

**COMMISSION REGULATION (EC) No 748/2002
of 29 April 2002**

on the suspension and opening of tariff quotas applicable to the importation into the Community of certain processed agricultural products originating in Hungary and amending Regulation (EC) No 1477/2000

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, as last amended by Regulation (EC) No 2580/2000 ⁽²⁾, and in particular Article 7(2) thereof,

Having regard to Council Decision 1999/67/EC of 22 October 1998 relating to the conclusion of a Protocol for the adaptation of the trade aspects of the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part, to take into account the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the results of the agricultural negotiations of the Uruguay Round, improvements to the existing preferential regime ⁽³⁾, and in particular Article 2 thereof,

Whereas:

(1) Protocol 3 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 part, approved by Council and Commission Decision 93/742/Euratom, ECSC, EC ⁽⁴⁾, lays down the trade arrangements for the processed agricultural products which are listed therein.

(2) Protocol 3 to the Europe Agreement was amended, as regards the volume of tariff quotas and the system for calculating the reduced agricultural components and additional duties, by Decision No 2/2002 of the EC-Hungary Association Council of 16 April 2002 on improvements to the trade arrangements for processed agricultural products provided for in Protocol 3 to the Europe Agreement ⁽⁵⁾. The amendments shall enter into force as of 1 January 2002.

(3) As a result, it is appropriate to suspend the application of tariff quotas, opened for the year 2002 for imports into the European Community of products originating

in Hungary by Commission Regulation (EC) No 2542/2001 ⁽⁶⁾, and to open the new annual quotas set out in Annex I to Protocol 3. For the year 2002, the new quotas should be opened from 1 January to 31 December. At the same time, it should be specified that imports already received from Hungary to which the tariff quotas laid down in Regulation (EC) No 2542/2001 applied must be considered as part of the new tariff quotas. The duties applied to these imports shall be reimbursed, where appropriate, in accordance with the provisions of Articles 878 to 898 of Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽⁷⁾, as last amended by Regulation (EC) No 444/2002 ⁽⁸⁾.

(4) The tariff quotas opened for Hungary must be managed in accordance with Regulation (EEC) No 2454/93.

(5) The reduced agricultural components and additional duties applicable from 1 July 2000 to the importation into the Community of goods covered by Regulation (EC) No 3448/93, laid down in the framework of the Europe Agreement with Hungary by Commission Regulation (EC) No 1477/2000 ⁽⁹⁾, as last amended by Regulation (EC) No 176/2002 ⁽¹⁰⁾, should be abolished.

(6) Regulation (EC) No 1477/2000 must be amended accordingly.

(7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for horizontal questions concerning trade in processed agricultural products not listed in Annex I,

HAS ADOPTED THIS REGULATION:

Article 1

1. The application of tariff quotas opened by Annex IV to Regulation (EC) No 2542/2001 is suspended as of 1 January 2002.

⁽¹⁾ OJ L 318, 20.12.1993, p. 18.

⁽²⁾ OJ L 298, 25.11.2000, p. 5.

⁽³⁾ OJ L 28, 2.2.1999, p. 1.

⁽⁴⁾ OJ L 347, 31.12.1993, p. 1.

⁽⁵⁾ Not yet published in the Official Journal.

⁽⁶⁾ OJ L 341, 22.12.2001, p. 82.

⁽⁷⁾ OJ L 253, 11.10.1993, p. 1.

⁽⁸⁾ OJ L 68, 12.3.2002, p. 11.

⁽⁹⁾ OJ L 171, 11.7.2000, p. 44.

⁽¹⁰⁾ OJ L 30, 31.1.2002, p. 39.

2. The Community tariff quotas for products originating in Hungary, set out in Annexes I and II, shall be opened annually from 1 January to 31 December.

For the year 2002, they shall be opened from 1 January to 31 December 2002.

3. The tariff quotas for products set out in Annex I are exempt from duty.

4. Within the limit of the tariff quotas set out in Annex II, a duty of 0 % + EUR 1,8/100 kg/net eda shall be applied to the corresponding products. This duty is subject to an annual reduction of 10 % as of 1 January 2003.

Article 2

The quantities of goods subject to tariff quotas and in free circulation as of 1 January 2002 in accordance with Regulation (EC) No 2542/2001 and before the entry into force of this

Regulation shall be included in the quantities set out in Annexes I and II.

Article 3

The Community tariff quotas referred to in Article 1(2) shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 4

Regulation (EC) No 1477/2000 shall be amended as follows:

1. the third paragraph of Article 2 is deleted;
2. Annexes V, VI, VII and VIII are deleted.

Article 5

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

It shall apply from 1 January 2002.

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

Done at Brussels, 29 April 2002.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX I

Preferential tariff quotas for Community imports of products originating in Hungary — exempt from duty

Serial number	CN code	Description	Quota for 2002	Annual increase as of 2003
			(1 000 kg/net)	
(1)	(2)	(3)	(4)	
09.5216	0403 10 51 to 0403 10 99	Yoghurt, flavoured or with added fruit or cocoa	132	12
09.5257	0405 20 10 0405 20 30 ex 2106 ex 3302 10 3302 10 21 3302 10 29	Dairy spreads of a fat content, by weight, of 39 % or more but less than 75 % Food preparations not elsewhere specified or included, other than those falling within CN code 2106 90 20 (!) and other than flavoured or coloured sugar syrups Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used in the food or drink industries: – containing to milkfats, sucrose, isoglucose, glucose or starch or containing, by weight, less than 1,5 % milkfat, 5 % sucrose or isoglucose, 5 % glucose or starch – other	4 498	409
09.5213	ex 1704	Sugar confectionery (including white chocolate) not containing cocoa, except liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances, falling within CN code NC 1704 90 10	5 205	473
09.5215	1803	Cocoa paste, whether or not defatted	1 170	106
09.5217	1804 00 00	Cocoa butter, fat and oil	2 173	198
09.5219	1805 00 00	Cocoa powder, not containing added sugar or other sweetening matter	54	5
09.5221	1806	Chocolate and other food preparations containing cocoa	6 948	632
09.5223	1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of heading Nos 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:		
09.5225	1901 10 00	– preparations for infant use, put up for retail sale	139	13
09.5227	1901 20 00	– mixes and doughs for the preparation of bakers' wares of heading No 1905	1 692	154
09.5227	ex 1901 90	– other, excluding products falling within CN Code 1901 90 91	2 596	236
09.5228	ex 1902	Pasta, whether or not cooked or otherwise prepared, excluding stuffed pasta falling within CN codes 1902 20 10 and 1902 20 30; couscous, whether or not prepared	1 144	104
09.5229	1903 00 00	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms	61	6

Serial number	CN code	Description	Quota for 2002	Annual increase as of 2003
			(1 000 kg/net)	
(1)	(2)	(3)	(4)	
09.5231	1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included	200	18
09.5233	1905	Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products	4 580	416
09.5617	2008 99 85 2008 99 91	Maize (corn), other than sweet corn (<i>Zea mays</i> var. <i>saccharata</i>) Yams, sweet potatoes and similar edible parts of plants, containing 5 % or more by weight of starch	220	20
09.5237	2101 12 98 2101 20	Preparations with a basis of extracts, essences or concentrates of coffee or with a basis of coffee, other than those falling within CN code 2101 12 92 – Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates, or with a basis of tea or maté	23	2
09.5239	2101 30	Roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof	1 016	92
09.5619	2102 20 11 2102 20 19	Inactive yeasts	286	26
09.5241	2103	Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard	4 365	397
09.5243	2104	Soups and broths and preparations therefor; homogenised composite food preparations	1 186	108
09.5245	2105 00	Ice cream and other edible ice, whether or not containing cocoa	97	9
09.5251	2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading No 2009)	3 307	301
09.5253	2203 00	Beer made from malt ^(?)	2 341	213
09.5255	2205	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances	678	62
09.5211	3823 3823 12 3823 70	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols: – – Oleic acid – Industrial fatty alcohols	1 269	115

(¹) Products falling within CN code 2106 90 10 are eligible for this preference only if they fulfil the conditions set out in the Community provisions concerned.

(²) This quota shall be suspended as of 1.7.2002.

ANNEX II

Preferential tariff quotas for Community imports of products originating in Hungary

Serial number	CN code	Description	Annual quota for 2002	Annual increase as of 1.1.2003	Customs duty applicable as at 1.1.2002
			(1 000 kg/net)		
09.5209	0710 40 00 0711 90 30	Sweet corn	16 882	1 688	0 % + EUR 1,8/100 kg net eda ⁽¹⁾
09.5235	2001 90 30 2004 90 10 2005 80 00	Sweet corn	14 074	1 407	0 % + EUR 1,8/100 kg net eda ⁽¹⁾

⁽¹⁾ This customs duty is subject to an annual reduction of 10 % as of 1.1.2003.