

COMMISSION REGULATION (EC) No 1303/2003**of 23 July 2003****amending Regulation (EC) No 896/2001 laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the arrangements for importing bananas into the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organisation of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 2587/2001 ⁽²⁾, and in particular Article 20 thereof,

Whereas:

- (1) Commission Regulation (EC) No 896/2001 ⁽³⁾, as last amended by Regulation (EC) No 323/2003 ⁽⁴⁾, lays down detailed rules for the management of the tariff import quotas provided for in Article 18(1) of Regulation (EEC) No 404/93.
- (2) According to Article 8(1) of Regulation (EC) No 896/2001, the request for annual quota allocation of non-traditional operators may not cover a quantity greater than 12,5 % of the total quantity allocated annually to non-traditional operators. The request shall be accompanied by proof that a security of EUR 150 per tonne requested has been lodged.
- (3) Experience of applying the Community banana import regime has shown on the one hand that the total quantity of allocations applied far exceeds the quantity available to non-traditional operators, and on the other hand that the number of non-traditional operators has continuously increased. Therefore, a high percentage

reduction is applied to each application for annual allocation of non-traditional operators. Taking these elements into consideration, the maximum percentage of 12,5 % should be decreased. The decrease takes into account the different percentage reductions in Quotas A and B and Quota C and also future developments of the annual allocation to non-traditional operators.

- (4) Regulation (EC) No 896/2001 should be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Bananas,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 8(1), second subparagraph, (a), of Regulation (EC) No 896/2001, the percentage '12,5' is replaced by the percentage '5'.

Article 2

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

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

Done at Brussels, 23 July 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 47, 25.2.1993, p. 1.

⁽²⁾ OJ L 345, 29.12.2001, p. 13.

⁽³⁾ OJ L 126, 8.5.2001, p. 6.

⁽⁴⁾ OJ L 47, 21.2.2003, p. 12.