 17 Arrecifes Buenos Aires	SENASA	I-E14 (Integral-Equino 14)	27.3.1998
AU	AUSTRALIA	Belcam Stud Artificial Breeding Centre	Armstrong Road Biddaddaba, Qld 4275	AQIS	Qld-AB-01	25.3.1998
AU		Alabar Bloodstock Corporation	Koyuga (Near Echuca) Victoria 3622			
AU		Beef Breeding Services, Qld DPI	Grindle Rd, Wacol Qld 4076			
AU		Kinnordy Stud Mr H. Schmorl.	MS 465, Cambooya Qld 4358			

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2	3	4	5	6	7	8
BG	BULGARIA					
BR	BRAZIL					
BY	BELARUS					
BZH	BOSNIA-HERZEGOVINA					
CA	CANADA	Ferme Canaco	89 Rang St-André St-Bernard de Lacolle Co. St-Jean, QUE J0J 1V0	CFIA	<b>4-EQ-01</b>	23.2.2000
CA		Amstrong Brothers	14709 Hurontario Street Inglewood, ON, L0N 1K0	CFIA	5-EQ-01	02/1997
CA		Zorgwijk Stables Ltd	508 Mt. Pleasant Road, R.R.2 Brantford, ON, N3T 5L5	CFIA	5-EQ-02	6.4.1999
CA		Tara Hills Stud	13700 Mast Road, R.R.4 Port Perry, ON, L9L 1B5	CFIA	5-EQ-03	26.1.2000
CA		Taylorlane Farm	R.R.#2 Orton, ON, L0N 1N0	CFIA	5-EQ-04	13.1.2000
CA		Earl Lennox	R.R.2 Orton, ON, L0N 1N0	CFIA	5-EQ-05	15.3.2000
CA		Rideau Field Farm	756 Heritage Drive, R.R.4 Merrickville, ON	CFIA	<b>5-EQ-06</b>	05/1998
CA		Glengate Farms	PO Box 220, 8343 Walker's Line Campbellville, ON, L0P 1B0	CFIA	<b>5-EQ-07</b>	31.1.1995
CA		Gencor The Genetic Corporation	R.R.#5 Guelph ON, N1H 612	CFIA	<b>5-EQ-08</b>	01/1997
CA		<b>Equine Reproduction Services</b>	<b>Box 877, Turner Valley Alberta, T0L 2A0</b>	<b>CFIA</b>	<b>7-EQ-01</b>	<b>20.11.2000</b>
CH	SWITZERLAND	Eidgenössisches Gestüt/Haras fédéral/Istituto Federale dell'allevamento equino Avenches	CH-1580 Avenches	Bundesamt für Veterinärwesen	CH-AI-4E	13.2.1997

1: 15.12.2000

2	3	4	5	6	7	8
CL	CHILE					
CU	CUBA					
CY	CYPRUS					
CZ	CZECH REPUBLIC					
DZ	ALGERIA					
EE	ESTONIA					
GL	GREENLAND					
HR	CROATIA					
HU	HUNGARY					
IL	ISRAEL					
IS	ICELAND	Gunnarsholt	Saedingastod Gunnarsholti 851 Hella	Iceland Veterinary Services	H001	20.12.1999
LI	LITHUANIA					
LV	LATVIA					
MA	MOROCCO					
MK	FORMER YUGOSLAV REPUBLIC OF MACEDONIA					
MT	MALTA					
MU	MAURITIUS					
MX	MEXICO					
NZ	NEW ZEALAND					
PL	POLAND					

1: 15.12.2000

2	3	4	5	6	7	8
PY	PARAGUAY					
RO	ROMANIA					
RU	RUSSIA					
SI	SLOVENIA					
SK	SLOVAK REPUBLIC					
TN	TUNISIA					
UA	UKRAINE					
US	USA	The Old Place	PO Box 90 Mt. Holly, AR 71758	APHIS	00AR001-EQS	19.7.2000
US		Specifically Equine Veterinary Service	910 W. Hwy 246 Buellton, CA	APHIS	97CA001-EQS	20.5.1997
US		Kellog Arabian Horse Center	3801 W. Temple Ave Pomona, CA	APHIS	97CA002-EQS	22.5.1997
US		Mariana Farm	Valley Center, CA	APHIS	98CA001-EQS	14.11.1997
US		Advanced Equine Reproduction	1145 Arroyo Mesa Rd Solvang, CA	APHIS	98CA002-EQS	12.8.1997
US		Pacific International Genetics	14300 Jackson Rd Sloughhouse, CA	APHIS	98CA003-EQS	23.1.1998
US		Alamo Pintado Equine Clinic	2501 Santa Barbara Ave Los Olivos, CA	APHIS	98CA004-EQS	23.2.1998
US		Anaheim Hills Saddle Club	6352 E. Nohl Ranch Rd Anaheim, CA	APHIS	98CA005-EQS	23.3.1998
US		Valley Oak Ranch	10940 26 Mile Road Oakdale, CA	APHIS	99CA006-EQS	2.4.1999
US		Jeff Oswood Stallion Station	21860 Ave. 160 Porterville, CA	APHIS	99CA007-EQS	8.4.1999

1: 15.12.2000

2	3	4	5	6	7	8
US		Magness Racing Ventures	4050 Casey Ave. Santa Ynez, CA 93460	APHIS	00CA008-EQS	10.12.1999
US		Honor Bright Farms	9049 E. Shaw Ave. Clovis, CA 93611	APHIS	00CA009-EQS	16.12.1999
US		Crawford Stallion Services	34520 DePortola Temecula, CA 92592	APHIS	00CA010-EQS	20.1.2000
US		Exclusively Equine Reproduction	28753 Valley Center Rd Temecula, CA 92082	APHIS	00CA011-EQS	2.3.2000
US		Candlewood Equine	2 Beaver Pond Lane Bridgewater, CT 06752	APHIS	00CT001-EQS	1.3.2000
US		Peterson & Smith Reproduction Center	15107 S.E. 47 <sup>th</sup> Ave Summerfield, FL 34491	APHIS	00FL001-EQS	10.1.2000
US		Silver Maple Farm	6621 Daniels Road Naples, FL 34109	APHIS	00FL002-EQS	26.1.2000
US		Burchett Training Center	826 Knox Chapel Road Social Circle, GA	APHIS	98GA002-EQS	23.4.1998
US		Double L Quarter Horse	1881 E. Berry Road Cedar Rapids, IA	APHIS	96IA001-EQS	2.1.1996
US		Jim Dudley Quarter Horses	Rt. 1, Box 137 Latimer, IA	APHIS	98IA002-EQS	26.5.1998
US		Grandview Farms	123 West 200 South Huntington, IN	APHIS	99IN001-EQS	16.12.1999
US		Ed Mudlick	4333 Straightline Pike Richmond, IN 47374	APHIS	00IN002-EQS	13.3.2000
US		Gumz Farms Quarter Horses	7491 S 100 W North Judson, IN 46366	APHIS	00IN003-EQS	3.7.2000
US		Kentuckiana Farm	PO Box 11743 Lexington, KY	APHIS	97KY001-EQS	16.10.1997

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2	3	4	5	6	7	8
US		Castleton Farm	2469 Iron Works Pike PO Box 11889 Lexington, KY 40511	APHIS	98KY002-EQS	13.8.1998
US		Hamilton Farm	66 Woodland Mead PO Box 2639 South Hamilton, MA 01982	APHIS	98MA001-EQS	30.3.1998
US		Select Breeders Service, Inc.	1088 Nesbitt Road Colora Maryland	APHIS	98MD001-EQS	
US		Imperial Egyptian Stud	2642 Mt. Carmel Road Parkton, MD 21120	APHIS	00MD002-EQS	18.7.2000
US		Harris Paints	27720 Possum Hill Road Federalsburg, MD 21632	APHIS	00MD003-EQS	25.9.2000
US		Midwest Station II	16917 70 <sup>th</sup> St. NE Elk River, MN 55330	APHIS	00MN001-EQS	16.5.2000
US		Schemel Stables Collection Facility	986 PCR, Co. Rd 810 Perryville, MO	APHIS	99MO001-EQS	15.12.1999
US		Equine Reproduction Facility	137 Speaks Road Advance, NC	APHIS	97NC001-EQS	21.8.1997
US		Walnridge Farm, Inc.	Hornerstown-Arneytown Road Cream Ridge, NJ	APHIS	96NJ003-EQS	14.8.1996
US		Cedar Lane Farm	40 Lambertville Headquarters Rd Lambertville, NJ	APHIS	96NJ004-EQS	4.9.1996
US		Peretti's Farm	Route 526, Box 410 Cream Ridge, NJ	APHIS	97NJ005-EQS	17.3.1997
US		Kentuckiana Farm of NJ	18 Archertown Road New Egypt, NJ	APHIS	99NJ006-EQS	30.7.1999
US		Southwind Farm	29 Burd Road, Pennington, NJ 08534	APHIS	00NJ007-EQS	13.7.2000
US		Blue Chip Farm	807 Hogagerburgh Road Wallkill, NY 12859	APHIS	00NY001-EQS	31.8.2000

1: 15.12.2000

2	3	4	5	6	7	8
US		Sunny Gables Farm	282 Rt. 416 Montgomery, NY 12549	APHIS	00NY002-EQS	24.7.2000
US		Autumn Lane Farm	7901 Panhandle Road Newark, OH	APHIS	99OH001-EQS	19.5.1999
US		Paws UP Quarter Horses	Route 1 Box 43-1 Purcell, OK 73080	APHIS	00OK002-EQS	11.4.2000
US		Bryant Ranch	11777 NW Oak Ridge Rd Yamhill, OR	APHIS	98OR001-EQS	19.2.1998
US		Honahlee Equine Semen Collection Facility	14005 SW Tooze Road Sherwood, OR 97140	APHIS	99OR001-EQS	26.10.2000
US		Kosmos Horse Breeders	372 Littlestown Road Littlestown, PA 17340	APHIS	97PA001-EQS	19.3.1997
US		Hanover Shoe Farm	Route 194 South PO Box 339 Hanover, PA 17331	APHIS	97PA002-EQS	28.3.1997
US		Nandi Veterinary Associates	3244 West Sieling Road New Freedom, PA	APHIS	97PA003-EQS	22.9.1997
US		Babcock Ranch Semen Collection Center	Rt. 2, Box 357 Gainsville, TX	APHIS	97TX001-EQS	2.6.1997
US		Select Breeders	Rt. 3, Box 196 Aubrey, TX	APHIS	97TX002-EQS	1.2.1997
US		Floyd Moore Ranch	Route 2, Box 293 Huntsville, TX	APHIS	98TX003-EQS	12.5.1998
US		Carol Rose Quarter Horse Ranch	Rt. 2, Box 136-1 Gainesville, TX	APHIS	99TX005-EQS	15.3.1999
US		Riverside Ranch	4150 FM 113 North Weatherford, TX	APHIS	99TX006-EQS	16.4.1999
US		Bluebonnet Farm	746 FM 529 Bellville, TX 77418	APHIS	00TX007-EQS	25.1.2000



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2	3	4	5	6	7	8
US		Alpha Equine Breeding Center	2301 Boyd Road Granbury, TX 76049	APHIS	00TX008-EQS	28.2.2000
US		Thistlewood Farm	PO Box 52, Kerrville, TX 78029	APHIS	00TX009-EQS	23.3.2000
US		Joe Landers Breeding Facility	4322 Tintop Road Weatherford, TX 76087	APHIS	00TX010-EQS	11.4.2000
US		Willow Tree Farm	10334 Strittmatter, Pilot Point, TX 76258	APHIS	00TX011-EQS	28.4.2000
US		Green Valley Farm	3952 PR 2718, Aubrey, TX 76227	APHIS	00TX012-EQS	28.4.2000
US		Roanoke AI Labs, Inc.	8535 Martin Creek Road Roanoke, VA	APHIS	96VA001-EQS	14.11.1996
US		Commonwealth Equine Reproduction Center	16078 Rockets Mill Road Doswell, VA 23047	APHIS	00VA002-EQS	9.8.2000
US		Tylord Farm	Route 22A Benson, VT	APHIS	97VT001-EQS	25.3.1997
US		Hass Quarter Horses	W9821 Hwy 29 Shawano, WI	APHIS	97WI001-EQS	29.5.1997
UY	URUGUAY					
ZA	SOUTH AFRICA					

## CORRIGENDA

**Corrigendum to Council Regulation (EC) No 2605/2000 of 27 November 2000 imposing definitive anti-dumping duties on imports of certain electronic weighing scales (REWS) originating in the People's Republic of China, the Republic of Korea and Taiwan**

(Official Journal of the European Communities L 301 of 30 November 2000)

On page 60, Article 1(2), in the table, against the second entry under the column headed 'TARIC additional code':  
for: 'A208',  
read: 'A215'.

**Corrigendum to Commission Regulation (EC) No 2902/2000 of 21 December 2000 fixing the withdrawal and selling prices for the fishery products listed in Annex I to Council Regulation (EC) No 104/2000 for the 2001 fishing year**

(Official Journal of the European Communities L 336 of 30 December 2000)

On page 46, in Annex III, against the species, 'Sardines of the species *Sardina pilchardus*', the second subdivision should read as follows:

'Species	Landing area	Conversion factor	Size	Withdrawal prices (EUR/tonne)	
				Gutted fish, with head	Whole fish
				Extra, A	Extra, A
Sardines of the species <i>Sardina pilchardus</i>	Coastal areas and islands of the counties of Cornwall and Devon in the United Kingdom	0,72	{ 1 { 2 { 3 { 4	0 0 0 0	202 253 285 186'