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## Legislation

Contents

### I Acts whose publication is obligatory

Commission Regulation (EC) No 32/2003 of 9 January 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables .....	1
Commission Regulation (EC) No 33/2003 of 9 January 2003 on the issue of import licences for high-quality fresh, chilled or frozen beef and veal .....	3
Commission Regulation (EC) No 34/2003 of 9 January 2003 fixing the maximum export refund on barley in connection with the invitation to tender issued in Regulation (EC) No 901/2002 .....	4
Commission Regulation (EC) No 35/2003 of 9 January 2003 concerning tenders notified in response to the invitation to tender for the export of rye issued in Regulation (EC) No 900/2002 .....	5
Commission Regulation (EC) No 36/2003 of 9 January 2003 fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EC) No 899/2002 .....	6
Commission Regulation (EC) No 37/2003 of 9 January 2003 fixing the export refunds on cereals and on wheat or rye flour, groats and meal .....	7
Commission Regulation (EC) No 38/2003 of 9 January 2003 fixing the corrective amount applicable to the refund on cereals .....	9
Commission Regulation (EC) No 39/2003 of 9 January 2003 fixing the representative prices and the additional import duties for molasses in the sugar sector .....	11
Commission Regulation (EC) No 40/2003 of 9 January 2003 determining the world market price for unginned cotton .....	13
<b>* Commission Directive 2003/1/EC of 6 January 2003 adapting to technical progress Annex II to Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products <sup>(1)</sup> .....</b>	<b>14</b>

1

<sup>(1)</sup> Text with EEA relevance

(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

**Commission**

2003/8/EC:

- \* **Commission Decision of 23 December 2002 implementing Council Regulation (EEC) No 1612/68 as regards the clearance of vacancies and applications for employment <sup>(1)</sup> (notified under document number C(2002) 5236) .....** 16

## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 32/2003**  
**of 9 January 2003**  
**establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EC) No 1947/2002 <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 10 January 2003.

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

Done at Brussels, 9 January 2003.

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

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

<sup>(2)</sup> OJ L 299, 1.11.2002, p. 17.

## ANNEX

**to the Commission Regulation of 9 January 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	85,9
	204	57,8
	212	83,5
	624	154,7
	999	95,5
0707 00 05	052	126,7
	999	126,7
0709 10 00	220	91,4
	999	91,4
0709 90 70	052	113,7
	204	137,7
	999	125,7
0805 10 10, 0805 10 30, 0805 10 50	052	45,6
	204	57,9
	220	48,3
	999	50,6
0805 20 10	204	68,9
	999	68,9
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	66,7
	204	78,2
	999	72,5
0805 50 10	052	76,2
	600	66,6
	999	71,4
0808 10 20, 0808 10 50, 0808 10 90	060	40,7
	400	98,2
	404	99,3
	720	109,6
	999	86,9
0808 20 50	052	124,8
	400	115,2
	720	48,6
	999	96,2

<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 33/2003****of 9 January 2003****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 936/97 of 27 May 1997 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat <sup>(1)</sup>, as last amended by Regulation (EC) No 1524/2002 <sup>(2)</sup>,

Whereas:

- (1) Regulation (EC) No 936/97 provides in Articles 4 and 5 the conditions for applications and for the issue of import licences for meat referred to in Article 2(f).
- (2) Article 2(f) of Regulation (EC) No 936/97 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms for the period 1 July 2002 to 30 June 2003 at 11 500 t.

- (3) It should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. All applications for import licences from 1 to 5 January 2003 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 2(f) of Regulation (EC) No 936/97 shall be granted in full.
2. Applications for licences may be submitted, in accordance with Article 5 of Regulation (EC) No 936/97, during the first five days of February 2003 for 7 133,594 t.

*Article 2*

This Regulation shall enter into force on 11 January 2003.

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

Done at Brussels, 9 January 2003.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*<sup>(1)</sup> OJ L 137, 28.5.1997, p. 10.<sup>(2)</sup> OJ L 229, 27.8.2002, p. 7.

**COMMISSION REGULATION (EC) No 34/2003  
of 9 January 2003**

**fixing the maximum export refund on barley in connection with the invitation to tender issued in  
Regulation (EC) No 901/2002**

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>,

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 1163/2002 <sup>(4)</sup>, as amended by Regulation (EC) No 1324/2002 <sup>(5)</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, Canada, Estonia and Latvia was opened pursuant to Commission Regulation (EC) No 901/2002 <sup>(6)</sup>, as amended by Regulation (EC) No 1230/2002 <sup>(7)</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 3 to 9 January 2003, pursuant to the invitation to tender issued in Regulation (EC) No 901/2002, the maximum refund on exportation of barley shall be EUR 12,00/t.

*Article 2*

This Regulation shall enter into force on 10 January 2003.

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

Done at Brussels, 9 January 2003.

*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 170, 29.6.2002, p. 46.

<sup>(5)</sup> OJ L 194, 23.7.2002, p. 26.

<sup>(6)</sup> OJ L 142, 31.5.2002, p. 17.

<sup>(7)</sup> OJ L 180, 10.7.2002, p. 3.

**COMMISSION REGULATION (EC) No 35/2003**  
**of 9 January 2003**  
**concerning tenders notified in response to the invitation to tender for the export of rye issued in**  
**Regulation (EC) No 900/2002**

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>,

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 1163/2002 <sup>(4)</sup>, as amended by Regulation (EC) No 1324/2002 <sup>(5)</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 excluding Hungary, Estonia, Lithuania and Latvia was opened pursuant to Commission Regulation (EC) No 900/2002 <sup>(6)</sup>, as last amended by Regulation (EC) No 2330/2002 <sup>(7)</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 3 to 9 January 2003 in response to the invitation to tender for the refund for the export of rye issued in Regulation (EC) No 900/2002.

*Article 2*

This Regulation shall enter into force on 10 January 2003.

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

Done at Brussels, 9 January 2003.

*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 170, 29.6.2002, p. 46.

<sup>(5)</sup> OJ L 194, 23.7.2002, p. 26.

<sup>(6)</sup> OJ L 142, 31.5.2002, p. 14.

<sup>(7)</sup> OJ L 349, 24.12.2002, p. 18.

**COMMISSION REGULATION (EC) No 36/2003  
of 9 January 2003**

**fixing the maximum export refund on common wheat in connection with the invitation to tender  
issued in Regulation (EC) No 899/2002**

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>,

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 1163/2002 <sup>(4)</sup>, as amended by Regulation (EC) No 1324/2002 <sup>(5)</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, Estonia, Lithuania and Latvia was opened pursuant to Commission Regulation (EC) No 899/2002 <sup>(6)</sup>, as last amended by Regulation (EC) No 2331/2002 <sup>(7)</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 3 to 9 January 2003, pursuant to the invitation to tender issued in Regulation (EC) No 899/2002, the maximum refund on exportation of common wheat shall be EUR 8,00/t.

*Article 2*

This Regulation shall enter into force on 10 January 2003.

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

Done at Brussels, 9 January 2003.

*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 170, 29.6.2002, p. 46.

<sup>(5)</sup> OJ L 194, 23.7.2002, p. 26.

<sup>(6)</sup> OJ L 142, 31.5.2002, p. 11.

<sup>(7)</sup> OJ L 349, 24.12.2002, p. 19.

**COMMISSION REGULATION (EC) No 37/2003****of 9 January 2003****fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund.
- (2) The refunds must be fixed taking into account the factors referred to in Article 1 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals <sup>(3)</sup>, as last amended by Regulation (EC) No 1163/2002 <sup>(4)</sup>, as amended by Regulation (EC) No 1324/2002 <sup>(5)</sup>.
- (3) As far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture. These quantities were fixed in Regulation (EC) No 1501/95.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination.
- (5) The refund must be fixed once a month. It may be altered in the intervening period.
- (6) It follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1(a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 10 January 2003.

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

Done at Brussels, 9 January 2003.

*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 170, 29.6.2002, p. 46.

<sup>(5)</sup> OJ L 194, 23.7.2002, p. 26.

## ANNEX

**to the Commission Regulation of 9 January 2003 fixing the export refunds on cereals and on wheat or rye flour, groats and meal**

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 15 9130	C01	EUR/t	10,25
1001 10 00 9400	—	EUR/t	—	1101 00 15 9150	C01	EUR/t	9,50
1001 90 91 9000	—	EUR/t	—	1101 00 15 9170	C01	EUR/t	8,75
1001 90 99 9000	C01	EUR/t	0	1101 00 15 9180	C01	EUR/t	8,25
1002 00 00 9000	C06	EUR/t	0	1101 00 15 9190	—	EUR/t	—
1003 00 10 9000	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1003 00 90 9000	C07	EUR/t	0	1102 10 00 9500	C01	EUR/t	24,75
1004 00 00 9200	—	EUR/t	—	1102 10 00 9700	C01	EUR/t	19,50
1004 00 00 9400	C06	EUR/t	0	1102 10 00 9900	—	EUR/t	—
1005 10 90 9000	—	EUR/t	—	1103 11 10 9200	C06	EUR/t	0 <sup>(1)</sup>
1005 90 00 9000	C07	EUR/t	0	1103 11 10 9400	C06	EUR/t	0 <sup>(1)</sup>
1007 00 90 9000	—	EUR/t	—	1103 11 10 9900	—	EUR/t	—
1008 20 00 9000	—	EUR/t	—	1103 11 90 9200	C06	EUR/t	0 <sup>(1)</sup>
1101 00 11 9000	—	EUR/t	—	1103 11 90 9800	—	EUR/t	—
1101 00 15 9100	C01	EUR/t	11,00				

<sup>(1)</sup> No refund is granted when this product contains compressed meal.

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

The other destinations are as follows:

C01 All destinations except for Poland, Lithuania, Estonia, Latvia and Hungary.

C06 All destinations except for Lithuania, Estonia, Latvia and Hungary.

C07 All destinations except for Estonia, Latvia and Hungary.

**COMMISSION REGULATION (EC) No 38/2003**  
**of 9 January 2003**  
**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. 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 1163/2002 <sup>(4)</sup>, as amended by Regulation (EC) No 1324/2002 <sup>(5)</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 10 January 2003.

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

Done at Brussels, 9 January 2003.

*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 170, 29.6.2002, p. 46.

<sup>(5)</sup> OJ L 194, 23.7.2002, p. 26.

## ANNEX

## to the Commission Regulation of 9 January 2003 fixing the corrective amount applicable to the refund on cereals

(EUR/t)

Product code	Destination	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6	6th period 7
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	A00	0	0	0	0	-10,00	—	—
1002 00 00 9000	C03	-20,00	-20,00	-20,00	-20,00	-20,00	—	—
	A05	0	0	0	0	0	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	A00	0	0	0	0	-10,00	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	A00	0	-0,93	-1,86	-2,79	-3,72	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	A00	0	0	0	0	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	A00	0	0	0	0	-13,70	—	—
1101 00 15 9130	A00	0	0	0	0	-12,80	—	—
1101 00 15 9150	A00	0	0	0	0	-11,80	—	—
1101 00 15 9170	A00	0	0	0	0	-10,90	—	—
1101 00 15 9180	A00	0	0	0	0	-10,20	—	—
1101 00 15 9190	—	—	—	—	—	—	—	—
1101 00 90 9000	—	—	—	—	—	—	—	—
1102 10 00 9500	A00	0	0	0	0	0	—	—
1102 10 00 9700	A00	0	0	0	0	0	—	—
1102 10 00 9900	—	—	—	—	—	—	—	—
1103 11 10 9200	A00	0	0	0	0	0	—	—
1103 11 10 9400	A00	0	0	0	0	0	—	—
1103 11 10 9900	—	—	—	—	—	—	—	—
1103 11 90 9200	A00	0	0	0	0	0	—	—
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:

C03 Switzerland, Liechtenstein, Poland, Czech Republic, Slovak Republic, 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.

**COMMISSION REGULATION (EC) No 39/2003****of 9 January 2003****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>, as amended by Commission Regulation (EC) No 680/2002 <sup>(2)</sup>,Having regard to Commission Regulation (EC) No 1422/95 of 23 June 1995 laying down detailed rules of application for imports of molasses in the sugar sector and amending Regulation (EEC) No 785/68 <sup>(3)</sup>, and in particular 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>(4)</sup>. That price should be fixed for the standard quality defined in Article 1 of the above Regulation.
- (2) The representative price for molasses is calculated at the frontier crossing point into the Community, in this case Amsterdam; that price must be based on the most favourable purchasing opportunities on the world market established on the basis of the quotations or prices on that market adjusted for any deviations from the standard quality. The standard quality for molasses is defined in Regulation (EEC) No 785/68.
- (3) When the most favourable purchasing opportunities on the world market are being established, account must be taken of all available information on offers on the world market, on the prices recorded on important third-country markets and on sales concluded in international trade of which the Commission is aware, either directly or through the Member States. Under Article 7 of Regulation (EEC) No 785/68, the Commission may for this purpose take an average of several prices as a basis, provided that this average is representative of actual market trends.
- (4) The information must be disregarded if the goods concerned are not of sound and fair marketable quality or if the price quoted in the offer relates only to a small

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 10 January 2003.

<sup>(1)</sup> OJ L 178, 30.6.2001, p. 1.<sup>(2)</sup> OJ L 104, 20.4.2002, p. 26.<sup>(3)</sup> OJ L 141, 24.6.1995, p. 12.<sup>(4)</sup> OJ L 145, 27.6.1968, p. 12.

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

Done at Brussels, 9 January 2003.

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

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ANNEX

**to the Commission Regulation of 9 January 2003 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>	8,18	—	0,03
1703 90 00 <sup>(1)</sup>	10,60	—	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 40/2003**  
**of 9 January 2003**  
**determining the world market price for unginning 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 unginning 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 unginning 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>, as amended by Regulation (EC) No 1486/2002 <sup>(4)</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 unginning 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 unginning cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

*Article 1*

The world price for unginning cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 27,804/100 kg.

*Article 2*

This Regulation shall enter into force on 10 January 2003.

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

Done at Brussels, 9 January 2003.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

<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.

<sup>(4)</sup> OJ L 223, 20.8.2002, p. 3.

**COMMISSION DIRECTIVE 2003/1/EC  
of 6 January 2003**

**adapting to technical progress Annex II to Council Directive 76/768/EEC on the approximation of  
the laws of the Member States relating to cosmetic products**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products <sup>(1)</sup>, as last amended by Commission Directive 2002/34/EC <sup>(2)</sup>, and in particular Article 8(2) thereof,

After consulting the Scientific Committee on Cosmetic Products and Non-Food Products intended for consumers,

Whereas:

- (1) Reference number 419 of Annex II to Directive 76/768/EEC which contains the list of substances which cosmetic products must not contain is currently aligned to Commission Decision 97/534/EC of 30 July 1997 on the prohibition of the use of material presenting risks as regards transmissible spongiform encephalopathies <sup>(3)</sup>. That Decision has been repealed by Commission Decision 2000/418/EC of 29 June 2000 regulating the use of material presenting risks as regards transmissible spongiform encephalopathies and amending Decision 94/474/EC <sup>(4)</sup>. With regard to the opinion of the Scientific Committee on Cosmetic Products and Non-Food Products intended for consumers (SCCNFP) it is appropriate to align Reference number 419 of Annex II to Directive 76/768/EEC 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>(5)</sup>, as last amended by Commission Regulation (EC) No 270/2002 <sup>(6)</sup>.
- (2) A reference to specified risk materials as designated in Annex V to Regulation (EC) No 999/2001, should be inserted into Reference number 419 of Annex II to Directive 76/768/EEC.
- (3) It follows from Article 22(1) of Regulation (EC) No 999/2001, however, that the provisions of Annex XI Part A of that Regulation apply until the date of the adoption of a decision after which Article 8 of that Regulation and Annex V to it become applicable. Therefore, Reference number 419 of Annex II to Directive 76/768/EEC should also refer to Annex XI Part A of Regulation (EC) No 999/2001.

- (4) Directive 76/768/EEC should be amended accordingly.
- (5) Given the specific nature of the risk materials, the Member States must be able to take the measures provided for in this Directive without having to wait for the final date specified.
- (6) The measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in the Cosmetic Products Sector,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Annex II to Directive 76/768/EEC is amended in accordance with the Annex to this Directive.

*Article 2*

1. Member States shall take all necessary measures to ensure that from 15 April 2003 at the latest no cosmetic products which fail to comply with this Directive are placed on the market by Community manufacturers or by importers established within the Community.

2. Member States shall take all measures necessary to ensure that the products referred to in paragraph 1 are not sold or disposed of to the final consumer after 15 April 2003 at the latest.

*Article 3*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 15 April 2003 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

<sup>(1)</sup> OJ L 262, 27.9.1976, p. 169.

<sup>(2)</sup> OJ L 102, 18.4.2002, p. 19.

<sup>(3)</sup> OJ L 216, 8.8.1997, p. 95.

<sup>(4)</sup> OJ L 158, 30.6.2000, p. 76.

<sup>(5)</sup> OJ L 147, 31.5.2001, p. 1.

<sup>(6)</sup> OJ L 45, 15.2.2002, p. 4.

*Article 4*

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

*Article 5*

This Directive is addressed to the Member States.

Done at Brussels, 6 January 2003.

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

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*ANNEX*

In Reference number 419 of Annex II to Council Directive 76/768/EEC the sentences

'(a) the skull, including the brain and eyes, tonsils and spinal cord of:

- bovine animals aged 12 months,
- ovine and caprine animals which are aged over 12 months or have a permanent incissor tooth erupted through the gum;

(b) the spleens of ovine and caprine animals and ingredients therefrom.'

are replaced by the sentences:

'From the date referred to in Article 22(1) of Regulation (EC) No 999/2001 of the European Parliament and of the Council (\*), the specified risk materials as designated in Annex V to that Regulation, and ingredients derived therefrom.

Until that date, the specified risk materials as designated in Annex XI Part A to Regulation (EC) No 999/2001, and ingredients derived therefrom.

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(\* ) OJ L 147, 31.5.2001, p. 1.'

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 23 December 2002

implementing Council Regulation (EEC) No 1612/68 as regards the clearance of vacancies and applications for employment

(notified under document number C(2002) 5236)

(Text with EEA relevance)

(2003/8/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1612/68 of 15 October 1968 on freedom of movement for workers within the Community <sup>(1)</sup>, as last amended by Regulation (EEC) No 2434/92 <sup>(2)</sup>, and in particular Article 44 thereof,

Whereas:

- (1) Much progress has been made since the initial launch of the European Employment Services network (EURES) established by Commission Decision 93/569/EEC <sup>(3)</sup>, in order to implement Council Regulation (EEC) No 1612/68.
- (2) In the light of the experience gained since 1993, and taking into account and consolidating recent developments in the EURES environment, the network should now be reinforced and fully integrated into the activities of employment services of the Member States. The current division of responsibilities and the decision-making procedures should be redesigned.
- (3) With a view to the forthcoming enlargement of the European Union, full account should be taken of the implementation of EURES in the acceding countries while ensuring that the system remains efficient and manageable.
- (4) The opportunities afforded by the emerging information and communication technology tools for further enhancing and rationalising the services provided should also be taken into account.

- (5) To this end, EURES should be consolidated and strengthened as a key tool for the monitoring of mobility, for the support of the free movement of workers and the integration of the European labour markets, and for informing citizens about the relevant Community legislation.
- (6) There is a need to underpin occupational and geographic mobility in line with the European Employment Strategy, in the interests of implementing the Action Plan for skills and mobility <sup>(4)</sup> and the Council Resolution of 3 June 2002 on the same issue <sup>(5)</sup>.
- (7) For the sake of clarity, it is advisable to re-establish the European Employment Services network whilst defining more precisely its composition, constitution and functions. This operation will entail the replacement of Decision 93/569/EEC.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Technical Committee on freedom of movement for workers,

HAS ADOPTED THIS DECISION:

Article 1

**The EURES network**

The Commission, the employment services of the Member States and any further national partners which they may have, shall create a European network of services, designated EURES (EUROpean Employment Services) responsible for developing the exchange of information and cooperation provided for in Part II of Regulation (EEC) No 1612/68.

<sup>(1)</sup> OJ L 257, 19.10.1968, p. 2.

<sup>(2)</sup> OJ L 245, 26.8.1992, p. 1.

<sup>(3)</sup> OJ L 274, 22.10.1993, p. 32.

<sup>(4)</sup> COM(2002) 72 final of 13.2.2002.

<sup>(5)</sup> OJ C 162, 6.7.2002, p. 1.

*Article 2***Objectives**

EURES contributes to the coordinated implementation of provisions of Part II of Regulation (EEC) No 1612/68. It supports the European Employment Strategy and contributes to the strengthening of the European Single market.

In particular, for the benefit of job seekers, workers and employers, EURES shall seek to promote:

- (a) the development of European labour markets open and accessible for all;
- (b) the transnational, interregional and cross-border exchange of vacancies and job applications;
- (c) transparency and information exchange on the European labour markets, including on living conditions and on the opportunities for acquisition of skills;
- (d) the development of methodologies and indicators for this purpose.

*Article 3***Composition**

EURES shall comprise the following categories:

- (a) the EURES members, which shall be the specialist services appointed by the Member States in accordance with Article 13(2) of Regulation (EEC) No 1612/68, and the European Coordination Office, in accordance with Articles 21, 22 and 23 of that Regulation; and
- (b) the EURES partners, as provided for in Article 17(1) of Regulation (EEC) No 1612/68; namely:
  - (i) regional employment services of the Member States;
  - (ii) employment services responsible for border regions;
  - (iii) specialised employment services that have been notified to the Commission in accordance with Article 17(2) of Regulation (EEC) No 1612/68.

These categories shall include the trades union and employer organisations designated by the EURES members.

*Article 4***Role of the European Coordination Office**

The Directorate-General for Employment and Social Affairs of the Commission is responsible for managing the European Coordination Office.

The European Coordination Office (hereinafter referred to as the EURES Coordination Office) shall oversee compliance with the provisions of Part II of Regulation (EEC) No 1612/68 and shall assist the network in carrying out its activities.

It shall, in particular, undertake:

- (a) the analysis of geographic and occupational mobility and the development of a general approach to mobility in accordance with the European Employment Strategy;
- (b) the formulation of a coherent overall approach and of appropriate arrangements to promote cooperation and coordination between Member States;

- (c) overall monitoring and evaluation of EURES activity, and action to check that it is carried out in accordance with Regulation (EEC) No 1612/68 and with this Decision.

*Article 5***EURES logo**

The acronym EURES shall be used exclusively for activities within EURES. It shall be illustrated by a standard logo, defined by a graphic design scheme.

The logo shall be registered as a Community trade mark at the Office for Harmonization in the Internal Market (OHIM). It may be used by the EURES members and partners.

*Article 6***High Level Strategy Group**

A High Level Strategy Group is hereby created, composed of the Heads of the EURES members and chaired by a representative of the Commission. It shall assist the Commission in promoting and overseeing the development of EURES.

The Commission shall consult the High Level Strategy Group on questions concerning the strategic planning, development, implementation, monitoring and evaluation of the services and activities referred to in this Decision, including:

- (a) the EURES Charter, in accordance with Article 8(2);
- (b) the EURES guidelines, in accordance with Article 9(1);
- (c) the Commission's draft annual report provided for by Article 19(1) of Regulation (EEC) No 1612/68;
- (d) the Commission's two-yearly report to the European Parliament, the Council and the Economic and Social Committee required by Article 19(3) of Regulation (EEC) No 1612/68.

The Heads of the European social partners' organisations shall be invited to participate in the meetings of the Group.

The Group shall establish its working methods and rules of procedure. As a general rule, it shall be convened twice a year by the chairperson. It shall deliver its opinions by simple majority.

The EURES Coordination Office shall provide secretarial support.

*Article 7***Working party**

In order to assist it in the development, implementation and monitoring of EURES activities, the EURES Coordination Office shall institute a Working Party composed of EURES managers, each one representing a EURES member. The EURES Coordination Office shall invite representatives of the European social partners and, when appropriate, representatives of other EURES partners and experts, to attend the meetings of the Working Party.

## Article 8

**EURES Charter**

1. The EURES Coordination Office shall adopt the EURES Charter in accordance with the procedures set out in Article 14(2), Article 15(2), Article 22(1)(a), (b) and (c), and Article 23 of Regulation (EEC) No 1612/68, after consultation of the EURES High Level Strategy Group established by Article 6 of this Decision.

2. On the basis of the principle that all vacancies and applications for employment that are made public by any of the EURES members and partners must be accessible throughout the Community, the EURES Charter shall, in particular, establish:

- (a) descriptions of the activities that the EURES members and partners shall carry out, including:
  - (i) job-matching services, including personalised counselling and advice to customers, whether they be job seekers, workers or employers;
  - (ii) the development of transnational and cross-border cooperation, including employment and social services, the social partners and other institutions concerned, with a view to the improvement of the functioning of the labour markets, their integration and improved mobility;
  - (iii) the promotion of coordinated monitoring and assessment of obstacles to mobility, skills surpluses and shortages and migration flows;
- (b) the operational objectives of the EURES system, the quality standards to be applied as well as the obligations of the EURES members and partners, which include:
  - (i) the integration of members' relevant databases of job vacancies, with the EURES vacancy exchange mechanism, by a deadline to be specified;
  - (ii) the kind of information, such as labour market information, information on living and working conditions, information on job offers and requests, and obstacles to mobility, which they have to supply to their customers and to the rest of the network;
  - (iii) the training and qualifications required for EURES personnel and conditions and procedures for the organisation of visits and assignments for officials;
  - (iv) the drawing up, submission to the EURES Coordination Office and execution of activity plans, including specific rules for the EURES cross-border activities;
  - (v) the conditions governing the use of the EURES logo by the members and partners;
  - (vi) principles for monitoring and evaluating EURES activities;
- (c) procedures to set up a uniform system and common models for the exchange of labour market and mobility-related information within the EURES network, as provided for in Articles 14, 15 and 16 of Regulation (EEC) No 1612/

68, including information on jobs and on learning opportunities in the European Union to be incorporated into an integrated job mobility information website.

## Article 9

**Guidelines and Activity Plans**

1. In line with the EURES Charter provided for in Article 8, and after consulting the EURES High Level Strategy Group provided for in Article 6, the EURES Coordination Office shall establish guidelines for the activities of EURES covering a three-year period.

The guidelines shall include the conditions for any financial assistance which the Community may provide in accordance with paragraph 4.

2. On the basis of the guidelines, EURES members shall present their respective activity plans for the period covered by the guidelines to the EURES Coordination Office. The activity plan shall specify:

- (a) the main activities to be undertaken by the EURES member within the framework of the network, including the transnational, cross-border and sectoral activities provided for in Article 17 of Regulation (EEC) No 1612/68;
- (b) the human and financial resources allocated for the implementation of Part II of Regulation (EEC) No 1612/68;
- (c) the arrangements for monitoring and evaluation of the activities planned, including the information to be sent to the Commission on an annual basis.

The activity plans shall also include an assessment of the activities and progress achieved during the previous period.

3. The EURES Coordination Office shall examine the activity plans and the information sent on their implementation with a view to assessing their consistency with the guidelines and the provisions of Part II of Regulation (EEC) No 1612/68. The results of this assessment shall be analysed jointly with the EURES members on an annual basis, in accordance with Article 19(1) of that Regulation, and shall be included in the Commission's two-yearly report to the European Parliament, the Council and the Economic and Social Committee required by Article 19(3) of that Regulation.

4. The Commission may grant financial assistance for the implementation of the activity plans subject to the rules governing the relevant budgetary resources.

## Article 10

**Repeal**

Decision 93/569/EEC is hereby repealed. However, it shall continue to apply to operations in respect of which an application was submitted before the entry into force of this Decision.

*Article 11***Date of application**

This Decision shall apply from 1 March 2003.

*Article 12***Addressees**

This Decision is addressed to the Member States.

Done at Brussels, 23 December 2002.

*For the Commission*  
Anna DIAMANTOPOULOU  
*Member of the Commission*

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