

English edition

## Legislation

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## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 268/2002  
of 12 February 2002  
terminating the anti-dumping proceeding concerning imports of polysulphide polymers originating  
in the United States of America**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 384/96 of 22 December 1995 on protection against dumped imports from countries not members of the European Community <sup>(1)</sup>, and in particular Article 9 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee,

Whereas:

**A. PROCEDURE**

- (1) Regulation (EC) No 1965/98 <sup>(2)</sup> imposed definitive anti-dumping duties on polysulphide polymers originating in the United States of America in September 1998.
- (2) These duties were imposed following a complaint lodged by Akcros Chemicals GmbH & Co. KG, Germany, the sole Community producer of polysulphide polymers.

**B. WITHDRAWAL OF THE COMPLAINT AND TERMINATION OF THE PROCEEDING**

- (3) By a letter of 20 July 2001 to the Commission, Akcros Chemicals GmbH & Co. KG formally withdrew its complaint and requested that the measures be repealed. This request was based on the fact that the sole

exporting producer in the relevant country had decided to cease production of the product concerned.

- (4) In accordance with Article 9(1) of Regulation (EC) No 384/96, a proceeding may be terminated where the complaint is withdrawn, unless such termination would not be in the Community interest.
- (5) The Commission announced its intention to investigate whether the measures should be retained in a Notice published on 4 October 2001 <sup>(3)</sup>. Two responses were received following this Notice from the user industry, both supporting the repealing of the measures. In addition, the sole Community producer confirmed its position that the measures were no longer appropriate. It is, therefore, considered that termination of the proceeding would not be against the Community interest.
- (6) It is therefore concluded that the anti-dumping proceeding concerning polysulphide polymers originating in the United States of America should be terminated,

HAS ADOPTED THIS REGULATION:

*Sole Article*

The anti-dumping proceeding concerning imports of polysulphide polymers currently classifiable within CN code ex 4002 99 90 and originating in the United States of America is hereby terminated.

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

Done at Brussels, 12 February 2002.

*For the Council  
The President*

R. DE RATO Y FIGAREDO

<sup>(1)</sup> OJ L 56, 6.3.1996, p. 1. Regulation as last amended by Regulation (EC) No 2238/2000 (OJ L 257, 11.10.2000, p. 2).

<sup>(2)</sup> OJ L 255, 17.9.1998, p. 1.

<sup>(3)</sup> OJ C 280, 4.10.2001, p. 5.

**COMMISSION REGULATION (EC) No 269/2002**  
**of 14 February 2002**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 15 February 2002.

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

Done at Brussels, 14 February 2002.

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

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

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

## ANNEX

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

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	105,6
	204	73,6
	212	144,5
	608	21,1
	999	86,2
0707 00 05	052	181,0
	068	127,8
	628	223,4
	999	177,4
0709 90 70	052	176,7
	204	104,1
	999	140,4
0805 10 10, 0805 10 30, 0805 10 50	052	52,3
	204	51,9
	212	44,8
	220	44,8
	421	30,4
	508	23,9
	624	84,9
	999	47,6
0805 20 10	052	92,6
	204	76,9
	999	84,8
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	62,9
	204	68,9
	220	59,3
	464	140,4
	600	108,3
	624	88,6
	999	88,1
0805 50 10	052	59,6
	220	43,3
	600	45,4
	999	49,4
0808 10 20, 0808 10 50, 0808 10 90	060	41,6
	400	123,0
	404	91,1
	720	120,7
	728	116,6
	999	98,6
	0808 20 50	388
400		96,8
528		101,8
720		143,1
999		112,2

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

**COMMISSION REGULATION (EC) No 270/2002****of 14 February 2002****amending Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards specified risk material and epidemio-surveillance for transmissible spongiform encephalopathies and amending Regulation (EC) No 1326/2001 as regards animal feeding and the placing on the market of ovine and caprine animals and products thereof**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 1326/2001 <sup>(2)</sup>, and in particular Article 23 thereof,

Whereas:

- (1) Detailed rules for monitoring of transmissible spongiform encephalopathies (TSEs) in ovine and caprine animals are laid down in Annex III to Regulation (EC) No 999/2001.
- (2) These rules should again be revised to take account of the opinion of 18-19 October 2001 of the Scientific Steering Committee, which recommended that a survey of the incidence of TSEs should urgently be carried out with the available rapid tests using a statistically sound sample design and size.
- (3) The Scientific Steering Committee has indicated in its opinion of 29-30 November 2001 on requirements for statistically authoritative BSE/TSE surveys that TSE prevalence in adult sheep could range from 20 to 500 TSE positives per 1 million sheep according to Member State. In Member States with a large sheep population a sample size sufficient to detect a prevalence of one positive in 20 000 healthy slaughter animals at a 95 % confidence level is the largest that can be realistically achieved at this time. The sample size for countries with a small sheep population should be adjusted to take account of the practicalities of numbers of eligible animals available for testing.
- (4) The age criteria for defining the populations for sampling should for practical reasons be broadened by making reference to dentition. Member States, which have other systems in place allowing the determination of the age of the animal, should be allowed to continue to use an age of 18 months.
- (5) The Scientific Steering Committee opinion of 29-30 November 2001 also recommends that the prion protein genotype of a randomly selected subsample of

monitored sheep should be determined. The sample size for countries with a small sheep population should be adjusted to take account of the practicalities of numbers of eligible animals available for sampling.

- (6) Finland and Austria confirmed their first cases of bovine spongiform encephalopathy (BSE) on 7 and 13 December 2001 respectively. Therefore it is no longer appropriate that these Member States should be afforded derogations in respect of the monitoring of healthy slaughter cattle, removal of vertebral column and conduct of the conclusive statistical survey.
- (7) During the transitional period, detailed rules for the removal and the destruction of specified risk materials are laid down in Annex XI, part A, to Regulation (EC) No 999/2001.
- (8) In order to avoid any unnecessary disruption of the internal market, and taking into account the opinions of the Scientific Steering Committee referred to under Commission Decision 2001/233/EC <sup>(3)</sup>, carcasses or parts of carcasses of bovine animals that still contain vertebral column should be accepted for trade between Member States and when imported from third countries. To ensure the control by Member states of its removal, specific control measures should be laid down.
- (9) Member States should also have the possibility to allow the removal of the vertebral column in butcher shops specifically authorised, monitored, and registered for this purpose.
- (10) In its opinion of 29 June 2001 on adipose tissue associated with the digestive tract of cattle, sheep and goats, the Scientific Steering Committee pointed out that potential infectivity could be found in the mesenteric nerves and the mesenteric lymph nodes situated near the arteria mesenterica in bovine animals. As control of the removal of this specific area alone is unlikely to be feasible, the whole mesentery from bovine animals should therefore be regarded as SRM.
- (11) It is necessary to clarify the rules following the removal of specified risk material and in particular those relating to the staining of such material.

<sup>(1)</sup> OJ L 147, 31.5.2001, p. 1.<sup>(2)</sup> OJ L 177, 30.6.2001, p. 60.<sup>(3)</sup> OJ L 84, 23.3.2001, p. 59.

- (12) The removal of specified risk material from products destined for food and feed is the single most important public health protection measure. Until classification decisions have been made for third countries, and as a precaution, it is appropriate to keep the minimal protection measures foreseen by Regulation (EC) No 999/2001 for imports from all third countries which are not considered BSE free. Some third countries for which it was demonstrated by the Scientific Steering Committee risk assessment that the risk of BSE being present in native cattle is highly unlikely, benefit from a derogation from the transitional measures. It is necessary to clarify the conditions under which imports from these derogating countries are allowed, and in particular those relating to the sourcing of the products for import.
- (13) In its opinion of 29 June 2001 on the geographic BSE risk of certain third countries, the Scientific Steering Committee concluded that, in addition to previously evaluated countries, the occurrence of BSE in native cattle is highly unlikely in Panama and El Salvador. Panama and El Salvador should therefore be added to the list of third countries benefiting from a derogation for all imports of products of animal origin, live bovine animals, embryos and ova.
- (14) Regulation (EC) No 999/2001 should therefore be amended accordingly.
- (15) Experience has shown that it is necessary to clarify the measures applying to animal feeding laid down in Regulation (EC) No 1326/2001, while maintaining the prohibition established by Council Decision 2000/766/EC<sup>(1)</sup> during the transitional period. It should also be clarified that the rules in that Regulation concerning the placing on the market of live ovine and caprine animals, their semen, embryos and ova, apply during the transitional period.
- (16) Regulation (EC) No 1326/2001 should therefore be amended accordingly.
- (17) The measures provided for in this Regulation are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS REGULATION:

#### Article 1

Regulation (EC) No 999/2001 is amended as follows:

1. Annex III is replaced by the text in Annex I to this Regulation.

<sup>(1)</sup> OJ L 306, 7.12.2000, p. 32.

2. Annex XI is amended as follows:

- (a) Part A is replaced by the text in Annex II to this Regulation.
- (b) In part B, point 2 is replaced by the following:
- ‘2. Sweden may decide to derogate from the provisions of point 1, second indent, in remote areas with low animal density.’
- (c) In part D, point 4 is replaced by the following:
- ‘4. Points 2 and 3 shall not apply to imports of bovine animals born and continuously reared in the following countries and to imports of embryos and ova derived from such animals:

Argentina

Australia

Botswana

Brazil

Chile

Costa Rica

El Salvador

Namibia

New Zealand

Nicaragua

Panama

Paraguay

Uruguay

Singapore

Swaziland.’

#### Article 2

Regulation (EC) No 1326/2001 is amended as follows:

1. In Article 1, point 2 is replaced by the following:
- ‘2. Article 7 shall not apply to a Member State until the coming into force of the decision determining the BSE status of that Member State, and until the Community provisions on animal feeding relevant to transmissible spongiform encephalopathies are effectively enforced there. Annex XI, part C, shall apply to that Member State until Article 7 becomes applicable there.’
2. In Annex I, the second indent is replaced by the following:
- ‘— Article 15(1) concerning the placing on the market of live bovine animals, their semen, embryos and ova.’



*Article 3*

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

It shall apply from 1 April 2002.

However, the provisions referred to in Article 1(2)(c) and Annex XI(A)(10) to Regulation (EC) No 999/2001, as amended by Annex II to this Regulation, shall apply from 1 March 2002.

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

Done at Brussels, 14 February 2002.

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

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## ANNEX I

## 'ANNEX III

**MONITORING SYSTEM**

## CHAPTER A

**I. Monitoring in bovine animals**1. *General*

Monitoring in bovine animals shall be carried out in accordance with the laboratory methods laid down in Annex X, Chapter C, point 3.1(b).

2. *Monitoring in animals slaughtered for human consumption*

## 2.1. All bovine animals over 24 months of age:

- subject to "special emergency slaughtering" as defined in Article 2(n) of Council Directive 64/433/EEC <sup>(1)</sup>, or
  - slaughtered in accordance with Annex I, Chapter VI, point 28(c), to Directive 64/433/EEC,
- shall be tested for BSE.

## 2.2. All bovine animals over 30 months of age subject to normal slaughter for human consumption shall be tested for BSE.

## 2.3. By way of derogation from point 2.2, and with regard to bovine animals born, reared and slaughtered on its territory, Sweden may decide to examine only a random sample. The sample shall comprise at least 10 000 animals per year.

3. *Monitoring in animals not slaughtered for human consumption*

Bovine animals over 24 months of age which have died or been killed but which were not:

- killed for destruction pursuant to Commission Regulation (EC) No 716/96 <sup>(2)</sup>,
- killed in the framework of an epidemic, such as foot-and-mouth disease,
- slaughtered for human consumption,

shall be tested for BSE at random. The number of samples shall not be less than the sample size indicated in the table. The sampling must be representative for each region and continuous.

Total population over 24 months	Minimum annual sample size (*)	Total population over 24 months	Minimum annual sample size (*)
100 000	950	4 500 000	6 000
200 000	1 550	5 000 000	6 500
300 000	1 890	5 500 000	7 000
400 000	2 110	6 000 000	7 500
500 000	2 250	6 500 000	8 000
600 000	2 360	7 000 000	8 500
700 000	2 440	7 500 000	9 000
800 000	2 500	8 000 000	9 500
900 000	2 550	8 500 000	10 000
1 000 000	2 590	9 000 000	10 500
1 500 000	3 000	9 500 000	11 000
2 000 000	3 500	10 000 000	11 500
2 500 000	4 000	10 500 000	12 000
3 000 000	4 500	11 000 000	12 500
3 500 000	5 000	11 500 000	13 000
4 000 000	5 500	12 000 000	13 500

(\*) The sample size has been calculated to detect a prevalence of 0,1 % with a 95 % confidence in the subpopulation referred to in point 3, based on the assumption that the proportion of this subpopulation in the total population of bovine animals over 24 months of age is 1 %. Where the size of the total population of bovine animals over 24 months of age is 1 500 000 animals or more, the sample size has been increased by 500 samples per 500 000 animals as a proportionality adjustment, to take account of the larger likelihood of variation in risk for BSE within the population.

<sup>(1)</sup> OJ 121, 29.7.1964, p. 2012/64.

<sup>(2)</sup> OJ L 99, 20.4.1996, p. 14.

4. *Monitoring in animals purchased for destruction pursuant to Regulation (EC) No 716/96*

- 4.1. All animals subject to casualty slaughter or found sick at ante-mortem inspection shall be tested for BSE.
- 4.2. All animals born between 1 August 1996 and 1 August 1997 shall be tested for BSE.
- 4.3. A random sample comprising at least 50 000 animals annually of animals not covered by points 4.1 or 4.2 shall be tested for BSE.

5. *Monitoring in other animals*

In addition to the testing referred to in points 2 to 4, Member States may on a voluntary basis decide to test other bovine animals on their territory, in particular where those animals originate from countries with indigenous BSE, have consumed potentially contaminated feedingstuffs or were born or derived from BSE infected dams.

6. *Measures following testing*

- 6.1. Where an animal slaughtered for human consumption is tested for BSE, the health marking provided for in Chapter XI of Annex I to Directive 64/433/EEC shall not be carried out on the carcass of that animal until a negative result to the rapid test has been obtained.
- 6.2. Member States may derogate from the provisions of point 6.1 where an official system is in place in the slaughterhouse ensuring that no parts of examined animals bearing the health mark leave the slaughterhouse until a negative result to the rapid test has been obtained.
- 6.3. All parts of the body of an animal tested for BSE including the hide shall be retained under official control until a negative result to the rapid test has been obtained, unless they are destroyed in accordance with Annex V, point 3 or 4.
- 6.4. All parts of the body of an animal found positive to the rapid test including the hide shall be destroyed in accordance with Annex V, point 3 or 4, apart from material to be retained in conjunction with the records provided for in Chapter B, section III.
- 6.5. Where an animal slaughtered for human consumption is found positive to the rapid test, at least the carcass immediately preceding the test-positive carcass and two carcasses immediately following the test-positive carcass on the same slaughter line shall be destroyed in accordance with point 6.4, in addition to the test-positive carcass.
- 6.6. Member States may derogate from the provisions of point 6.5 where a system is in place in the slaughterhouse preventing contamination between carcasses.

## II. **Monitoring in ovine and caprine animals**

1. *General*

Monitoring in ovine and caprine animals shall be carried out in accordance with the laboratory methods laid down in Annex X, Chapter C, point 3.2(b).

2. *Monitoring in animals slaughtered for human consumption*

Animals over 18 months of age or which have more than two permanent incisors erupted through the gum and which are slaughtered for human consumption shall be tested in accordance with the sample size indicated in the table. The sampling shall be representative for each region and season. The sample selection shall be designed with a view to avoid the over-representation of any group as regards the origin, species, age, breed, production type or any other characteristic. The age of the animals shall be estimated based on dentition, obvious signs of maturity or other reliable information. Multiple sampling in the same flock shall be avoided, where possible.

Member States	Minimum annual sample size Slaughtered animals (*)
Belgium	3 750
Denmark	3 000
Germany	60 000
Greece	60 000
Spain	60 000
France	60 000
Ireland	60 000

Member States	Minimum annual sample size Slaughtered animals (*)
Italy	60 000
Luxembourg	250
Netherlands	39 000
Austria	8 200
Portugal	22 500
Finland	1 900
Sweden	5 250
United Kingdom	60 000

(\*) The sample size has been calculated to detect a prevalence of 0,005 % with a 95 % confidence in slaughtered animals in Member States which slaughter a large number of adult sheep. In those Member States which slaughter a smaller number of adult sheep, the sample size is calculated as 25 % of the estimated or recorded number of cull ewes slaughtered in 2000.

### 3. Monitoring in animals not slaughtered for human consumption

Animals over 18 months of age or which have more than two permanent incisors erupted through the gum which have died or been killed, but which were not:

- killed in the framework of an epidemic, such as foot-and-mouth disease,
- slaughtered for human consumption,

shall be tested in accordance with the sample size indicated in the table. The sampling shall be representative for each region and season. The sample selection shall be designed with a view to avoid the over-representation of any group as regards the origin, species, age, breed, production type or any other characteristic. The age of the animal shall be estimated based on dentition, obvious signs of maturity or other reliable information. Multiple sampling in the same flock shall be avoided, where possible.

Member States	Minimum annual sample size Dead animals (*)
Belgium	450
Denmark	400
Germany	6 000
Greece	6 000
Spain	6 000
France	6 000
Ireland	6 000
Italy	6 000
Luxembourg	30
Netherlands	5 000
Austria	1 100
Portugal	6 000
Finland	250
Sweden	800
United Kingdom	6 000

(\*) The sample size has been calculated to detect a prevalence of 0,05 % with a 95 % confidence in dead animals in Member States with a large sheep population. In those Member States which slaughter a smaller sheep population, the sample size is calculated as 50 % of the estimated number of dead animals (estimated mortality 1 %).

#### 4. *Monitoring in other animals*

In addition to the monitoring programmes set out in points 2 and 3, Member States may on a voluntary basis carry out monitoring in other animals, in particular:

- animals used for dairy production,
- animals originating from countries with indigenous TSEs,
- animals which have consumed potentially contaminated feedingstuffs,
- animals born or derived from TSE infected dams,
- animals from flocks infected with TSE.

#### 5. *Measures following testing of ovine and caprine animals*

All parts of the body of a tested animal including the hide shall be retained under official control until a negative result to the rapid test has been obtained, unless they are destroyed in accordance with Annex V, point 3 or 4.

All parts of the body of an animal found positive to the rapid test including the hide shall be destroyed in accordance with Annex V, point 3 or 4, apart from material to be retained in conjunction with the records provided for in Chapter B, section III.

#### 6. *Genotyping*

- 6.1. The prion protein genotype shall be determined for each positive TSE case in sheep. TSE cases found in resistant genotypes (sheep of genotypes which encode alanin on both alleles at codon 136, arginin on both alleles at codon 154 and arginin on both alleles at codon 171) shall immediately be reported to the Commission. Where possible, such cases shall be submitted for strain-typing. Where strain-typing of such cases is not possible, the herd of origin and all other herds where the animal has been shall be subjected to enhanced monitoring with a view to find other TSE cases for strain-typing.
- 6.2. In addition to the animals genotyped under the provisions of point 6.1, the prion protein genotype of a random subsample of the ovine animals tested under the provisions of Chapter A, section II, point 2, shall be determined. This subsample shall represent at least one per cent of the total sample for each Member State, and shall not be less than 100 animals per Member State. By derogation, Member States may choose to genotype an equivalent number of live animals of a similar age.

## CHAPTER B

### I. **Information to be presented by Member States in their report**

1. The number of suspected cases per animal species placed under movement restrictions in accordance with Article 12(1).
2. The number of suspected cases per animal species subject to laboratory examination in accordance with Article 12(2) and the outcome of the examination.
3. The number of flocks where suspected cases in ovine and caprine animals have been reported and investigated pursuant to Article 12(1) and (2).
4. The estimated size of each subpopulation referred to in Chapter A, section I, points 3 and 4.
5. The number of bovine animals tested within each subpopulation referred to in Chapter A, section I, point 2 to 5, the method for sample selection and the outcome of the tests.
6. The estimated size of those subpopulations referred to in Chapter A, section II, points 2 and 3, which have been selected for sampling.
7. The number of ovine and caprine animals and flocks tested within each subpopulation referred to in Chapter A, section II, points 2 to 4, the method for sample selection and the outcome of the tests.
8. Number, age distribution and geographical distribution of positive cases of BSE and scrapie. The country of origin, if not the same as the reporting country, of positive cases of BSE and scrapie. Number and geographical distribution of scrapie positive flocks. The year and, where possible, month of birth should be given for each BSE case.

9. Positive TSE cases confirmed in animals other than bovine, ovine and caprine animals.
10. The genotype and where possible breed of each animal sampled within each sub-population referred to in Chapter A, part II, points 6.1 and 6.2.

#### II. Information to be presented by the Commission in its summary

The summary shall be presented in a tabled format covering at least the information referred to in part I for each Member State.

#### III. Records

1. The competent authority shall keep, for seven years, records of:
    - the number and types of animals placed under movement restrictions as referred to in Article 12(1),
    - the number and outcome of clinical and epidemiological investigations as referred to in Article 12(1),
    - the number and outcome of laboratory examinations as referred to in Article 12(2),
    - the number, identity and origin of animals sampled in the framework of the monitoring programmes as referred to in Chapter A and, where possible, age, breed and anamnestic information,
    - the prion protein genotype of positive TSE cases in sheep.
  2. The investigating laboratory shall keep, for seven years, all records of testing, in particular laboratory workbooks and, where appropriate, paraffin blocks and photographs of Western blots.
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## ANNEX II

## ANNEX XI

## TRANSITIONAL MEASURES REFERRED TO IN ARTICLES 22 AND 23

**A. Concerning specified risk material, mechanically recovered meat and slaughtering techniques**

1. The specified risk material designated below shall be removed and destroyed in accordance with points 5 to 8 and, as appropriate, point 11.

(a) The following tissues are designated as specified risk material:

- (i) the skull including the brain and eyes, the tonsils, the vertebral column excluding the vertebrae of the tail and the transverse processes of the lumbar vertebrae, but including dorsal root ganglia and spinal cord, of bovine animals aged over 12 months, and the intestines from the duodenum to the rectum and the mesentery of bovine animals of all ages;
- (ii) the skull including the brain and eyes, the tonsils and the spinal cord of ovine and caprine animals aged over 12 months or which have a permanent incisor erupted through the gum, and the spleen of ovine and caprine animals of all ages.

The age set forth above for the removal of bovine vertebral column may be adjusted by amending this Regulation in the light of the statistical probability of the occurrence of BSE in the relevant age groups of the Community's bovine population, based on the results of BSE monitoring as established by Chapter A.I of Annex III, and Chapter B, point 1, of this Annex.

(b) In addition to the specified risk material listed in (a), the following tissues must be designated as specified risk material in the United Kingdom of Great Britain and Northern Ireland and in Portugal, with the exception of the Autonomous Region of the Azores:

the entire head excluding the tongue, including the brain, eyes, trigeminal ganglia and tonsils; the thymus, the spleen and the spinal cord of bovine animals aged over 6 months.

2. By way of derogation from point 1(a)(i), a decision may be taken in accordance with the procedure referred to in Article 24(2) to allow the use of vertebral column and dorsal root ganglia from bovine animals:

- (a) born, continuously reared and slaughtered in Member States for which a scientific evaluation established that the occurrence of BSE in native bovine animals is highly unlikely, or unlikely but not excluded, or
- (b) born after the date of effective enforcement of the prohibition on the feeding of mammalian protein to ruminants in Member States with reported BSE in native animals or for which a scientific evaluation established that the occurrence of BSE in native bovine animals is likely.

The United Kingdom, Portugal, and Sweden may benefit from this derogation on the basis of previously submitted and evaluated evidence. Other Member States may apply for this derogation by submitting conclusive supporting evidence to the Commission regarding point (a) or (b), as appropriate.

Member States benefiting from this derogation shall, in addition to the requirements laid down in Annex III, Chapter A, section I, ensure that one of the approved rapid tests listed in Annex X, Chapter C, point 4, is applied to all bovine animals over 30 months of age which:

- (a) have died on the farm or in transport, but which have not been slaughtered for human consumption, with the exception of those dead animals in remote areas with a low animal density situated in Member States where the occurrence of BSE is unlikely;
- (b) were subject to normal slaughter for human consumption.

This derogation shall not be granted to allow the use of vertebral column and dorsal root ganglia from bovine animals aged over 30 months from the United Kingdom or from Portugal with the exception of the Autonomous Region of the Azores.

Experts from the Commission may carry out on-the-spot checks to further verify the submitted evidence in accordance with Article 21.

3. Bones of bovine, ovine and caprine animals shall not be used for the production of mechanically recovered meat.

4. Laceration of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity after stunning shall not be carried out on bovine, ovine or caprine animals whose meat is intended for human or animal consumption.

5. Specified risk material shall be removed at:

- (a) slaughterhouses;
- (b) cutting plants, in the case of vertebral column of bovine animals;

- (c) high-risk processing plants or premises referred to in Articles 3 and 7 of Directive 90/667/EEC, under the supervision of a designated agent appointed by the competent authority. Those establishments shall be approved for that purpose by the competent authority.

Where specified risk material is not removed from dead animals, the parts of the body containing specified risk material or the entire body must be treated as specified risk material. However, entire bodies of dead animals can be exempted from the staining requirement set forth in point 7.

6. By way of derogation from point 5, Member States may decide to allow:
- (a) harvesting of cheek meat and tongue from bovine, ovine and caprine heads in cutting plants specifically authorised for this purpose;
  - (b) removal of spinal cord of ovine and caprine animals in cutting plants specifically authorised for this purpose;
  - (c) removal of vertebral column from carcasses or parts of carcasses in butcher shops specifically authorised, monitored and registered for this purpose.
7. All specified risk material shall be stained with a dye or, as appropriate, marked immediately on removal, and completely destroyed:
- (a) by incineration without pre-processing, or
  - (b) after pre-processing:
    - (i) in accordance with the systems described in Chapters I to IV, VI and VII of the Annex to Decision 92/562/EEC:
      - by incineration,
      - by co-incineration;
    - (ii) in accordance at least with the standards set out in Annex I to Decision 1999/534/EC, by burial in an approved landfill site.
- The pre-processed material shall be re-stained or, as appropriate, re-marked if the dye is no longer visible or the marker no longer detectable.
8. Member States may derogate from the provisions of points 5 and 7 to allow the incineration or burial of specified risk material or entire bodies, without prior staining, or, as appropriate, without removal of the specified risk material, in the circumstances set out in Article 3(2) of Directive 90/667/EEC and by a method which:
- precludes all risk of transmission of a TSE, and
  - is approved and verified by the competent authority.
9. Member States may despatch specified risk material or the material processed therefrom to other Member States only with a view to subsequent incineration, under the conditions laid down in Article 4(2) of Decision 97/735/EC, or where appropriate in accordance with point 11(b).

This point may be amended at the request of a Member State to allow the despatch of specified risk material or the material processed therefrom to third countries for incineration, once the conditions governing such export have been adopted.

10. (a) The products of animal origin listed below shall be subject to the conditions laid down in (b) on import into the Community:
- the specified risk material referred to in point 1(a),
  - fresh meat: the meat defined by Directive 64/433/EEC,
  - minced meat and meat preparations: the minced meat and meat preparations defined by Directive 94/65/EC<sup>(1)</sup>,
  - meat products: the meat products defined by Directive 77/99/EEC<sup>(2)</sup>,
  - other products of animal origin: other products of animal origin as defined by Directive 77/99/EEC,
  - rendered fats as referred to by Directive 92/118/EEC,
  - gelatine as referred to by Directive 92/118/EEC,
  - pet food as referred to by Directive 92/118/EEC,
  - the processed animal protein referred to by Directive 92/118/EEC,
  - bones and bone products as referred to by Directive 92/118/EEC,
  - raw material for the manufacture of animal feedingstuffs as referred to by Directive 92/118/EEC.

Any reference to "products of animal origin" designates products of animal origin listed in this point and does not concern other products of animal origin containing or derived from those products of animal origin.

<sup>(1)</sup> Council Directive 94/65/EC of 14 December 1994 laying down the requirements for the production and placing on the market of minced meat and meat preparations (OJ L 368, 31.12.1994, p. 10).

<sup>(2)</sup> Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products (OJ L 26, 31.1.1977, p. 85). Directive as last amended by Council Directive 97/76/EC (OJ L 10, 16.1.1998, p. 25).



- (b) When the abovementioned products of animal origin, containing material from bovine, ovine or caprine animals are imported into the Community from third countries or regions thereof, the health certificates shall be accompanied by a declaration signed by the competent authority of the country of production, worded as follows:

"This product does not contain and is not derived from:

either (\*)

specified risk material as defined in Annex XI, section A, to Regulation (EC) No 999/2001 produced after 31 March 2001, or mechanically recovered meat obtained from bones of bovine, ovine or caprine animals produced after 31 March 2001. After 31 March 2001 the bovine, ovine and caprine animals, from which this product is derived, have not been slaughtered after stunning by means of gas injected into the cranial cavity or killed by the same method or slaughtered by laceration after stunning of central nervous tissue by means of an elongated rod-shaped instrument introduced into the cranial cavity.

Carcasses, half carcasses and quarter carcasses may contain vertebral column on import;

or (\*)

bovine, ovine and caprine materials other than those derived from animals born, continuously reared and slaughtered in the following countries:

Argentina

Australia

Botswana

Brazil

Chile

Costa Rica

El Salvador

Namibia

New Zealand

Nicaragua

Panama

Paraguay

Uruguay

Singapore

Swaziland

(\*) Delete one of these as appropriate."

11. Member States shall carry out frequent official inspections to verify the correct application of this Part and shall ensure that measures are taken to avoid any contamination, particularly in slaughterhouses, cutting plants, animal waste processing plants, high-risk processing plants or premises approved by the Member States in accordance with Article 7 of Directive 90/667/EEC, butcher shops registered in accordance with point 6, landfill sites and other facilities for storage or incineration.

Member States shall in particular set up a system to ensure and check that:

- (a) specified risk material used in the production of products referred to in Article 1(2) are used solely for authorised purposes;
- (b) specified risk material, especially where the removal takes place at establishments or premises other than slaughterhouses, is completely separated from other waste not intended for incineration, is collected separately and is disposed of in accordance with point 1 and points 5 to 9. Member States may decide to allow dispatch of heads or carcasses containing specified risk material to another Member State after that other Member State has agreed to receive the material and has approved the specific conditions applicable to such transport.

However, carcasses, half carcasses and quarter carcasses containing no specified risk material other than vertebral column, including dorsal root ganglia, may be imported into a Member State, or dispatched to another Member State without the latter's prior agreement.

12. A control system shall be put in place for the removal of the vertebral column as specified in point 1(a)(i). The system shall include at least the following measures:
- (a) carcasses or parts of carcasses, as defined by Directive 64/433/EEC, of bovine animals shall be identified by a blue stripe on the label referred to in Regulation (EC) No 1760/2000, when removal of the vertebral column is not required;
  - (b) a specific indication of the number of bovine carcasses or parts of carcasses, from which removal of the vertebral column is required and from which removal of the vertebral column is not required, shall be added to the commercial document referred to in Article 3(1)(A)(f)(ii) of Directive 64/433/EEC or to the document referred to in Article 1(2) of Commission Decision 93/13/EEC <sup>(1)</sup>, as applicable;
  - (c) butcher shops shall keep, for at least one year, the commercial documents referred to in point (b).'
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<sup>(1)</sup> OJ L 9, 15.1.1993, p. 33.

**COMMISSION REGULATION (EC) No 271/2002****of 14 February 2002****amending, for the fourth time, Council Regulation (EC) No 1705/98 concerning the interruption of certain economic relations with Angola in order to induce the 'União Nacional para a Independência Total de Angola' (UNITA) to fulfil its obligations in the peace process, and repealing Regulation (EC) No 2229/97**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1705/98 of 28 July 1998 concerning the interruption of certain economic relations with Angola in order to induce the 'Uniao Nacional para a Independência Total de Angola' (UNITA) to fulfil its obligations in the peace process, and repealing Regulation (EC) No 2229/97 <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2536/2001 <sup>(2)</sup>, and in particular Article 9 thereof,

Whereas:

- (1) Article 9 of Regulation (EC) No 1705/98 empowers the Commission to amend the Annexes to the Regulation on the basis of determinations by either the competent authorities of the United Nations or the Government of Unity and National Reconciliation of Angola or in the case of Annex VIII on the basis of information and notification supplied by the Member States.
- (2) Annex VIII lists the names and addresses of the competent national authorities. The Government of Germany has informed the Commission of changes in the German competent authority and therefore Annex VIII should be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 1705/98 should be amended as follows:

in Annex VIII:

'Deutsche Bundesbank  
Wilhelm-Epstein-Straße 29 - 35  
D-60431 Frankfurt/Main  
Tel. (49-69) 95 66-1'

shall be added to the list of competent national authorities for Germany and the Bundesausfuhramt (BAFA) should be listed as:

'Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)  
Frankfurterstraße 29 - 35  
D-65760 Eschborn  
Tel. (49-6196) 908-0'.

*Article 2*

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

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

Done at Brussels, 14 February 2002.

*For the Commission*

Christopher PATTEN

*Member of the Commission*

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

<sup>(2)</sup> OJ L 341, 22.12.2001, p. 70.

**COMMISSION REGULATION (EC) No 272/2002**  
**of 14 February 2002**  
**fixing the export refunds on milk and milk products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EC) No 1670/2000 <sup>(2)</sup>, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31 of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund within the limits resulting from agreements concluded in accordance with Article 300 of the Treaty.

(2) Regulation (EC) No 1255/1999 provides that when the refunds on the products listed in Article 1 of the above-mentioned Regulation, exported in the natural state, are being fixed, account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organisation of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the limits resulting from agreements concluded in accordance with Article 300 of the Treaty, and
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports.

(3) Article 31(5) of Regulation (EC) No 1255/1999 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that

when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices.

(4) Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of the abovementioned Regulation according to destination.

(5) Article 31(3) of Regulation (EC) No 1255/1999 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; the amount of the refund may, however, remain at the same level for more than four weeks.

(6) In accordance with Article 16 of Commission Regulation (EC) No 174/1999 of 26 January 1999 on specific detailed rules for the application of Council Regulation (EC) No 804/68 as regards export licences and export refunds on milk and milk products <sup>(3)</sup>, as last amended by Regulation (EC) No 156/2002 <sup>(4)</sup>, the refund granted for milk products containing added sugar is equal to the sum of the two components; one is intended to take account of the quantity of milk products and is calculated by multiplying the basic amount by the milk products content in the product concerned; the other is intended to take account of the quantity of added sucrose and is calculated by multiplying the sucrose content of the entire product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1(1)(d) of Council Regulation (EC) No 1260/2001 of 19 June 2001 on the common organisation of the markets in the sugar sector <sup>(5)</sup>, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

<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 20, 27.1.1999, p. 8.

<sup>(4)</sup> OJ L 25, 29.1.2002, p. 24.

<sup>(5)</sup> OJ L 178, 30.6.2001, p. 1.

- (7) Commission Regulation (EEC) No 896/84 <sup>(1)</sup>, as last amended by Regulation (EEC) No 222/88 <sup>(2)</sup>, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; those provisions provide for the possibility of varying refunds according to the date of manufacture of the products.
- (8) For the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account.
- (9) It follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds referred to in Article 31 of Regulation (EC) No 1255/1999 on products exported in the natural state shall be as set out in the Annex.

*Article 2*

This Regulation shall enter into force on 15 February 2002.

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

Done at Brussels, 14 February 2002.

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

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<sup>(1)</sup> OJ L 91, 1.4.1984, p. 71.

<sup>(2)</sup> OJ L 28, 1.2.1988, p. 1.

## ANNEX

## to the Commission Regulation of 14 February 2002 fixing the export refunds on milk and milk products

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0401 10 10 9000	970	EUR/100 kg	2,048	0402 29 91 9000	A02	EUR/kg	0,7852
0401 10 90 9000	970	EUR/100 kg	2,048	0402 29 99 9100	A02	EUR/kg	0,7852
0401 20 11 9100	970	EUR/100 kg	2,048	0402 29 99 9500	A02	EUR/kg	0,8541
0401 20 11 9500	970	EUR/100 kg	3,165	0402 91 11 9370	A02	EUR/100 kg	5,670
0401 20 19 9100	970	EUR/100 kg	2,048	0402 91 19 9370	A02	EUR/100 kg	5,670
0401 20 19 9500	970	EUR/100 kg	3,165	0402 91 31 9300	A02	EUR/100 kg	6,715
0401 20 91 9000	970	EUR/100 kg	4,005	0402 91 39 9300	A02	EUR/100 kg	6,715
0401 20 99 9000	970	EUR/100 kg	4,005	0402 91 99 9000	A02	EUR/100 kg	36,61
0401 30 11 9400	970	EUR/100 kg	9,240	0402 99 11 9350	A02	EUR/kg	0,1445
0401 30 11 9700	970	EUR/100 kg	13,88	0402 99 19 9350	A02	EUR/kg	0,1445
0401 30 19 9700	970	EUR/100 kg	13,88	0402 99 31 9150	A02	EUR/kg	0,1513
0401 30 31 9100	A02	EUR/100 kg	33,72	0402 99 31 9300	A02	EUR/kg	0,2191
0401 30 31 9400	A02	EUR/100 kg	52,67	0402 99 31 9500	A02	EUR/kg	0,3775
0401 30 31 9700	A02	EUR/100 kg	58,08	0402 99 39 9150	A02	EUR/kg	0,1513
0401 30 39 9100	A02	EUR/100 kg	33,72	0403 90 11 9000	A02	EUR/100 kg	29,58
0401 30 39 9400	A02	EUR/100 kg	52,67	0403 90 13 9200	A02	EUR/100 kg	29,58
0401 30 39 9700	A02	EUR/100 kg	58,08	0403 90 13 9300	A02	EUR/100 kg	68,23
0401 30 91 9100	A02	EUR/100 kg	66,19	0403 90 13 9500	A02	EUR/100 kg	71,76
0401 30 91 9500	A02	EUR/100 kg	97,28	0403 90 13 9900	A02	EUR/100 kg	77,30
0401 30 99 9100	A02	EUR/100 kg	66,19	0403 90 19 9000	A02	EUR/100 kg	77,71
0401 30 99 9500	A02	EUR/100 kg	97,28	0403 90 33 9400	A02	EUR/kg	0,6823
0402 10 11 9000	A02	EUR/100 kg	30,00	0403 90 33 9900	A02	EUR/kg	0,7730
0402 10 19 9000	A02	EUR/100 kg	30,00	0403 90 51 9100	970	EUR/100 kg	2,048
0402 10 91 9000	A02	EUR/kg	0,3000	0403 90 59 9170	970	EUR/100 kg	13,88
0402 10 99 9000	A02	EUR/kg	0,3000	0403 90 59 9310	A02	EUR/100 kg	33,72
0402 21 11 9200	A02	EUR/100 kg	30,00	0403 90 59 9340	A02	EUR/100 kg	52,10
0402 21 11 9300	A02	EUR/100 kg	68,64	0403 90 59 9370	A02	EUR/100 kg	52,10
0402 21 11 9500	A02	EUR/100 kg	72,46	0403 90 59 9510	A02	EUR/100 kg	52,10
0402 21 11 9900	A02	EUR/100 kg	78,00	0404 90 21 9120	A02	EUR/100 kg	25,59
0402 21 17 9000	A02	EUR/100 kg	30,00	0404 90 21 9160	A02	EUR/100 kg	30,00
0402 21 19 9300	A02	EUR/100 kg	68,64	0404 90 23 9120	A02	EUR/100 kg	30,00
0402 21 19 9500	A02	EUR/100 kg	72,46	0404 90 23 9130	A02	EUR/100 kg	68,64
0402 21 19 9900	A02	EUR/100 kg	78,00	0404 90 23 9140	A02	EUR/100 kg	72,46
0402 21 91 9100	A02	EUR/100 kg	78,52	0404 90 23 9150	A02	EUR/100 kg	78,00
0402 21 91 9200	A02	EUR/100 kg	79,16	0404 90 29 9110	A02	EUR/100 kg	78,56
0402 21 91 9350	A02	EUR/100 kg	79,93	0404 90 29 9115	A02	EUR/100 kg	79,15
0402 21 91 9500	A02	EUR/100 kg	87,45	0404 90 29 9125	A02	EUR/100 kg	79,97
0402 21 99 9100	A02	EUR/100 kg	78,52	0404 90 29 9140	A02	EUR/100 kg	87,50
0402 21 99 9200	A02	EUR/100 kg	79,16	0404 90 81 9100	A02	EUR/kg	0,3000
0402 21 99 9300	A02	EUR/100 kg	79,93	0404 90 83 9110	A02	EUR/kg	0,3000
0402 21 99 9400	A02	EUR/100 kg	85,41	0404 90 83 9130	A02	EUR/kg	0,6864
0402 21 99 9500	A02	EUR/100 kg	87,45	0404 90 83 9150	A02	EUR/kg	0,7246
0402 21 99 9600	A02	EUR/100 kg	94,87	0404 90 83 9170	A02	EUR/kg	0,7800
0402 21 99 9700	A02	EUR/100 kg	98,98	0404 90 83 9936	A02	EUR/kg	0,1445
0402 21 99 9900	A02	EUR/100 kg	103,82	0405 10 11 9500	L05	EUR/100 kg	170,73
0402 29 15 9200	A02	EUR/kg	0,3000	0405 10 11 9700	L05	EUR/100 kg	175,00
0402 29 15 9300	A02	EUR/kg	0,6866	0405 10 19 9500	L05	EUR/100 kg	170,73
0402 29 15 9500	A02	EUR/kg	0,7248	0405 10 19 9700	L05	EUR/100 kg	175,00
0402 29 15 9900	A02	EUR/kg	0,7800	0405 10 30 9100	L05	EUR/100 kg	170,73
0402 29 19 9300	A02	EUR/kg	0,6866	0405 10 30 9300	L05	EUR/100 kg	175,00
0402 29 19 9500	A02	EUR/kg	0,7248	0405 10 30 9700	L05	EUR/100 kg	175,00
0402 29 19 9900	A02	EUR/kg	0,7800	0405 10 50 9300	L05	EUR/100 kg	175,00

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0405 10 50 9500	L05	EUR/100 kg	170,73		L03	EUR/100 kg	—
0405 10 50 9700	L05	EUR/100 kg	175,00		A24	EUR/100 kg	27,09
0405 10 90 9000	L05	EUR/100 kg	181,41		L04	EUR/100 kg	27,09
0405 20 90 9500	L05	EUR/100 kg	160,07		400	EUR/100 kg	—
0405 20 90 9700	L05	EUR/100 kg	166,47		A01	EUR/100 kg	27,09
0405 90 10 9000	L05	EUR/100 kg	222,36	0406 10 20 9870	A00	EUR/100 kg	—
0405 90 90 9000	L05	EUR/100 kg	175,00	0406 10 20 9900	A00	EUR/100 kg	—
0406 10 20 9100	A00	EUR/100 kg	—	0406 20 90 9100	A00	EUR/100 kg	—
0406 10 20 9230	L02	EUR/100 kg	—	0406 20 90 9913	L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	32,03		A24	EUR/100 kg	49,95
	L04	EUR/100 kg	32,03		L04	EUR/100 kg	49,95
	400	EUR/100 kg	—		400	EUR/100 kg	20,23
	A01	EUR/100 kg	32,03		A01	EUR/100 kg	49,95
0406 10 20 9290	L02	EUR/100 kg	—	0406 20 90 9915	L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	29,79		A24	EUR/100 kg	65,93
	L04	EUR/100 kg	29,79		L04	EUR/100 kg	65,93
	400	EUR/100 kg	—		400	EUR/100 kg	26,95
	A01	EUR/100 kg	29,79		A01	EUR/100 kg	65,93
0406 10 20 9300	L02	EUR/100 kg	—	0406 20 90 9917	L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	13,08		A24	EUR/100 kg	70,05
	L04	EUR/100 kg	13,08		L04	EUR/100 kg	70,05
	400	EUR/100 kg	—		400	EUR/100 kg	28,65
	A01	EUR/100 kg	13,08		A01	EUR/100 kg	70,05
0406 10 20 9610	L02	EUR/100 kg	—	0406 20 90 9919	L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	43,44		A24	EUR/100 kg	78,29
	L04	EUR/100 kg	43,44		L04	EUR/100 kg	78,29
	400	EUR/100 kg	—		400	EUR/100 kg	31,96
	A01	EUR/100 kg	43,44		A01	EUR/100 kg	78,29
0406 10 20 9620	L02	EUR/100 kg	—	0406 20 90 9990	A00	EUR/100 kg	—
	L03	EUR/100 kg	—	0406 30 31 9710	L02	EUR/100 kg	—
	A24	EUR/100 kg	44,06		L03	EUR/100 kg	—
	L04	EUR/100 kg	44,06		A24	EUR/100 kg	12,33
	400	EUR/100 kg	—		L04	EUR/100 kg	6,58
	A01	EUR/100 kg	44,06		400	EUR/100 kg	—
0406 10 20 9630	L02	EUR/100 kg	—	0406 30 31 9730	A01	EUR/100 kg	12,33
	L03	EUR/100 kg	—		L02	EUR/100 kg	—
	A24	EUR/100 kg	49,18		L03	EUR/100 kg	—
	L04	EUR/100 kg	49,18		A24	EUR/100 kg	18,09
	400	EUR/100 kg	—		L04	EUR/100 kg	9,64
	A01	EUR/100 kg	49,18		400	EUR/100 kg	—
0406 10 20 9640	L02	EUR/100 kg	—	0406 30 31 9910	A01	EUR/100 kg	18,09
	L03	EUR/100 kg	—		L02	EUR/100 kg	—
	A24	EUR/100 kg	72,28		L03	EUR/100 kg	—
	L04	EUR/100 kg	72,28		A24	EUR/100 kg	12,33
	400	EUR/100 kg	—		L04	EUR/100 kg	6,58
	A01	EUR/100 kg	72,28		400	EUR/100 kg	—
0406 10 20 9650	L02	EUR/100 kg	—	0406 30 31 9930	A01	EUR/100 kg	12,33
	L03	EUR/100 kg	—		L02	EUR/100 kg	—
	A24	EUR/100 kg	60,23		L03	EUR/100 kg	—
	L04	EUR/100 kg	60,23		A24	EUR/100 kg	18,09
	400	EUR/100 kg	—		L04	EUR/100 kg	9,64
	A01	EUR/100 kg	60,23		400	EUR/100 kg	—
0406 10 20 9660	A00	EUR/100 kg	—	0406 30 31 9950	A01	EUR/100 kg	18,09
0406 10 20 9830	L02	EUR/100 kg	—		L02	EUR/100 kg	—
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	A24	EUR/100 kg	22,34		A24	EUR/100 kg	26,31
	L04	EUR/100 kg	22,34		L04	EUR/100 kg	14,03
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	22,34		A01	EUR/100 kg	26,31
0406 10 20 9850	L02	EUR/100 kg	—				

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 30 39 9500	L02	EUR/100 kg	—	0406 90 23 9900	L04	EUR/100 kg	87,47
	L03	EUR/100 kg	—		400	EUR/100 kg	28,48
	A24	EUR/100 kg	18,09		A01	EUR/100 kg	99,91
	L04	EUR/100 kg	9,64		L02	EUR/100 kg	—
	400	EUR/100 kg	—		L03	EUR/100 kg	—
0406 30 39 9700	A01	EUR/100 kg	18,09	A24	EUR/100 kg	88,33	
	L02	EUR/100 kg	—	L04	EUR/100 kg	76,81	
	L03	EUR/100 kg	—	400	EUR/100 kg	—	
	A24	EUR/100 kg	26,31	A01	EUR/100 kg	88,33	
	L04	EUR/100 kg	14,03	0406 90 25 9900	L02	EUR/100 kg	—
400	EUR/100 kg	—	L03		EUR/100 kg	—	
A01	EUR/100 kg	26,31	A24		EUR/100 kg	87,38	
0406 30 39 9930	L02	EUR/100 kg	—		L04	EUR/100 kg	76,30
	L03	EUR/100 kg	—		400	EUR/100 kg	—
	A24	EUR/100 kg	26,31	A01	EUR/100 kg	87,38	
	L04	EUR/100 kg	14,03	0406 90 27 9900	L02	EUR/100 kg	—
	400	EUR/100 kg	—		L03	EUR/100 kg	—
A01	EUR/100 kg	26,31	A24		EUR/100 kg	79,14	
0406 30 39 9950	L02	EUR/100 kg	—		L04	EUR/100 kg	69,11
	L03	EUR/100 kg	—		400	EUR/100 kg	—
	A24	EUR/100 kg	29,75	A01	EUR/100 kg	79,14	
	L04	EUR/100 kg	15,87	0406 90 31 9119	L02	EUR/100 kg	—
	400	EUR/100 kg	—		L03	EUR/100 kg	—
A01	EUR/100 kg	29,75	A24		EUR/100 kg	72,85	
0406 30 90 9000	L02	EUR/100 kg	—		L04	EUR/100 kg	63,51
	L03	EUR/100 kg	—		400	EUR/100 kg	16,32
	A24	EUR/100 kg	31,21	A01	EUR/100 kg	72,85	
	L04	EUR/100 kg	16,64	0406 90 33 9119	L02	EUR/100 kg	—
	400	EUR/100 kg	—		L03	EUR/100 kg	—
A01	EUR/100 kg	31,21	A24		EUR/100 kg	72,85	
0406 40 50 9000	L02	EUR/100 kg	—		L04	EUR/100 kg	63,51
	L03	EUR/100 kg	—		400	EUR/100 kg	16,32
	A24	EUR/100 kg	76,50	A01	EUR/100 kg	72,85	
	L04	EUR/100 kg	76,50	0406 90 33 9919	L02	EUR/100 kg	—
	400	EUR/100 kg	—		L03	EUR/100 kg	—
A01	EUR/100 kg	76,50	A24		EUR/100 kg	66,81	
0406 40 90 9000	L02	EUR/100 kg	—		L04	EUR/100 kg	58,05
	L03	EUR/100 kg	—		400	EUR/100 kg	—
	A24	EUR/100 kg	78,56	A01	EUR/100 kg	66,81	
	L04	EUR/100 kg	78,56	0406 90 33 9951	L02	EUR/100 kg	—
	400	EUR/100 kg	—		L03	EUR/100 kg	—
A01	EUR/100 kg	78,56	A24		EUR/100 kg	66,86	
0406 90 13 9000	L02	EUR/100 kg	—		L04	EUR/100 kg	58,63
	L03	EUR/100 kg	—		400	EUR/100 kg	—
	A24	EUR/100 kg	98,91	A01	EUR/100 kg	66,86	
	L04	EUR/100 kg	86,38	0406 90 35 9190	L02	EUR/100 kg	28,30
	400	EUR/100 kg	38,51		L03	EUR/100 kg	—
A01	EUR/100 kg	98,91	A24		EUR/100 kg	103,33	
0406 90 15 9100	L02	EUR/100 kg	—		L04	EUR/100 kg	89,85
	L03	EUR/100 kg	—		400	EUR/100 kg	39,27
	A24	EUR/100 kg	102,21	A01	EUR/100 kg	103,33	
	L04	EUR/100 kg	89,26	0406 90 35 9990	L02	EUR/100 kg	—
	400	EUR/100 kg	39,70		L03	EUR/100 kg	—
A01	EUR/100 kg	102,21	A24		EUR/100 kg	103,33	
0406 90 17 9100	L02	EUR/100 kg	—		L04	EUR/100 kg	89,85
	L03	EUR/100 kg	—		400	EUR/100 kg	25,67
	A24	EUR/100 kg	102,21	A01	EUR/100 kg	103,33	
	L04	EUR/100 kg	89,26	0406 90 37 9000	L02	EUR/100 kg	—
	400	EUR/100 kg	39,70		L03	EUR/100 kg	—
A01	EUR/100 kg	102,21	A24		EUR/100 kg	98,91	
0406 90 21 9900	L02	EUR/100 kg	—		L04	EUR/100 kg	86,38
	L03	EUR/100 kg	—		400	EUR/100 kg	38,51
	A24	EUR/100 kg	99,91	A01	EUR/100 kg	98,91	



Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund		
0406 90 61 9000	L02	EUR/100 kg	39,96	0406 90 78 9500	L03	EUR/100 kg	—		
	L03	EUR/100 kg	—		A24	EUR/100 kg	90,08		
	A24	EUR/100 kg	110,19		L04	EUR/100 kg	78,86		
	L04	EUR/100 kg	95,20		400	EUR/100 kg	—		
	400	EUR/100 kg	36,55		A01	EUR/100 kg	90,08		
	A01	EUR/100 kg	110,19		L02	EUR/100 kg	—		
0406 90 63 9100	L02	EUR/100 kg	36,41		L03	EUR/100 kg	—		
	L03	EUR/100 kg	—		A24	EUR/100 kg	88,70		
	A24	EUR/100 kg	109,27		L04	EUR/100 kg	78,12		
	L04	EUR/100 kg	94,70		400	EUR/100 kg	—		
	400	EUR/100 kg	40,89		A01	EUR/100 kg	88,70		
	A01	EUR/100 kg	109,27		0406 90 79 9900	L02	EUR/100 kg	—	
0406 90 63 9900	L02	EUR/100 kg	29,09	L03		EUR/100 kg	—		
	L03	EUR/100 kg	—	A24		EUR/100 kg	73,33		
	A24	EUR/100 kg	105,55	L04		EUR/100 kg	63,77		
	L04	EUR/100 kg	91,04	400		EUR/100 kg	—		
	400	EUR/100 kg	31,28	A01		EUR/100 kg	73,33		
	A01	EUR/100 kg	105,55	0406 90 81 9900	L02	EUR/100 kg	—		
0406 90 69 9100	A00	EUR/100 kg	—		L03	EUR/100 kg	—		
	0406 90 69 9910	L02	EUR/100 kg		—	A24	EUR/100 kg	92,33	
		L03	EUR/100 kg		—	L04	EUR/100 kg	80,62	
		A24	EUR/100 kg		105,55	400	EUR/100 kg	30,43	
		L04	EUR/100 kg		91,04	A01	EUR/100 kg	92,33	
		400	EUR/100 kg	31,28	0406 90 85 9930	L02	EUR/100 kg	—	
A01		EUR/100 kg	105,55	L03		EUR/100 kg	—		
0406 90 73 9900	L02	EUR/100 kg	—	A24		EUR/100 kg	100,22		
	L03	EUR/100 kg	—	L04		EUR/100 kg	87,07		
	A24	EUR/100 kg	90,87	400		EUR/100 kg	37,91		
	L04	EUR/100 kg	79,29	A01		EUR/100 kg	100,22		
	400	EUR/100 kg	33,66	0406 90 85 9970	L02	EUR/100 kg	—		
	A01	EUR/100 kg	90,87		L03	EUR/100 kg	—		
0406 90 75 9900	L02	EUR/100 kg	—		A24	EUR/100 kg	91,86		
	L03	EUR/100 kg	—		L04	EUR/100 kg	79,82		
	A24	EUR/100 kg	91,86		400	EUR/100 kg	33,17		
	L04	EUR/100 kg	79,82		A01	EUR/100 kg	91,86		
	400	EUR/100 kg	14,20	0406 90 85 9999	A00	EUR/100 kg	—		
	A01	EUR/100 kg	91,86		0406 90 86 9100	A00	EUR/100 kg	—	
0406 90 76 9300	L02	EUR/100 kg	—			0406 90 86 9200	L02	EUR/100 kg	—
	L03	EUR/100 kg	—				L03	EUR/100 kg	—
	A24	EUR/100 kg	82,43				A24	EUR/100 kg	86,90
	L04	EUR/100 kg	71,98				L04	EUR/100 kg	73,24
	400	EUR/100 kg	—	400			EUR/100 kg	17,68	
	A01	EUR/100 kg	82,43	A01	EUR/100 kg		86,90		
0406 90 76 9400	L02	EUR/100 kg	—	0406 90 86 9300	L02	EUR/100 kg	—		
	L03	EUR/100 kg	—		L03	EUR/100 kg	—		
	A24	EUR/100 kg	92,33		A24	EUR/100 kg	87,82		
	L04	EUR/100 kg	80,62		L04	EUR/100 kg	74,30		
	400	EUR/100 kg	14,79		400	EUR/100 kg	19,38		
	A01	EUR/100 kg	92,33		A01	EUR/100 kg	87,82		
0406 90 76 9500	L02	EUR/100 kg	—	0406 90 86 9400	L02	EUR/100 kg	—		
	L03	EUR/100 kg	—		L03	EUR/100 kg	—		
	A24	EUR/100 kg	87,08		A24	EUR/100 kg	92,33		
	L04	EUR/100 kg	76,70		L04	EUR/100 kg	78,94		
	400	EUR/100 kg	14,79		400	EUR/100 kg	21,93		
	A01	EUR/100 kg	87,08		A01	EUR/100 kg	92,33		
0406 90 78 9100	L02	EUR/100 kg	—	0406 90 86 9900	L02	EUR/100 kg	—		
	L03	EUR/100 kg	—		L03	EUR/100 kg	—		
	A24	EUR/100 kg	86,92		A24	EUR/100 kg	100,22		
	L04	EUR/100 kg	74,38		L04	EUR/100 kg	87,07		
	400	EUR/100 kg	—		400	EUR/100 kg	25,67		
	A01	EUR/100 kg	86,92		A01	EUR/100 kg	100,22		
0406 90 78 9300	L02	EUR/100 kg	—						

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 87 9100	A00	EUR/100 kg	—		400	EUR/100 kg	—
0406 90 87 9200	L02	EUR/100 kg	—		A01	EUR/100 kg	38,79
	L03	EUR/100 kg	—	0406 90 87 9973	L02	EUR/100 kg	—
	A24	EUR/100 kg	72,41		L03	EUR/100 kg	—
	L04	EUR/100 kg	61,04		A24	EUR/100 kg	89,03
	400	EUR/100 kg	15,81		L04	EUR/100 kg	77,74
	A01	EUR/100 kg	72,41		400	EUR/100 kg	15,39
0406 90 87 9300	L02	EUR/100 kg	—		A01	EUR/100 kg	89,03
	L03	EUR/100 kg	—	0406 90 87 9974	L02	EUR/100 kg	—
	A24	EUR/100 kg	80,66		L03	EUR/100 kg	—
	L04	EUR/100 kg	68,23		A24	EUR/100 kg	96,21
	400	EUR/100 kg	17,85		L04	EUR/100 kg	84,37
	A01	EUR/100 kg	80,66		400	EUR/100 kg	15,39
0406 90 87 9400	L02	EUR/100 kg	—		A01	EUR/100 kg	96,21
	L03	EUR/100 kg	—	0406 90 87 9975	L02	EUR/100 kg	—
	A24	EUR/100 kg	81,88		L03	EUR/100 kg	—
	L04	EUR/100 kg	70,01		A24	EUR/100 kg	97,28
	400	EUR/100 kg	19,55		L04	EUR/100 kg	86,06
	A01	EUR/100 kg	81,88		400	EUR/100 kg	20,40
0406 90 87 9951	L02	EUR/100 kg	—		A01	EUR/100 kg	97,28
	L03	EUR/100 kg	—	0406 90 87 9979	L02	EUR/100 kg	—
	A24	EUR/100 kg	90,68		L03	EUR/100 kg	—
	L04	EUR/100 kg	79,18		A24	EUR/100 kg	88,33
	400	EUR/100 kg	27,03		L04	EUR/100 kg	76,81
	A01	EUR/100 kg	90,68		400	EUR/100 kg	15,39
0406 90 87 9971	L02	EUR/100 kg	—		A01	EUR/100 kg	88,33
	L03	EUR/100 kg	—	0406 90 88 9100	A00	EUR/100 kg	—
	A24	EUR/100 kg	90,68	0406 90 88 9300	L02	EUR/100 kg	—
	L04	EUR/100 kg	79,18		L03	EUR/100 kg	—
	400	EUR/100 kg	21,93		A24	EUR/100 kg	70,98
	A01	EUR/100 kg	90,68		L04	EUR/100 kg	60,27
0406 90 87 9972	A24	EUR/100 kg	38,79		400	EUR/100 kg	19,38
	L03	EUR/100 kg	—		A01	EUR/100 kg	70,98
	L04	EUR/100 kg	33,73				

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 2020/2001 (OJ L 273, 16.10.2001, p. 6).

The other destinations are defined as follows:

L02 Switzerland, Liechtenstein,

L03 Ceuta, Melilla, Iceland, Norway, Andorra, Gibraltar, Holy See (often referred to as Vatican City), Malta, Turkey, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovakia, Hungary, Romania, Bulgaria, Canada, Cyprus, Australia and New Zealand,

L04 Albania, Slovenia, Croatia, Bosnia and Herzegovina, Yugoslavia and the Former Yugoslav Republic of Macedonia,

L05 all destinations except Poland and the United States of America.

970 includes the exports referred to in Articles 36(1)(a) and (c) and 44(1)(a) and (b) of Commission Regulation (EC) No 800/1999 (OJ L 102, 17.4.1999, p. 11) and exports under contracts with armed forces stationed on the territory of a Member State which do not come under its flag.

**COMMISSION REGULATION (EC) No 273/2002****of 14 February 2002****fixing the maximum export refund for white sugar for the 27th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1430/2001**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Commission Regulation (EC) No 1430/2001 of 13 July 2001 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar <sup>(2)</sup> for the 2001/2002 marketing year, requires partial invitations to tender to be issued for the export of this sugar.
- (2) Pursuant to Article 9(1) of Regulation (EC) No 1430/2001 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 27th 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 27th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1430/2001 the maximum amount of the export refund is fixed at 43,654 EUR/100 kg.

*Article 2*

This Regulation shall enter into force on 15 February 2002.

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

Done at Brussels, 14 February 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.

<sup>(2)</sup> OJ L 192, 14.7.2001, p. 3.

**COMMISSION REGULATION (EC) No 274/2002****of 14 February 2002****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 1260/2001 of 19 June 2001 on the common organisation of the market in sugar <sup>(1)</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>(2)</sup>, and in particular Article 1(2) and Article 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>(3)</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 15 February 2002.

<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.

<sup>(2)</sup> OJ L 141, 24.6.1995, p. 12.

<sup>(3)</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, 14 February 2002.

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

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ANNEX

**to the Commission Regulation of 14 February 2002 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>	8,60	—	0
1703 90 00 <sup>(1)</sup>	13,40	—	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 275/2002****of 14 February 2002****fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 943/2001**

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 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 602/2001 <sup>(4)</sup>, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund on exportation of common wheat to all third countries with the exclusion of Poland was opened pursuant to Commission Regulation (EC) No 943/2001 <sup>(5)</sup>.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 8 to 14 February 2002, pursuant to the invitation to tender issued in Regulation (EC) No 943/2001, the maximum refund on exportation of common wheat shall be EUR 0,00/t.

*Article 2*

This Regulation shall enter into force on 15 February 2002.

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

Done at Brussels, 14 February 2002.

*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 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 89, 29.3.2001, p. 16.

<sup>(5)</sup> OJ L 133, 16.5.2001, p. 3.

**COMMISSION REGULATION (EC) No 276/2002**  
**of 14 February 2002**  
**fixing the maximum export refund on barley in connection with the invitation to tender issued in**  
**Regulation (EC) No 1558/2001**

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 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 602/2001 <sup>(4)</sup>, and in particular Article 4 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of barley to all third countries except for the United States of America and Canada was opened pursuant to Commission Regulation (EC) No 1558/2001 <sup>(5)</sup>.
- (2) Article 7 of Regulation (EC) No 1501/95 provides that the Commission may, on the basis of the tenders notified, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, decide to fix

a maximum export refund taking account of the criteria referred to in Article 1 of Regulation (EC) No 1501/95. In that case a contract is awarded to any tenderer whose bid is equal to or lower than the maximum refund.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 8 to 14 February 2002, pursuant to the invitation to tender issued in Regulation (EC) No 1558/2001, the maximum refund on exportation of barley shall be EUR 0,00/t.

*Article 2*

This Regulation shall enter into force on 15 February 2002.

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

Done at Brussels, 14 February 2002.

*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 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 89, 29.3.2001, p. 16.

<sup>(5)</sup> OJ L 205, 31.7.2001, p. 33.

**COMMISSION REGULATION (EC) No 277/2002**  
**of 14 February 2002**  
**concerning tenders notified in response to the invitation to tender for the export of rye issued in**  
**Regulation (EC) No 1005/2001**

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 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals<sup>(3)</sup>, as last amended by Regulation (EC) No 602/2001<sup>(4)</sup>, and in particular Article 7 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of rye to all third countries was opened pursuant to Commission Regulation (EC) No 1005/2001<sup>(5)</sup>.
- (2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92

and on the basis of the tenders notified, to make no award.

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

No action shall be taken on the tenders notified from 8 to 14 February 2002 in response to the invitation to tender for the refund for the export of rye issued in Regulation (EC) No 1005/2001.

*Article 2*

This Regulation shall enter into force on 15 February 2002.

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

Done at Brussels, 14 February 2002.

*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 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 89, 29.3.2001, p. 16.

<sup>(5)</sup> OJ L 140, 24.5.2001, p. 10.



**COMMISSION REGULATION (EC) No 278/2002****of 14 February 2002****fixing the maximum reduction in the duty on maize imported in connection with the invitation to tender issued in Regulation (EC) No 9/2002**

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 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported into Spain was opened pursuant to Commission Regulation (EC) No 9/2002<sup>(3)</sup>.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 1839/95<sup>(4)</sup>, as last amended by Regulation (EC) No 2235/2000<sup>(5)</sup>, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. A contract is awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 8 to 14 February 2002, pursuant to the invitation to tender issued in Regulation (EC) No 9/2002, the maximum reduction in the duty on maize imported shall be 25,78 EUR/t and be valid for a total maximum quantity of 157 000 tonnes.

*Article 2*

This Regulation shall enter into force on 15 February 2002.

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

Done at Brussels, 14 February 2002.

*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 3, 5.1.2002, p. 29.

<sup>(4)</sup> OJ L 177, 28.7.1995, p. 4.

<sup>(5)</sup> OJ L 256, 10.10.2000, p. 13.

**COMMISSION REGULATION (EC) No 279/2002  
of 14 February 2002**

**fixing the maximum reduction in the duty on maize imported in connection with the invitation to  
tender issued in Regulation (EC) No 30/2002**

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 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on maize imported into Portugal was opened pursuant to Commission Regulation (EC) No 30/2002<sup>(3)</sup>.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 1839/95<sup>(4)</sup>, as last amended by Regulation (EC) No 2235/2000<sup>(5)</sup>, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. A contract is

awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

- (3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty being fixed at the amount specified in Article 1.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

For tenders notified from 8 to 14 February 2002, pursuant to the invitation to tender issued in Regulation (EC) No 30/2002, the maximum reduction in the duty on maize imported shall be 24,39 EUR/t and be valid for a total maximum quantity of 95 200 t.

*Article 2*

This Regulation shall enter into force on 15 February 2002.

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

Done at Brussels, 14 February 2002.

*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 6, 10.1.2002, p. 35.

<sup>(4)</sup> OJ L 177, 28.7.1995, p. 4.

<sup>(5)</sup> OJ L 256, 10.10.2000, p. 13.

**COMMISSION REGULATION (EC) No 280/2002**  
**of 14 February 2002**  
**on the issue of system B export licences in the fruit and vegetables sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1961/2001 of 8 October 2001 on detailed rules for implementing Council Regulation (EC) No 2200/96 as regards export refunds on fruit and vegetables <sup>(1)</sup>, and in particular Article 6(6) thereof,

Whereas:

- (1) Commission Regulation (EC) No 2427/2001 <sup>(2)</sup> fixes the indicative quantities for system B export licences other than those sought in the context of food aid.
- (2) In the light of the information available to the Commission today, there is a risk that the indicative quantities laid down for the current export period for oranges and lemons will shortly be exceeded. This overrun will prejudice the proper working of the export refund scheme in the fruit and vegetables sector.

- (3) To avoid this situation, applications for system B licences for oranges and lemons exported after 14 February 2002 should be rejected until the end of the current export period,

HAS ADOPTED THIS REGULATION:

*Article 1*

Applications for system B export licences for oranges and lemons submitted pursuant to Article 1 of Regulation (EC) No 2427/2001, export declarations for which are accepted after 14 February 2002 and before 15 March 2002, are hereby rejected.

*Article 2*

This Regulation shall enter into force on 15 February 2002.

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

Done at Brussels, 14 February 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

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

<sup>(2)</sup> OJ L 328, 13.12.2001, p. 22.

**COMMISSION REGULATION (EC) No 281/2002**  
**of 14 February 2002**  
**altering the export refunds on white sugar and raw sugar exported in the natural state**

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

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

Whereas:

- (1) The refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 224/2002 <sup>(2)</sup>.
- (2) It follows from applying the detailed rules contained in Regulation (EC) No 224/2002 to the information known to the Commission that the export refunds at present in

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 224/2002 are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 15 February 2002.

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

Done at Brussels, 14 February 2002.

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

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<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.

<sup>(2)</sup> OJ L 38, 8.2.2002, p. 5.

## ANNEX

**to the Commission Regulation of 14 February 2002 altering the export refunds on white sugar and raw sugar exported in its unaltered state**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	A00	EUR/100 kg	37,53 <sup>(1)</sup>
1701 11 90 9910	A00	EUR/100 kg	37,36 <sup>(1)</sup>
1701 11 90 9950	A00	EUR/100 kg	<sup>(2)</sup>
1701 12 90 9100	A00	EUR/100 kg	37,53 <sup>(1)</sup>
1701 12 90 9910	A00	EUR/100 kg	37,36 <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	0,4080
1701 99 10 9100	A00	EUR/100 kg	40,80
1701 99 10 9910	A00	EUR/100 kg	40,61
1701 99 10 9950	A00	EUR/100 kg	40,61
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4080

<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 1260/2001.

<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 2020/2001 (OJ L 273, 16.10.2001, p. 6).

**COMMISSION REGULATION (EC) No 282/2002**  
**of 14 February 2002**  
**determining the world market price for ungin­ned cotton**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas:

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The world price for ungin­ned cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 22,341/100 kg.

*Article 2*

This Regulation shall enter into force on 15 February 2002.

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

Done at Brussels, 14 February 2002.

*For the Commission*

Franz FISCHLER

*Member of the Commission*

<sup>(1)</sup> OJ L 148, 1.6.2001, p. 1.

<sup>(2)</sup> OJ L 148, 1.6.2001, p. 3.

<sup>(3)</sup> OJ L 210, 3.8.2001, p. 10.

**COMMISSION REGULATION (EC) No 283/2002**  
**of 14 February 2002**  
**fixing the corrective amount applicable to the refund on cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 15 February 2002.

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

Done at Brussels, 14 February 2002.

*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 147, 30.6.1995, p. 7.

<sup>(4)</sup> OJ L 89, 29.3.2001, p. 16.

## ANNEX

## to the Commission Regulation of 14 February 2002 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6	5th period 7	6th period 8
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	C01	—	-0,93	-1,86	-2,79	-2,79	—	—
1002 00 00 9000	C03	-30,00	-30,00	-30,00	-30,00	-30,00	—	—
	A05	0,00	0,00	0,00	0,00	0,00	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	—	-0,93	-1,86	-2,79	-2,79	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	-0,93	-1,86	-2,79	-2,79	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	-0,93	-1,86	-2,79	-3,72	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	C01	0	-1,27	-2,55	-3,82	-3,82	—	—
1101 00 15 9130	C01	0	-1,19	-2,38	-3,57	-3,57	—	—
1101 00 15 9150	C01	0	-1,10	-2,19	-3,29	-3,29	—	—
1101 00 15 9170	C01	0	-1,01	-2,03	-3,04	-3,04	—	—
1101 00 15 9180	C01	0	-0,95	-1,90	-2,85	-2,85	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9700	C01	0	0,00	0,00	0,00	0,00	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	-1,40	-2,79	-4,19	-4,19	—	—
1103 11 10 9400	A00	0	-1,25	-2,49	-3,74	-3,74	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	-1,27	-2,55	-3,82	-3,82	—	—
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 2020/2001 (OJ L 273, 16.10.2001, p. 6).

The other destinations are as follows:

C01 All destinations except for Poland,

C03 Poland, Czech Republic, Slovak Republic, Hungary, Estonia, Latvia, Lithuania, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Slovenia, former Republic of Yugoslavia with the exception of Slovenia, Croatia and Bosnia and Herzegovina, Albania, Romania, Bulgaria, Armenia, Georgia, Azerbaijan, Moldova, Ukraine, Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, Turkmenistan, Morocco, Algeria, Tunisia, Libya, Egypt, Malta, Cyprus and Turkey,

A05 other non-member countries.



## II

(Acts whose publication is not obligatory)

## COUNCIL

**DECISION No 3/2001 OF THE ASSOCIATION COUNCIL, ASSOCIATION BETWEEN THE EUROPEAN COMMUNITIES AND THEIR MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF HUNGARY, OF THE OTHER PART**

**of 29 June 2001**

**adopting the terms and conditions for the participation of the Republic of Hungary in the Culture 2000 programme**

(2002/118/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other <sup>(1)</sup>, concerning Hungary's participation in Community programmes, and in particular Articles 1 and 2 thereof,

Whereas:

- (1) According to Article 1 of the Additional Protocol, Hungary may participate in Community framework programmes, specific programmes, projects or other actions in particular in the field of culture.
- (2) According to Article 2 of the said Protocol, the terms and conditions for the participation of Hungary in this area are to be decided by the Association Council,

HAS DECIDED AS FOLLOWS:

*Article 1*

Hungary shall participate in the Culture 2000 programme according to the terms and conditions set out in Annexes I and II which shall form an integral part to this Decision.

*Article 2*

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

It shall apply for the duration of the Culture 2000 programme, starting from 1 January 2001.

Done at Brussels, 29 June 2001.

*For the Association Council*

*The President*

J. MARTONYI

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<sup>(1)</sup> OJ L 317, 30.12.1995, p. 30.

## ANNEX I

**Terms and conditions for the participation of the Republic of Hungary in the Culture 2000 programme**

1. Hungary will participate in the activities of the Culture 2000 programme (hereinafter called 'the programme') in conformity, unless otherwise provided for in this Decision, with the objectives, criteria, procedures and deadlines as defined in Decision No 508/2000/EC of the European Parliament and of the Council of 14 February 2000 establishing the Culture 2000 programme<sup>(1)</sup>.
2. To participate in the programme, Hungary will pay each year a contribution to the general budget of the European Union according to the detailed arrangements described in Annex II. If necessary in order to take into account programme developments, or the evolution of Hungary's absorption capacity, the Association Committee is entitled to adapt this contribution, so as to avoid a budgetary imbalance in the implementation of the programme.
3. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Hungary will be the same as those applicable to eligible institutions, organisations and individuals of the Community. Hungarian experts may be taken into consideration by the Commission when appointing independent experts according to the relevant provisions of the decision establishing the programme to assist it in the project evaluation.
4. With a view to ensuring the Community dimension of the programme, in order to be eligible for Community financial support, projects and activities will have to include at least a partner from one of the Member States of the Community.
5. The maximum amount of financial support for the activities of the cultural contact points will not exceed 50 % of the total budget for its activities.
6. Without prejudice to the responsibilities of the Commission of the European Communities and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the programme pursuant to Article 8 of Decision No 508/2000/EC, the participation of Hungary in the programme will be continuously monitored on a partnership basis involving the Commission of the European Communities and Hungary. Hungary will submit to the Commission relevant reports and take part in other specific activities set out by the Community in that context.
7. In conformity with the Community's Financial Regulations, contractual arrangements concluded with, or by, entities of Hungary shall provide for controls and audits to be carried out by, or under the authority of, the Commission and the Court of Auditors. As far as financial audits are concerned, they may be carried out for the purpose of controlling such entities' income and expenditure, related to the contractual obligations towards the Community. In a spirit of cooperation and mutual interest, the relevant authorities of Hungary shall provide any reasonable and feasible assistance as may be necessary or helpful under the circumstances to perform such controls and audits.
8. Without prejudice to the procedures referred to in Article 5 of Decision No 508/2000/EC, representatives of Hungary will participate as observers in the Management Committee for the points which concern them. This committee shall meet without the presence of representatives of Hungary for the rest of the points, as well as at the time of voting.
9. The language to be used in all sorts of contacts with the Commission, as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programme, will be one of the official languages of the Community.
10. The Community and Hungary may terminate activities under this Decision at any time upon 12 months' notice in writing. Projects and activities in progress at the time of termination shall continue until their completion under the conditions laid down in this Decision.

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<sup>(1)</sup> OJ L 63, 10.3.2000, p. 1.

## ANNEX II

**Financial contribution of the Republic of Hungary to Culture 2000**

1. The financial contribution to be paid by Hungary to the general budget of the European Union to participate in the programme will be the following:

*(in EUR)*

Year 2001	Year 2002	Year 2003	Year 2004
488 271	488 271	488 271	488 271

2. Hungary will pay the contribution mentioned above, partly from the Hungarian national budget, and partly from Hungary's PHARE national programme. Subject to a PHARE separate programming procedure, the requested PHARE funds will be transferred to Hungary by means of a separate Financing Memorandum. Together with the part coming from Hungary's State budget, these funds will constitute Hungary's national contribution, out of which it will make payments in response to annual calls for funds from the Commission.
3. PHARE funds will be requested according to the following schedule:

*(in EUR)*

Year 2001	Year 2002	Year 2003	Year 2004
214 146	214 146	214 146	214 146

The remaining part of the contribution of Hungary will come from the Hungarian State budget.

4. The Financial Regulation applicable to the general budget of the European Communities will apply, in particular to the management of the contribution of Hungary.

Travel costs and subsistence costs incurred by representatives and experts of Hungary for the purposes of taking part as observers in the work of the committee referred to in Annex I(8) or other meetings related to the implementation of the programme shall be reimbursed by the Commission on the same basis as and in accordance with the procedures currently in force for non-governmental experts of the Member States of the European Union.

5. After the entry into force of this Decision and at the beginning of each following year, the Commission will send to Hungary a call for funds corresponding to its contribution to the budget of the programme under this Decision. This contribution shall be expressed in euro and paid into a euro bank account of the Commission.

Hungary will pay its contribution according to the call for funds:

- by 1 May for the part financed from its national budget, provided that the call for funds is sent by the Commission before 1 April, or at the latest one month after the call for funds is sent if later,
- by 1 May for the part financed from PHARE, provided that the corresponding amounts have been sent to Hungary by this time, or at the latest within a period of 30 days after these funds have been sent to Hungary.

Any delay in the payment of the contribution shall give rise to the payment of interest by Hungary on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Central Bank, on the due date, for its operations in euro, increased by 1,5 percentage points.

**DECISION No 7/2001 OF THE EU-ESTONIA ASSOCIATION COUNCIL, ASSOCIATION BETWEEN THE EUROPEAN COMMUNITIES AND THEIR MEMBER STATES, OF THE ONE PART, AND THE REPUBLIC OF ESTONIA, OF THE OTHER PART**

**of 25 July 2001**

**adopting the terms and conditions for the participation of the Republic of Estonia in the Culture 2000 programme**

(2002/119/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 Estonia, of the other <sup>(1)</sup>, concerning Estonia's participation in Community programmes, and in particular Article 108 thereof,

*Article 1*  
Estonia shall participate in the Culture 2000 programme according to the terms and conditions set out in Annexes I and II which shall form an integral part to this Decision.

Whereas:

- (1) According to Article 108 of the Europe Agreement and Annex X thereto, Estonia may participate in Community framework programmes, specific programmes, projects or other actions in particular in the field of culture.
- (2) According to the said Article, the terms and conditions for the participation of Estonia in this area are to be decided by the Association Council,

*Article 2*  
This Decision shall enter into force on the day of its adoption. It shall apply for the duration of the Culture 2000 programme, starting from 1 January 2001.

Done at Brussels, 25 July 2001.

*For the Association Council*  
*The President*  
T. H. ILVES

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<sup>(1)</sup> OJ L 68, 9.3.1998, p. 3.

## ANNEX I

**Terms and conditions for the participation of the Republic of Estonia in the Culture 2000 programme**

1. Estonia will participate in the activities of the Culture 2000 programme (hereinafter called 'the programme') in conformity, unless otherwise provided for in this Decision, with the objectives, criteria, procedures and deadlines as defined in Decision No 508/2000/EC of the European Parliament and of the Council of 14 February 2000 establishing the Culture 2000 programme <sup>(1)</sup>.
2. To participate in the programme, Estonia will pay each year a contribution to the general budget of the European Union according to the detailed arrangements described in Annex II. If necessary in order to take into account programme developments, or the evolution of Estonia's absorption capacity, the Association Committee is entitled to adapt this contribution, so as to avoid a budgetary imbalance in the implementation of the programme.
3. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Estonia will be the same as those applicable to eligible institutions, organisations and individuals of the Community. Estonian experts may be taken into consideration by the Commission when appointing independent experts according to the relevant provisions of the decision establishing the programme to assist it in the project evaluation.
4. With a view to ensuring the Community dimension of the programme, in order to be eligible for Community financial support, projects and activities will have to include at least a partner from one of the Member States of the Community.
5. The maximum amount of financial support for the activities of the cultural contact points will not exceed 50 % of the total budget for its activities.
6. Without prejudice to the responsibilities of the Commission of the European Communities and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the programme pursuant to Article 8 of Decision No 508/2000/EC, the participation of Estonia in the programme will be continuously monitored on a partnership basis involving the Commission of the European Communities and Estonia. Estonia will submit to the Commission relevant reports and take part in other specific activities set out by the Community in that context.
7. In conformity with the Community's Financial Regulations, contractual arrangements concluded with, or by, entities of Estonia shall provide for controls and audits to be carried out by, or under the authority of, the Commission and the Court of Auditors. As far as financial audits are concerned, they may be carried out for the purpose of controlling such entities' income and expenditure, related to the contractual obligations towards the Community. In a spirit of cooperation and mutual interest, the relevant authorities of Estonia shall provide any reasonable and feasible assistance as may be necessary or helpful under the circumstances to perform such controls and audits.
8. Without prejudice to the procedures referred to in Article 5 of Decision No 508/2000/EC, representatives of Estonia will participate as observers in the Management Committee for the points which concern them. This committee shall meet without the presence of representatives of Estonia for the rest of the points, as well as at the time of voting.
9. The language to be used in all sorts of contacts with the Commission, as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programme, will be one of the official languages of the Community.
10. The Community and Estonia may terminate activities under this Decision at any time upon 12 months' notice in writing. Projects and activities in progress at the time of termination shall continue until their completion under the conditions laid down in this Decision.

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<sup>(1)</sup> OJ L 63, 10.3.2000, p. 1.

## ANNEX II

**Financial contribution of the Republic of Estonia to Culture 2000**

1. The financial contribution to be paid by Estonia to the general budget of the European Union to participate in the programme will be the following:

(in EUR)

Year 2001	Year 2002	Year 2003	Year 2004
130 000	130 000	130 000	130 000

2. Estonia will pay the contribution mentioned above, partly from the Estonian national budget, and partly from Estonia's PHARE National Programme. Subject to a PHARE separate programming procedure, the requested PHARE funds will be transferred to Estonia by means of a separate Financing Memorandum. Together with the part coming from Estonia's State budget, these funds will constitute Estonia's national contribution, out of which it will make payments in response to annual calls for funds from the Commission.
3. PHARE funds will be requested according to the following schedule:

(in EUR)

Year 2001	Year 2002	Year 2003	Year 2004
43 000	43 000	43 000	43 000

The remaining part of the contribution of Estonia will come from the Estonian State budget.

4. The Financial Regulation applicable to the general budget of the European Communities will apply, in particular to the management of the contribution of Estonia.

Travel costs and subsistence costs incurred by representatives and experts of Estonia for the purposes of taking part as observers in the work of the committee referred to in Annex I(8) or other meetings related to the implementation of the Programme shall be reimbursed by the Commission on the same basis as and in accordance with the procedures currently in force for non-governmental experts of the Member States of the European Union.

5. After the entry into force of this Decision and at the beginning of each following year, the Commission will send to Estonia a call for funds corresponding to its contribution to the budget of the programme under this Decision.

This contribution shall be expressed in euro and paid into a euro bank account of the Commission.

Estonia will pay its contribution according to the call for funds:

- by 1 May for the part financed from its national budget, provided that the call for funds is sent by the Commission before 1 April, or at the latest one month after the call for funds is sent if later,
- by 1 May for the part financed from PHARE, provided that the corresponding amounts have been sent to Estonia by this time, or at the latest within a period of 30 days after these funds have been sent to Estonia.

Any delay in the payment of the contribution shall give rise to the payment of interest by Estonia on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Central Bank, on the due date, for its operations in euro, increased by 1,5 percentage points.

**DECISION No 5/2001 OF THE EU-SLOVAKIA ASSOCIATION COUNCIL**  
**of 9 October 2001**  
**adopting the terms and conditions for the participation of the Slovak Republic in the Culture 2000 programme**

(2002/120/EC)

THE ASSOCIATION COUNCIL,

HAS DECIDED AS FOLLOWS:

Having regard to the Additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other <sup>(1)</sup>, concerning Slovakia's participation in Community programmes, and in particular Articles 1 and 2 thereof,

Whereas:

- (1) According to Article 1 of the Additional Protocol, Slovakia may participate in Community framework programmes, specific programmes, projects or other actions in particular in the field of culture.
- (2) According to Article 2 of the said Protocol, the terms and conditions for the participation of Slovakia in this area are to be decided by the Association Council,

*Article 1*

Slovakia shall participate in the Culture 2000 programme according to the terms and conditions set out in Annexes I and II which shall form an integral part to this Decision.

*Article 2*

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

It shall apply for the duration of the Culture 2000 programme, starting from 1 January 2001.

Done at Brussels, 9 October 2001.

*For the Association Council*

*The President*

L. MICHEL

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<sup>(1)</sup> OJ L 115, 9.5.1996, p. 43.

## ANNEX I

**Terms and conditions for the participation of the Slovak Republic in the Culture 2000 programme**

1. Slovakia will participate in the activities of the Culture 2000 programme (hereinafter called 'the programme') in conformity, unless otherwise provided for in this Decision, with the objectives, criteria, procedures and deadlines as defined in Decision No 508/2000/EC of the European Parliament and of the Council of 14 February 2000 establishing the Culture 2000 programme<sup>(1)</sup>.
2. To participate in the programme, Slovakia will pay each year a contribution to the general budget of the European Union according to the detailed arrangements described in Annex II. If necessary in order to take into account programme developments, or the evolution of Slovakia's absorption capacity, the Association Committee is entitled to adapt this contribution, so as to avoid a budgetary imbalance in the implementation of the programme.
3. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Slovakia will be the same as those applicable to eligible institutions, organisations and individuals of the Community. Slovak experts may be taken into consideration by the Commission when appointing independent experts according to the relevant provisions of the decision establishing the programme to assist it in the project evaluation.
4. With a view to ensuring the Community dimension of the programme, in order to be eligible for Community financial support, projects and activities will have to include at least a partner from one of the Member States of the Community.
5. The maximum amount of financial support for the activities of the cultural contact points will not exceed 50 % of the total budget for its activities.
6. Without prejudice to the responsibilities of the Commission of the European Communities and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the programme pursuant to Article 8 of Decision No 508/2000/EC, the participation of Slovakia in the programme will be continuously monitored on a partnership basis involving the Commission of the European Communities and Slovakia. Slovakia will submit to the Commission relevant reports and take part in other specific activities set out by the Community in that context.
7. In conformity with the Community's Financial Regulations, contractual arrangements concluded with, or by, entities of Slovakia shall provide for controls and audits to be carried out by, or under the authority of, the Commission and the Court of Auditors. As far as financial audits are concerned, they may be carried out for the purpose of controlling such entities' income and expenditures, related to the contractual obligations towards the Community. In a spirit of cooperation and mutual interest, the relevant authorities of Slovakia shall provide any reasonable and feasible assistance as may be necessary or helpful under the circumstances to perform such controls and audits.
8. Without prejudice to the procedures referred to in Article 5 of Decision No 508/2000/EC, representatives of Slovakia will participate as observers in the Management Committee for the points which concern them. This committee shall meet without the presence of representatives of Slovakia for the rest of the points, as well as at the time of voting.
9. The language to be used in all sorts of contacts with the Commission, as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programme, will be one of the official languages of the Community.
10. The Community and Slovakia may terminate activities under this Decision at any time upon 12 months' notice in writing. Projects and activities in progress at the time of termination shall continue until their completion under the conditions laid down in this Decision.

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<sup>(1)</sup> OJ L 63, 10.3.2000, p. 1.



## ANNEX II

**Financial contribution of the Slovak Republic to Culture 2000**

1. The financial contribution to be paid by Slovakia to the general budget of the European Union to participate in the programme will be the following:

(in EUR)

Year 2001	Year 2002	Year 2003	Year 2004
271 258	271 258	271 258	271 258

2. Slovakia will pay the contribution mentioned above, partly from the Slovak national budget, and partly from Slovakia's PHARE national programme. Subject to a PHARE separate programming procedure, the requested PHARE funds will be transferred to Slovakia by means of a separate Financing Memorandum. Together with the part coming from Slovakia's State budget, these funds will constitute Slovakia's national contribution, out of which it will make payments in response to annual calls for funds from the Commission.
3. PHARE funds will be requested according to the following schedule:

(in EUR)

Year 2001	Year 2002	Year 2003	Year 2004
157 833	157 833	157 833	157 833

The remaining part of the contribution of Slovakia will come from the Slovak State budget.

4. The Financial Regulation applicable to the general budget of the European Communities will apply, in particular to the management of the contribution of Slovakia.

Travel costs and subsistence costs incurred by representatives and experts of Slovakia for the purposes of taking part as observers in the work of the committee referred to in Annex I(8) or other meetings related to the implementation of the programme shall be reimbursed by the Commission on the same basis as and in accordance with the procedures currently in force for non-governmental experts of the Member States of the European Union.

5. After the entry into force of this Decision and at the beginning of each following year, the Commission will send to Slovakia a call for funds corresponding to its contribution to the budget of the programme under this Decision. This contribution shall be expressed in euro and paid into a euro bank account of the Commission.

Slovakia will pay its contribution according to the call for funds:

- by 1 May for the part financed from its national budget, provided that the call for funds is sent by the Commission before 1 April, or at the latest one month after the call for funds is sent if later,
- by 1 May for the part financed from PHARE, provided that the corresponding amounts have been sent to Slovakia by this time, or at the latest within a period of 30 days after these funds have been sent to Slovakia.

Any delay in the payment of the contribution shall give rise to the payment of interest by Slovakia on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Central Bank, on the due date, for its operations in euro, increased by 1,5 percentage points.

**DECISION No 4/2001 OF THE EU-BULGARIA ASSOCIATION COUNCIL**  
**of 9 October 2001**  
**adopting the terms and conditions for the participation of the Republic of Bulgaria in the Culture**  
**2000 programme**

(2002/121/EC)

THE ASSOCIATION COUNCIL,

HAS DECIDED AS FOLLOWS:

Having regard to the Additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other <sup>(1)</sup>, concerning Bulgaria's participation in Community programmes, and in particular Articles 1 and 2 thereof,

Whereas:

- (1) According to Article 1 of the Additional Protocol, Bulgaria may participate in Community framework programmes, specific programmes, projects or other actions in particular in the field of culture.
- (2) According to Article 2 of the said Protocol, the terms and conditions for the participation of Bulgaria in this area are to be decided by the Association Council,

*Article 1*

Bulgaria shall participate in the Culture 2000 programme according to the terms and conditions set out in Annexes I and II which shall form an integral part to this Decision.

*Article 2*

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

It shall apply for the duration of the Culture 2000 programme, starting from 1 January 2001.

Done at Brussels, 9 October 2001.

*For the Association Council*

*The President*

L. MICHEL

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<sup>(1)</sup> OJ L 317, 30.12.1995, p. 25.

## ANNEX I

**Terms and conditions for the participation of the Republic of Bulgaria in the Culture 2000 programme**

1. Bulgaria will participate in the activities of the Culture 2000 programme (hereinafter called 'the programme') in conformity, unless otherwise provided for in this Decision, with the objectives, criteria, procedures and deadlines as defined in Decision No 508/2000/EC of the European Parliament and of the Council of 14 February 2000 establishing the Culture 2000 programme<sup>(1)</sup>.
2. To participate in the programme, Bulgaria will pay each year a contribution to the general budget of the European Union according to the detailed arrangements described in Annex II. If necessary in order to take into account programme developments, or the evolution of Bulgaria's absorption capacity, the Association Committee is entitled to adapt this contribution, so as to avoid a budgetary imbalance in the implementation of the programme.
3. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Bulgaria will be the same as those applicable to eligible institutions, organisations and individuals of the Community. Bulgarian experts may be taken into consideration by the Commission when appointing independent experts according to the relevant provisions of the decision establishing the programme to assist it in the project evaluation.
4. With a view to ensuring the Community dimension of the programme, in order to be eligible for Community financial support, projects and activities will have to include at least a partner from one of the Member States of the Community.
5. The maximum amount of financial support for the activities of the Cultural Contact Points will not exceed 50 % of the total budget for its activities.
6. Without prejudice to the responsibilities of the Commission of the European Communities and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the programme pursuant to Article 8 of Decision No 508/2000/EC, the participation of Bulgaria in the programme will be continuously monitored on a partnership basis involving the Commission of the European Communities and Bulgaria. Bulgaria will submit to the Commission relevant reports and take part in other specific activities set out by the Community in that context.
7. In conformity with the Community's Financial Regulations, contractual arrangements concluded with, or by, entities of Bulgaria shall provide for controls and audits to be carried out by, or under the authority of, the Commission and the Court of Auditors. As far as financial audits are concerned, they may be carried out for the purpose of controlling such entities' income and expenditures, related to the contractual obligations towards the Community. In a spirit of cooperation and mutual interest, the relevant authorities of Bulgaria shall provide any reasonable and feasible assistance as may be necessary or helpful under the circumstances to perform such controls and audits.
8. Without prejudice to the procedures referred to in Article 5 of Decision No 508/2000/EC, representatives of Bulgaria will participate as observers in the Management Committee for the points which concern them. This committee shall meet without the presence of representatives of Bulgaria for the rest of the points, as well as at the time of voting.
9. The language to be used in all sorts of contacts with the Commission, as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programme, will be one of the official languages of the Community.
10. The Community and Bulgaria may terminate activities under this Decision at any time upon 12 months' notice in writing. Projects and activities in progress at the time of termination shall continue until their completion under the conditions laid down in this Decision.

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<sup>(1)</sup> OJ L 63, 10.3.2000, p. 1.

## ANNEX II

**Financial contribution of the Republic of Bulgaria to Culture 2000**

1. The financial contribution to be paid by Bulgaria to the general budget of the European Union to participate in the programme will be the following:

(in EUR)

Year 2001	Year 2002	Year 2003	Year 2004
220 713	220 713	220 713	220 713

2. Bulgaria will pay the contribution mentioned above, partly from the Bulgarian national budget, and partly from Bulgaria's PHARE national programme. Subject to a PHARE separate programming procedure, the requested PHARE funds will be transferred to Bulgaria by means of a separate Financing Memorandum. Together with the part coming from Bulgaria's State budget, these funds will constitute Bulgaria's national contribution, out of which it will make payments in response to annual calls for funds from the Commission.
3. PHARE funds will be requested according to the following schedule:

(in EUR)

Year 2001	Year 2002	Year 2003	Year 2004
178 236	160 412	133 677	89 118

The remaining part of the contribution of Bulgaria will come from the Bulgarian State budget.

4. The Financial Regulation applicable to the general budget of the European Communities will apply, in particular to the management of the contribution of Bulgaria.

Travel costs and subsistence costs incurred by representatives and experts of Bulgaria for the purposes of taking part as observers in the work of the committee referred to in Annex I(8) or other meetings related to the implementation of the programme shall be reimbursed by the Commission on the same basis as and in accordance with the procedures currently in force for non-governmental experts of the Member States of the European Union.

5. After the entry into force of this Decision and at the beginning of each following year, the Commission will send to Bulgaria a call for funds corresponding to its contribution to the budget of the programme under this Decision. This contribution shall be expressed in euro and paid into a euro bank account of the Commission.

Bulgaria will pay its contribution according to the call for funds:

- by 1 May for the part financed from its national budget, provided that the call for funds is sent by the Commission before 1 April, or at the latest one month after the call for funds is sent if later,
- by 1 May for the part financed from PHARE, provided that the corresponding amounts have been sent to Bulgaria by this time, or at the latest within a period of 30 days after these funds have been sent to Bulgaria.

Any delay in the payment of the contribution shall give rise to the payment of interest by Bulgaria on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Central Bank, on the due date, for its operations in euro, increased by 1,5 percentage points.

**DECISION No 5/2001 OF THE EU-CZECH REPUBLIC ASSOCIATION COUNCIL**  
**of 16 October 2001**  
**adopting the terms and conditions for the participation of the Czech Republic in the Culture 2000 programme**

(2002/122/EC)

THE ASSOCIATION COUNCIL,

HAS DECIDED AS FOLLOWS:

Having regard to the Additional Protocol to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other <sup>(1)</sup>, concerning the Czech Republic's participation in Community programmes, and in particular Articles 1 and 2 thereof,

Whereas:

- (1) According to Article 1 of the Additional Protocol, the Czech Republic may participate in Community framework programmes, specific programmes, projects or other actions in particular in the field of culture.
- (2) According to Article 2 of the said Protocol, the terms and conditions for the participation of the Czech Republic in this area are to be decided by the Association Council,

*Article 1*

The Czech Republic shall participate in the Culture 2000 programme according to the terms and conditions set out in Annexes I and II which shall form an integral part to this Decision.

*Article 2*

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

It shall apply for the duration of the Culture 2000 programme, starting from 1 January 2001.

Done at Brussels, 16 October 2001.

*For the Association Council*

*The President*

L. MICHEL

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<sup>(1)</sup> OJ L 317, 30.12.1995, p. 45.

## ANNEX I

**Terms and conditions for the participation of the Czech Republic in the Culture 2000 programme**

1. The Czech Republic will participate in the activities of the Culture 2000 programme (hereinafter called 'the programme') in conformity, unless otherwise provided for in this Decision, with the objectives, criteria, procedures and deadlines as defined in Decision No 508/2000/EC of the European Parliament and of the Council of 14 February 2000 establishing the Culture 2000 programme<sup>(1)</sup>.
2. To participate in the programme, the Czech Republic will pay each year a contribution to the general budget of the European Union according to the detailed arrangements described in Annex II. If necessary in order to take into account programme developments, or the evolution of the Czech Republic's absorption capacity, the Association Committee is entitled to adapt this contribution, so as to avoid a budgetary imbalance in the implementation of the programme.
3. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of the Czech Republic will be the same as those applicable to eligible institutions, organisations and individuals of the Community. Czech experts may be taken into consideration by the Commission when appointing independent experts according to the relevant provisions of the decision establishing the programme to assist it in the project evaluation.
4. With a view to ensuring the Community dimension of the programme, in order to be eligible for Community financial support, projects and activities will have to include at least a partner from one of the Member States of the Community.
5. The maximum amount of financial support for the activities of the cultural contact points will not exceed 50 % of the total budget for its activities.
6. Without prejudice to the responsibilities of the Commission of the European Communities and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the programme pursuant to Article 8 of Decision No 508/2000/EC, the participation of the Czech Republic in the programme will be continuously monitored on a partnership basis involving the Commission of the European Communities and the Czech Republic. The Czech Republic will submit to the Commission relevant reports and take part in other specific activities set out by the Community in that context.
7. In conformity with the Community's Financial Regulations, contractual arrangements concluded with, or by, entities of the Czech Republic shall provide for controls and audits to be carried out by, or under the authority of, the Commission and the Court of Auditors. As far as financial audits are concerned, they may be carried out for the purpose of controlling such entities' income and expenditures, related to the contractual obligations towards the Community. In a spirit of cooperation and mutual interest, the relevant authorities of the Czech Republic shall provide any reasonable and feasible assistance as may be necessary or helpful under the circumstances to perform such controls and audits.
8. Without prejudice to the procedures referred to in Article 5 of Decision No 508/2000/EC, representatives of the Czech Republic will participate as observers in the Management Committee for the points which concern them. This committee shall meet without the presence of representatives of the Czech Republic for the rest of the points, as well as at the time of voting.
9. The language to be used in all sorts of contacts with the Commission, as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programme, will be one of the official languages of the Community.
10. The Community and the Czech Republic may terminate activities under this Decision at any time upon 12 months' notice in writing. Projects and activities in progress at the time of termination shall continue until their completion under the conditions laid down in this Decision.

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<sup>(1)</sup> OJ L 63, 10.3.2000, p. 1.

## ANNEX II

**Financial contribution of the Czech Republic to Culture 2000**

1. The financial contribution to be paid by the Czech Republic to the general budget of the European Union to participate in the programme will be the following:

*(in EUR)*

Year 2001	Year 2002	Year 2003	Year 2004
651 060	651 060	651 060	651 060

2. The Czech Republic will pay the contribution mentioned above, partly from the Czech Republic's national budget, and partly from the Czech Republic's PHARE national programme. Subject to a PHARE separate programming procedure, the requested PHARE funds will be transferred to the Czech Republic by means of a separate Financing Memorandum. Together with the part coming from the Czech Republic's State budget, these funds will constitute the Czech Republic's national contribution, out of which it will make payments in response to annual calls for funds from the Commission.
3. PHARE funds will be requested according to the following schedule:

*(in EUR)*

Year 2001	Year 2002	Year 2003	Year 2004
290 215	290 215	290 215	290 215

The remaining part of the contribution of the Czech Republic will come from the Czech State budget.

4. The Financial Regulation applicable to the general budget of the European Communities will apply, in particular to the management of the contribution of the Czech Republic.

Travel costs and subsistence costs incurred by representatives and experts of the Czech Republic for the purposes of taking part as observers in the work of the committee referred to in Annex I(8) or other meetings related to the implementation of the programme shall be reimbursed by the Commission on the same basis as and in accordance with the procedures currently in force for non-governmental experts of the Member States of the European Union.

5. After the entry into force of this Decision and at the beginning of each following year, the Commission will send to the Czech Republic a call for funds corresponding to its contribution to the budget of the programme under this Decision.

This contribution shall be expressed in euro and paid into a euro bank account of the Commission.

The Czech Republic will pay its contribution according to the call for funds:

- by 1 May for the part financed from its national budget, provided that the call for funds is sent by the Commission before 1 April, or at the latest one month after the call for funds is sent if later,
- by 1 May for the part financed from PHARE, provided that the corresponding amounts have been sent to the Czech Republic by this time, or at the latest within a period of 30 days after these funds have been sent to the Czech Republic.

Any delay in the payment of the contribution shall give rise to the payment of interest by the Czech Republic on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Central Bank, on the due date, for its operations in euro, increased by 1,5 percentage points.

**DECISION No 4/2001 OF THE EU-LITHUANIA ASSOCIATION COUNCIL**  
**of 26 October 2001**  
**adopting the terms and conditions for the participation of the Republic of Lithuania in the Culture**  
**2000 programme**

(2002/123/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 Lithuania, of the other <sup>(1)</sup>, concerning Lithuania's participation in Community programmes, and in particular Article 110 thereof,

*Article 1*

Lithuania shall participate in the Culture 2000 programme according to the terms and conditions set out in Annexes I and II which shall form an integral part to this Decision.

Whereas:

- Article 2*
- This Decision shall enter into force on the day of its adoption.
- It shall apply for the duration of the Culture 2000 programme, starting from 1 January 2001.
- Done at Brussels, 26 October 2001.
- For the Association Council*  
*The President*  
A. VALIONIS
- (1) According to Article 110 of the Europe Agreement and Annex XX thereto, Lithuania may participate in Community framework programmes, specific programmes, projects or other actions in particular in the field of culture.
  - (2) According to the said Article 110, the terms and conditions for the participation of Lithuania in this area are to be decided by the Association Council,

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<sup>(1)</sup> OJ L 51, 20.2.1998, p. 3.



## ANNEX I

**Terms and conditions for the participation of the Republic of Lithuania in the Culture 2000 programme**

1. Lithuania will participate in the activities of the Culture 2000 programme (hereinafter called 'the programme') in conformity, unless otherwise provided for in this Decision, with the objectives, criteria, procedures and deadlines as defined in Decision No 508/2000/EC of the European Parliament and of the Council of 14 February 2000 establishing the Culture 2000 programme <sup>(1)</sup>.
2. To participate in the programme, Lithuania will pay each year a contribution to the general budget of the European Union according to the detailed arrangements described in Annex II. If necessary in order to take into account programme developments, or the evolution of Lithuania's absorption capacity, the Association Committee is entitled to adapt this contribution, so as to avoid a budgetary imbalance in the implementation of the programme.
3. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, organisations and individuals of Lithuania will be the same as those applicable to eligible institutions, organisations and individuals of the Community. Lithuanian experts may be taken into consideration by the Commission when appointing independent experts according to the relevant provisions of the decision establishing the programme to assist it in the project evaluation.
4. With a view to ensuring the Community dimension of the programme, in order to be eligible for Community financial support, projects and activities will have to include at least a partner from one of the Member States of the Community.
5. The maximum amount of financial support for the activities of the cultural contact points will not exceed 50 % of the total budget for its activities.
6. Without prejudice to the responsibilities of the Commission of the European Communities and the Court of Auditors of the European Communities in relation to the monitoring and evaluation of the programme pursuant to Article 8 of Decision No 508/2000/EC, the participation of Lithuania in the programme will be continuously monitored on a partnership basis involving the Commission of the European Communities and Lithuania. Lithuania will submit to the Commission relevant reports and take part in other specific activities set out by the Community in that context.
7. In conformity with the Community's Financial Regulations, contractual arrangements concluded with, or by, entities of Lithuania shall provide for controls and audits to be carried out by, or under the authority of, the Commission and the Court of Auditors. As far as financial audits are concerned, they may be carried out for the purpose of controlling such entities' income and expenditures, related to the contractual obligations towards the Community. In a spirit of cooperation and mutual interest, the relevant authorities of Lithuania shall provide any reasonable and feasible assistance as may be necessary or helpful under the circumstances to perform such controls and audits.
8. Without prejudice to the procedures referred to in Article 5 of Decision No 508/2000/EC, representatives of Lithuania will participate as observers in the Management Committee for the points which concern them. This committee shall meet without the presence of representatives of Lithuania for the rest of the points, as well as at the time of voting.
9. The language to be used in all sorts of contacts with the Commission, as regards the application process, contracts, reports to be submitted and other administrative arrangements for the programme, will be one of the official languages of the Community.
10. The Community and Lithuania may terminate activities under this Decision at any time upon 12 months' notice in writing. Projects and activities in progress at the time of termination shall continue until their completion under the conditions laid down in this Decision.

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<sup>(1)</sup> OJ L 63, 10.3.2000, p. 1.

## ANNEX II

**Financial contribution of the Republic of Lithuania to Culture 2000**

1. The financial contribution to be paid by Lithuania to the general budget of the European Union to participate in the programme will be the following (in euro):

(in EUR)

Year 2001	Year 2002	Year 2003	Year 2004
139 886	139 886	139 886	139 886

2. Lithuania will pay the contribution mentioned above, partly from the Lithuanian national budget, and partly from Lithuania's PHARE national programme. Subject to a PHARE separate programming procedure, the requested PHARE funds will be transferred to Lithuania by means of a separate Financing Memorandum. Together with the part coming from Lithuania's State budget, these funds will constitute Lithuania's national contribution, out of which it will make payments in response to annual calls for funds from the Commission.
3. PHARE funds will be requested according to the following schedule:

(in EUR)

Year 2001	Year 2002	Year 2003	Year 2004
71 888	51 349	Amount to be specified later	Amount to be specified later

The remaining part of the contribution of Lithuania will come from the Lithuanian State budget.

4. The Financial Regulation applicable to the general budget of the European Communities will apply, in particular to the management of the contribution of Lithuania.

Travel costs and subsistence costs incurred by representatives and experts of Lithuania for the purposes of taking part as observers in the work of the committee referred to in Annex I(8) or other meetings related to the implementation of the programme shall be reimbursed by the Commission on the same basis as and in accordance with the procedures currently in force for non-governmental experts of the Member States of the European Union.

5. After the entry into force of this Decision and at the beginning of each following year, the Commission will send to Lithuania a call for funds corresponding to its contribution to the budget of the programme under this Decision. This contribution shall be expressed in euro and paid into a euro bank account of the Commission.

Lithuania will pay its contribution according to the call for funds:

- by 1 May for the part financed from its national budget, provided that the call for funds is sent by the Commission before 1 April, or at the latest one month after the call for funds is sent if later,
- by 1 May for the part financed from PHARE, provided that the corresponding amounts have been sent to Lithuania by this time, or at the latest within a period of 30 days after these funds have been sent to Lithuania.

Any delay in the payment of the contribution shall give rise to the payment of interest by Lithuania on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Central Bank, on the due date, for its operations in euro, increased by 1,5 percentage points.

# COMMISSION

## COMMISSION DECISION

of 13 February 2002

**amending Decision 2001/218/EC requiring Member States temporarily to take additional measures against the dissemination of *Bursaphelenchus xylophilus* (Steiner et Buhner) Nickle *et al.* (the pinewood nematode) as regards areas in Portugal, other than those in which it is known not to occur**

(notified under document number C(2002) 472)

(2002/124/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community <sup>(1)</sup>, as last amended by Commission Directive 2001/33/EC <sup>(2)</sup>, and in particular Article 16(3) thereof,

Whereas:

(1) Where a Member State considers that there is an imminent danger of the introduction into its territory of *Bursaphelenchus xylophilus* (Steiner et Buhner) Nickle *et al.*, (the pine wood nematode (PWN)), from another Member State, it may temporarily take any additional measures necessary to protect itself from that danger.

(2) Portugal informed the other Member States and the Commission on 25 June 1999 that some samples of pine trees originating in its territory were identified as infested by the PWN. In consequence, the Commission authorised Member States temporarily to take additional measures against the dissemination of PWN, as regards areas in Portugal, other than those in which it is known not to occur. The currently applicable authorisation is set out in Decision 2001/218/EC <sup>(3)</sup>.

(3) Following a further assessment by the FVO in October 2001 and additional information supplied by Portugal, it appears that as a result of the application of an eradication programme, the spread of PWN is still limited

within the demarcated area. However trees showing symptoms of infestation by PWN were still found during surveys of the area where it was previously known to occur.

(4) In official surveys carried out in 2001 by the other Member States on wood, isolated bark and plants of *Abies* Mill., *Cedrus* Trew, *Larix* Mill., *Picea* A. Dietr., *Pinus* L., *Pseudotsuga* Carr. and *Tsuga* Carr., originating in the Member State concerned, none of the samples taken and analysed tested positive for the presence of the PWN.

(5) It is therefore necessary for Portugal to continue to take specific measures to control the spread of PWN with the aim of eradication. It may also be necessary for the other Member States to continue to adopt additional measures to protect themselves.

(6) Since there is no new information giving cause for revision of these measures, Decision 2001/218/EC should therefore be extended for another limited period, and be amended accordingly.

(7) The effect of the emergency measures will be assessed continually during 2002 and 2003, in particular on the basis of information to be provided by Portugal and the other Member States. If it becomes apparent that the emergency measures referred to in the present Decision are not sufficient to prevent the spread of PWN or have not been complied with, more stringent or alternative measures should be envisaged.

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

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

<sup>(2)</sup> OJ L 127, 9.5.2001, p. 42.

<sup>(3)</sup> OJ L 81, 21.3.2001, p. 34.

HAS ADOPTED THIS DECISION:

*Article 1*

Decision 2001/218/EC is amended as follows:

1. in the first paragraph of Article 2, '28 February 2002' is replaced by '28 February 2003';
2. in the second paragraph of Article 4, '15 November 2001' is replaced by '15 November 2002';
3. in Article 6, '15 December 2001' is replaced by '15 December 2002'.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 13 February 2002.

*For the Commission*

David BYRNE

*Member of the Commission*

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**CORRIGENDA****Corrigendum to Council Regulation (EC) No 254/2002 of 12 February 2002 establishing measures to be applicable in 2002 for the recovery of the stock of cod in the Irish Sea (ICES division VIIa)**

*(Official Journal of the European Communities L 41 of 13 February 2002)*

On page 2, second indent of Article 2(1):

for: '54° 15' N, 04° 50' W,'

read: '53° 15' N, 04° 50' W.'

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