

**COMMISSION REGULATION (EC) No 54/2004  
of 12 January 2004**

**amending Council Regulation (EC) No 747/2001 as regards the Community tariff quotas and reference quantities for certain agricultural products originating in Israel**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 747/2001 of 9 April 2001 providing for the management of Community tariff quotas and of reference quantities for products eligible for preferences by virtue of agreements with certain Mediterranean countries and repealing Regulations (EC) No 1981/94 and (EC) No 934/95 <sup>(1)</sup>, and in particular Article 5(1)(b) thereof,

Whereas:

(1) An Agreement in the form of an Exchange of Letters has been concluded on 22 December 2003 between the European Community and the State of Israel concerning reciprocal liberalisation measures and the replacement of the Protocols Nos 1 and 2 to the EC-Israel Association Agreement. That new Agreement applies from 1 January 2004.

(2) The new Protocol No 1 concerning the arrangements applicable to imports into the Community of agricultural products originating in Israel, hereinafter 'the new Protocol No 1', provides for new tariff concessions and changes to the existing concessions laid down in Regulation (EC) No 747/2001, some of which fall within Community tariff quotas and reference quantities.

(3) To implement the tariff concessions provided for in the new Protocol No 1, it is necessary to amend Regulation (EC) No 747/2001.

(4) For the purpose of calculating tariff quotas for the first year of application, it should be provided that, where the quota period starts before the date on which the new Agreement enters into force, the tariff quota volumes are to be reduced in proportion to that part of the period which has already elapsed before that date.

(5) In order to facilitate the management of certain existing tariff quotas provided for in Regulation (EC) No 747/2001, the quantities imported within the framework of those quotas should be taken into account for charging on the tariff quotas opened in accordance with Regulation (EC) No 747/2001, as amended by this Regulation.

(6) In accordance with the new Protocol No 1, the tariff quota and references quantity volumes should be increased from 1 January 2004 to 1 January 2007, on the basis of four equal instalments, each corresponding to 3 % of those volumes.

(7) Since the provisions provided for in this Regulation should apply from the date of application of the new Agreement, it is appropriate for this Regulation to enter into force as soon as possible.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex VII to Regulation (EC) No 747/2001 is replaced by the Annex to this Regulation.

*Article 2*

For the quota periods still open on 1 January 2004, the quantities which pursuant to Regulation (EC) No 747/2001 have been put into free circulation in the Community within the tariff quotas with order numbers 09.1311, 09.1313, 09.1329, 09.1339 and 09.1341, shall be taken into account for charging on the tariff quotas laid down in Annex VII to Regulation (EC) No 747/2001, as amended by this Regulation.

*Article 3*

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

It shall apply from 1 January 2004.

<sup>(1)</sup> OJ L 109, 19.4.2001, p. 2. Regulation as last amended by Regulation (EC) No 53/2004 (see page 24 of this Official Journal).

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

Done at Brussels, 12 January 2004.

*For the Commission*  
Frederik BOLKESTEIN  
*Member of the Commission*

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## ANNEX

## ANNEX VII

## ISRAEL

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN codes as they exist at the time of adoption of the current regulation. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN code and corresponding description taken together.

## PART A: Tariff quotas

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight)	Quota duty
09.1302	0404 10		Whey and modified whey, whether or not concentrated or containing added sugar or other sweetening matter	from 1.1 to 31.12	800 <sup>(1)</sup>	Exemption
09.1306	0603 10		Fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	from 1.1 to 31.12	19 500 <sup>(1)</sup>	Exemption
09.1341	0603 10 80		Other fresh cut flowers and flower buds of a kind suitable for bouquets or for ornamental purposes	from 1.11.2003 to 15.4.2004	6 273	Exemption
				from 1.11.2004 to 15.4.2005	7 210	
				from 1.11.2005 to 15.4.2006	7 420	
				from 1.11.2006 to 15.4.2007	7 630	
				from 1.11.2007 to 15.4.2008 and for each period thereafter from 1.11 to 15.4	7 840	
09.1351	0603 90 00		Cut flowers and flower buds, dried, dyed, bleached, impregnated or otherwise prepared	from 1.1 to 31.12	100 <sup>(1)</sup>	Exemption
09.1309	ex 0701 90 50		New potatoes, fresh or chilled	from 1.1 to 31.3	30 000 <sup>(1)</sup>	Exemption
09.1304	0702 00 00	07	Tomatoes, fresh or chilled: — Cherry tomatoes	from 1.1 to 31.12	9 000 <sup>(1)</sup>	Exemption <sup>(2)</sup>
				from 1.1 to 31.12	1 000 <sup>(1)</sup>	Exemption <sup>(2)</sup>
09.1342		99	— Other	from 1.1 to 31.12	1 000 <sup>(1)</sup>	Exemption <sup>(2)</sup>
09.1305	0703 90 00		Leeks and other alliaceous vegetables, fresh or chilled	from 1.1 to 31.12	1 500 <sup>(1)</sup>	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight)	Quota duty
09.1335	0703 10 11 0703 10 19  ex 0709 90 90	50	Onions, including wild onions of the species <i>Muscari comosum</i> , fresh or chilled	from 15.2 to 15.5	1 500 <sup>(1)</sup>	Exemption
09.1311	ex 0704 90 90	20	Chinese cabbage, fresh or chilled	from 1.11.2003 to 31.3.2004	1 198	Exemption
				from 1.11.2004 to 31.3.2005	1 287,5	
				from 1.11.2005 to 31.3.2006	1 325	
				from 1.11.2006 to 31.3.2007	1 362,5	
				from 1.11.2007 to 31.3.2008 and for each period thereafter from 1.11 to 31.3	1 400	
09.1313	0705 11 00		Cabbage lettuce (head lettuce), fresh or chilled	from 1.11.2003 to 31.3.2004	336	Exemption <sup>(2)</sup>
				from 1.11.2004 to 31.3.2005	346,08	
				from 1.11.2005 to 31.3.2006	356,16	
				from 1.11.2006 to 31.3.2007	366,24	
				from 1.11.2007 to 31.3.2008 and for each period thereafter from 1.11 to 31.3	376,32	
09.1317	ex 0706 10 00	10	Carrots, fresh or chilled	from 1.1 to 30.4	6 832 <sup>(1)</sup>	Exemption
09.1308	0706 90 90		Salad beetroot, salsify, radishes and similar edible roots, fresh or chilled	from 1.1 to 31.12	2 000 <sup>(1)</sup>	Exemption
09.1321	ex 0709 40 00	10	Stick celery ( <i>Apium graveolens</i> , var. <i>dulce</i> ), fresh or chilled	from 1.1 to 30.4	13 000 <sup>(1)</sup>	Exemption
09.1303	0709 60 10		Sweet peppers, fresh or chilled	from 1.1 to 31.12	15 000 <sup>(1)</sup>	Exemption
09.1310	ex 0709 90 60	10	Sweetcorn, fresh	from 1.1 to 31.12	1 500 <sup>(1)</sup>	Exemption
09.1312	ex 0709 90 90	10, 20, 30, 40, 60, 90	Other fresh or chilled vegetables, other than wild onions of the species <i>Muscari comosum</i>	from 1.1 to 31.12	2 000 <sup>(1)</sup>	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight)	Quota duty
09.1353	0710 40 00 2004 90 10		Sweetcorn, frozen	from 1.1 to 31.12	10 600	70 % of the specific duty
09.1354	0711 90 30 2001 90 30 2005 80 00		Sweetcorn, not frozen	from 1.1 to 31.12	5 400	70 % of the specific duty
09.1314	0711 90 50		Onions, provisionally preserved but unsuitable in that state for immediate consumption	from 1.1 to 31.12	300 <sup>(1)</sup>	Exemption
09.1316	0712 90 30  2002 90 91 2002 90 99		Dried tomatoes, whole, cut, sliced, broken or in powder, but not further prepared  Tomato powder with a dry matter content of more than 30 % by weight, prepared or preserved otherwise than by vinegar or acetic acid	from 1.1 to 31.12	700 <sup>(1)</sup>	Exemption
09.1318	0712 90 50  0712 90 90  0910 40 19  0910 40 90  0910 91 90  0910 99 99		Dried carrots, whole, cut, sliced, broken or in powder, but not further prepared  Other dried vegetables and mixtures of vegetables, whole, cut, sliced, broken or in powder, but not further prepared  Crushed or ground thyme  Bay leaves  Crushed or ground mixtures of different types of spices  Other crushed or ground spices	from 1.1 to 31.12	100 <sup>(1)</sup>	Exemption
09.1323	0805 10 10 0805 10 30 0805 10 50  ex 0805 10 80	    10	Oranges, fresh	from 1.1 to 31.12	200 000 <sup>(1)</sup>	Exemption <sup>(2)</sup> <sup>(3)</sup>
09.1325	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	05 05 07, 37 05 05, 09	Mandarins (including tangerines and satsumas), clementines, wilkings and similar citrus hybrids, fresh	from 1.1 to 31.12	21 000 <sup>(1)</sup>	Exemption <sup>(2)</sup>
09.1345	ex 0805 20 10 ex 0805 20 30 ex 0805 20 50 ex 0805 20 70 ex 0805 20 90	05 05 07, 37 05 05, 09	Mandarins (including tangerines and satsumas), clementines, wilkings and similar citrus hybrids, fresh	from 15.3 to 30.9	14 000 <sup>(1)</sup>	Exemption <sup>(2)</sup>

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight)	Quota duty
09.1315	ex 0805 50 10	10	Lemons, fresh	from 1.1 to 31.12	7 700 <sup>(1)</sup>	Exemption <sup>(2)</sup>
09.1346	ex 0805 50 90	11, 19	Limes, fresh	from 1.1 to 31.12	1 000 <sup>(1)</sup>	Exemption
09.1327	0807 11 00		Watermelons, fresh	from 1.4 to 15.6	9 400 <sup>(1)</sup>	Exemption
09.1329	0807 19 00		Other melons, fresh	from 1.11.2003 to 31.5.2004	11 400	Exemption
				from 15.9.2004 to 31.5.2005	11 742	
				from 15.9.2005 to 31.5.2006	12 084	
				from 15.9.2006 to 31.5.2007	12 426	
				from 15.9.2007 to 31.5.2008 and for each period thereafter from 15.9 to 31.5	12 768	
09.1339	0810 10 00		Strawberries, fresh	from 1.11.2003 to 31.3.2004	2 600	Exemption
				from 1.11.2004 to 31.3.2005	2 678	
				from 1.11.2005 to 31.3.2006	2 756	
				from 1.11.2006 to 31.3.2007	2 834	
				from 1.11.2007 to 31.3.2008 and for each period thereafter from 1.11 to 31.3	2 912	
09.1320	0810 90 95		Other fresh fruits	from 1.1 to 31.12	500 <sup>(1)</sup>	Exemption
09.1337	ex 0812 90 20	10	Oranges, comminuted, provisionally preserved but unsuitable in that state for immediate consumption	from 1.1 to 31.12	10 000 <sup>(1)</sup>	Exemption
09.1322	0910 40 13		Thyme neither crushed nor ground, other than wild thyme	from 1.1 to 31.12	200 <sup>(1)</sup>	Exemption
09.1324	1602 31		Prepared or preserved meat or meat offal of turkeys	from 1.1 to 31.12	2 250 <sup>(1)</sup>	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight)	Quota duty
09.1355	1704 90 30		White chocolate	from 1.1 to 31.12	100	70 % of the specific duty
09.1356	1806		Chocolate and other food preparations containing cocoa	from 1.1 to 31.12	2 500	85 % of the specific duty or of the agricultural component
09.1357	ex 1901 10 00  ex 1901 90 99  ex 2106 10 80  ex 2106 90 98	22, 26, 30, 34, 38, 42, 46, 50, 54, 58, 62, 66  14, 20, 52, 56, 80, 84  20  23, 27, 33, 37, 43, 47	Preparations for infant use, containing milk and milk products	from 1.1 to 31.12	100	70 % of the agricultural component
09.1358	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, groats and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included	from 1.1 to 31.12	200	70 % of the specific duty or of the agricultural component
09.1359	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	from 1.1 to 31.12	3 200	70 % of the specific duty or of the agricultural component
09.1326	2001 10 00		Cucumbers and gherkins, prepared or preserved by vinegar or acetic acid	from 1.1 to 31.12	200 <sup>(1)</sup>	Exemption
09.1307	2002 10 10		Peeled tomatoes, prepared or preserved otherwise than by vinegar or acetic acid	from 1.1 to 31.12	3 500 <sup>(1)</sup>	Exemption
09.1328	ex 2004 90 98  ex 0710 80 95	20  40	Carrots prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006  Carrots, uncooked or cooked by steaming or boiling in water, frozen	from 1.1 to 31.12	2 000 <sup>(1)</sup>	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight)	Quota duty
09.1330	2005 90 80		Other vegetables, prepared or preserved otherwise than by vinegar or acetic acid, not frozen	from 1.1 to 31.12	1 300 <sup>(1)</sup>	Exemption
09.1332	ex 2008 30 59	30	Orange segments	from 1.1 to 31.12	1 000 <sup>(1)</sup>	Exemption
09.1334	ex 2008 30 59	41, 49	Oranges, other than segments and other than comminuted	from 1.1 to 31.12	1 000 <sup>(1)</sup>	Exemption
09.1349	ex 2008 40 71 ex 2008 50 71 ex 2008 70 71 ex 2008 92 74 ex 2008 92 78 ex 2008 99 67	10 10 10 13 30 30	Slices of apples, of pears, of apricots, of peaches and mixtures of sliced fruits, fried in oil	from 1.1 to 31.12	100 <sup>(1)</sup>	Exemption
09.1301	ex 2008 50 92 ex 2008 50 94	20 20	Apricot pulp, not containing added spirit, not containing added sugar, in immediate packings of a net content of 4,5 kg or more	from 1.1 to 31.12	180 <sup>(1)</sup>	Exemption
09.1350	2008 92 51 2008 92 59 2008 92 72 2008 92 74 2008 92 76 2008 92 78		Mixtures of fruit, not containing added spirit, containing added sugar	from 1.1 to 31.12	250 <sup>(1)</sup>	Exemption
09.1331	2009 11 11 2009 11 19 2009 11 91 2009 11 99 2009 12 00 2009 19 11 2009 19 19 2009 19 91 2009 19 98		Orange juice	from 1.1 to 31.12	46 000 <sup>(1)</sup>	Exemption <sup>(2)</sup>
09.1333	ex 2009 11 11 ex 2009 11 19 ex 2009 11 91 ex 2009 11 99 ex 2009 12 00 ex 2009 19 11 ex 2009 19 19 ex 2009 19 91 ex 2009 19 98	10 10 10 11, 19 92, 94 10 11, 19 11, 19 11, 19 11, 19	of which: Orange juice imported in packings of a capacity of 2 l or less	from 1.1 to 31.12	19 000 <sup>(1)</sup>	Exemption <sup>(2)</sup>
09.1319	2009 50		Tomato juice	from 1.1 to 31.12	10 200 <sup>(1)</sup>	Exemption



Order No	CN code	TARIC subdivision	Description of goods	Quota period	Quota volume (in tonnes net weight)	Quota duty
09.1336	2009 61 2009 69		Grape juice, including grape must	from 1.1 to 31.12	2 000 <sup>(1)</sup>	Exemption <sup>(2)</sup>
09.1338	ex 2009 80 97	11, 91	Juice of guavas, of a Brix value not exceeding 67, not containing added sugar	from 1.1 to 31.12	100 <sup>(1)</sup>	Exemption
09.1340	ex 2009 80 99	11, 91	Prickle pear juice, of a Brix value not exceeding 67, not containing added sugar	from 1.1 to 31.12	100 <sup>(1)</sup>	Exemption
09.1360	ex 2009 90 59	30	Mixtures of citrus fruit juices with tropical juices and mixtures of citrus fruit juices, of a Brix value not exceeding 67, of a value exceeding EUR 30 per 100 kg net weight, not containing added sugar	from 1.1 to 31.12	1 500 <sup>(1)</sup>	Exemption
09.1352	2204 21 10 ex 2204 21 79 ex 2204 21 80 ex 2204 21 83 ex 2204 21 84 ex 2204 21 94 ex 2204 21 98 ex 2204 21 99	79, 80 79, 80 10, 79, 80 10, 79, 80 10, 30 10, 30 10	Wine of fresh grapes including fortified wines in containers holding 2 litres or less	from 1.1 to 31.12	3 610 hl <sup>(1)</sup>	Exemption

<sup>(1)</sup> This quota volume shall be increased from 1 January 2004 to 1 January 2007 by four equal annual instalments each corresponding to 3 % of this volume.

<sup>(2)</sup> The exemption applies only to the *ad valorem* duty.

<sup>(3)</sup> Within this tariff quota, and for the period from 1 December to 31 May, the specific duty provided in the Community's list of concessions to the WTO is reduced to zero, if the entry price is not less than EUR 264/tonne, being the entry price agreed between the European Community and Israel. If the entry price for a consignment is 2, 4, 6 or 8 % lower than the agreed entry price, the specific customs quota duty shall be equal respectively to 2, 4, 6 or 8 % of this agreed entry price. If the entry price of a consignment is less than 92 % of the agreed entry price, the specific customs duty bound within the WTO shall apply.

#### PART B: Reference quantities

Order No	CN code	TARIC subdivision	Description of goods	Reference quantity period	Reference quantity volume	Reference quantity duty
18.0060	0709 30 00		Aubergines (eggplants), fresh or chilled	from 1.12.2003 to 30.4.2004	1 440	Exemption
				from 1.12.2004 to 30.4.2005	1 483	
				from 1.12.2005 to 30.4.2006	1 526	
				from 1.12.2006 to 30.4.2007	1 570	
				from 1.12.2007 to 30.4.2008 and for each period thereafter from 1.12 to 30.4	1 613	
18.0120	0804 40 00		Avocados, fresh or dried	from 1.1 to 31.12	37 200 <sup>(1)</sup>	Exemption

Order No	CN code	TARIC subdivision	Description of goods	Reference quantity period	Reference quantity volume	Reference quantity duty
18.0150	0810 50 00		Kiwi fruit, fresh	from 1.1 to 30.4	240 <sup>(1)</sup>	Exemption
18.0160	ex 0812 90 99	11, 20	Other citrus fruit than oranges, comminuted, provisionally preserved	from 1.1 to 31.12	1 320 <sup>(1)</sup>	Exemption
18.0190	2008 30 51 2008 30 71		Grapefruit segments	from 1.1 to 31.12	16 440 <sup>(1)</sup>	Exemption
18.0215	ex 2008 30 79	11, 19	Grapefruit, other than segments	from 1.1 to 31.12	2 400 <sup>(1)</sup>	Exemption
18.0220	ex 2008 30 90	07, 09, 12, 13, 15, 16, 17, 18, 19, 20, 89, 91, 92, 93	Grapefruit, citrus fruit pulp and comminuted citrus fruits	from 1.1 to 31.12	8 480 <sup>(1)</sup>	Exemption
18.0240	2009 21 00 2009 29 11 2009 29 19 2009 29 99		Grapefruit juice	from 1.1 to 31.12	34 440 <sup>(1)</sup>	Exemption <sup>(2)</sup>

<sup>(1)</sup> This reference quantity shall be increased from 1 January 2004 to 1 January 2007 by four equal annual instalments each corresponding to 3% of this volume.

<sup>(2)</sup> The exemption applies only to the *ad valorem* duty.'