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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 265/2003
of 13 February 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 ⁽¹⁾, as last amended by Regulation (EC) No 1947/2002 ⁽²⁾, 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 14 February 2003.

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

Done at Brussels, 13 February 2003.

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

⁽¹⁾ OJ L 337, 24.12.1994, p. 66.

⁽²⁾ OJ L 299, 1.11.2002, p. 17.

ANNEX

to the Commission Regulation of 13 February 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	101,0
	204	46,4
	212	114,9
	999	87,4
0707 00 05	052	109,7
	204	49,4
	220	244,4
	999	134,5
0709 10 00	220	86,3
	999	86,3
0709 90 70	052	134,4
	204	179,8
	999	157,1
0805 10 10, 0805 10 30, 0805 10 50	052	44,9
	204	42,3
	212	42,2
	220	38,8
	624	78,7
	999	49,4
0805 20 10	204	78,7
	512	64,2
	999	71,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	63,1
	204	72,0
	220	61,6
	464	134,1
	600	59,6
	624	75,6
	999	77,7
0805 50 10	052	57,0
	600	68,5
	999	62,8
0808 10 20, 0808 10 50, 0808 10 90	400	85,4
	404	106,0
	508	97,2
	720	71,4
	728	112,0
	999	94,4
0808 20 50	388	80,2
	400	108,1
	512	85,6
	528	76,1
	720	40,9
	999	78,2

⁽¹⁾ 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 266/2003
of 13 February 2003
prohibiting fishing for yellowtail flounder by vessels flying the flag of a Member State

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 2846/98 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2341/2002 of 20 December 2002 fixing for 2003 the fishing opportunities and associated fishing conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required ⁽³⁾, lays down quotas for yellowtail flounder for 2003.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated to the Community.
- (3) According to the information received by the Commission, catches of yellowtail flounder in the waters of NAFO zone 3LNO by vessels flying the flag of a Member

State or registered in a Member State have exhausted the share of the total allowable catch allocated to the Community for 2003,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of yellowtail flounder in the waters of NAFO zone 3LNO by vessels flying the flag of a Member State or registered in a Member State are hereby deemed to have exhausted the share of the total allowable catch allocated to the Community for 2003.

Fishing for yellowtail flounder in the waters of NAFO zone 3LNO by vessels flying the flag of a Member State or registered in a Member State is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

This Regulation shall enter into force on the day following 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, 13 February 2003.

For the Commission
Jörgen HOLMQUIST
Director-General for Fisheries

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 358, 31.12.1998, p. 5.

⁽³⁾ OJ L 356, 31.12.2002, p. 12.

COMMISSION REGULATION (EC) No 267/2003
of 13 February 2003
amending the rates of the refunds applicable to certain milk products exported in the form of
goods not covered by Annex I to the Treaty

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 markets in the milk and milk products sector ⁽¹⁾, as last amended by Regulation (EC) No 509/2002 ⁽²⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) The rates of the refunds applicable from 1 February 2003 to the products listed in the Annex, exported in the form of goods not covered by Annex I to the Treaty, were fixed by Commission Regulation (EC) No 185/2003 ⁽³⁾.

- (2) It follows from applying the rules and criteria contained in Regulation (EC) No 185/2003 to the information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EC) No 185/2003 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 February 2003.

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

Done at Brussels, 13 February 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 27, 1.2.2003, p. 9.

ANNEX

to the Commission Regulation of 13 February 2003 altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):	
	(a) On exportation of goods of CN code 3501	—
	(b) On exportation of other goods	51,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):	
	(a) Where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 2571/97 are exported	69,45
	(b) On exportation of other goods	93,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):	
	(a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 2571/97 are exported	100,00
	(b) On exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	192,25
	(c) On exportation of other goods	185,00

COMMISSION REGULATION (EC) No 268/2003
of 13 February 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 ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

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 ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, 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 ⁽⁶⁾, as amended by Regulation (EC) No 1230/2002 ⁽⁷⁾.
- (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 7 to 13 February 2003, pursuant to the invitation to tender issued in Regulation (EC) No 901/2002, the maximum refund on exportation of barley shall be EUR 12,50/t.

Article 2

This Regulation shall enter into force on 14 February 2003.

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

Done at Brussels, 13 February 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 142, 31.5.2002, p. 17.

⁽⁷⁾ OJ L 180, 10.7.2002, p. 3.

COMMISSION REGULATION (EC) No 269/2003
of 13 February 2003
concerning tenders notified in response to the invitation to tender for the export of oats issued in
Regulation (EC) No 1582/2002

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 ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

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 ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, and in particular Article 4 thereof,

Having regard to Commission Regulation (EC) No 1582/2002 of 5 September 2002 on a special intervention measure for cereals in Finland and Sweden ⁽⁶⁾, as amended by Regulation (EC) No 2329/2002 ⁽⁷⁾, and in particular Article 8 thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of oats produced in Finland and Sweden for export from Finland or Sweden to all third countries was opened pursuant to Regulation (EC) No 1582/2002.

- (2) According to Article 8 of Regulation (EC) No 1582/2002 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 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 7 January to 13 February 2003 in response to the invitation to tender for the refund for the export of oats issued in Regulation (EC) No 1582/2002.

Article 2

This Regulation shall enter into force on 14 February 2003.

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

Done at Brussels, 13 February 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 239, 6.9.2002, p. 3.

⁽⁷⁾ OJ L 349, 24.12.2002, p. 17.

COMMISSION REGULATION (EC) No 270/2003
of 13 February 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 ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾,

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 ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, 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 ⁽⁶⁾, as last amended by Regulation (EC) No 2331/2002 ⁽⁷⁾.
- (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 7 to 13 February 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 10,75/t.

Article 2

This Regulation shall enter into force on 14 February 2003.

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

Done at Brussels, 13 February 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

⁽⁶⁾ OJ L 142, 31.5.2002, p. 11.

⁽⁷⁾ OJ L 349, 24.12.2002, p. 19.

COMMISSION REGULATION (EC) No 271/2003
of 13 February 2003
concerning tenders notified in response to the invitation to tender for the import of maize issued
in Regulation (EC) No 60/2003

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 ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, 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 from third countries was opened pursuant to Commission Regulation (EC) No 60/2003 ⁽³⁾.
- (2) Article 5 of Commission Regulation (EC) No 1839/95 ⁽⁴⁾, as last amended by Regulation (EC) No 2235/2000 ⁽⁵⁾, 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 Articles 6 and 7 of Regulation (EC) No 1839/95 a maximum reduction in the duty 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 7 to 13 February 2003 in response to the invitation to tender for the reduction in the duty on imported maize issued in Regulation (EC) No 60/2003.

Article 2

This Regulation shall enter into force on 14 February 2003.

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

Done at Brussels, 13 February 2003.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 11, 16.1.2003, p. 11.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.

**COMMISSION REGULATION (EC) No 272/2003
of 13 February 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 ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾,

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 ⁽³⁾, as amended by Regulation (EC) No 79/2003 ⁽⁴⁾, 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 ⁽⁵⁾. 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 14 February 2003.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 141, 24.6.1995, p. 12.

⁽⁴⁾ OJ L 13, 18.1.2003, p. 4.

⁽⁵⁾ 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, 13 February 2003.

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

ANNEX

to the Commission Regulation of 13 February 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 ⁽²⁾
1703 10 00 ⁽¹⁾	8,21	—	0
1703 90 00 ⁽¹⁾	10,44	—	0

⁽¹⁾ For the standard quality as defined in Article 1 of amended Regulation (EEC) No 785/68.

⁽²⁾ 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 273/2003
of 13 February 2003

fixing the export refunds on white sugar and raw sugar exported in its unaltered 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 ⁽¹⁾, amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular the second subparagraph of Article 27(5) thereof,

Whereas:

- (1) Article 27 of Regulation (EC) No 1260/2001 provides that the difference between quotations or prices on the world market for the products listed in Article 1(1)(a) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Regulation (EC) No 1260/2001 provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 28 of that Regulation. The same Article provides that the economic aspect of the proposed exports should also be taken into account.
- (3) The refund on raw sugar must be fixed in respect of the standard quality. The latter is defined in Annex I, point II, to Regulation (EC) No 1260/2001. Furthermore, this refund should be fixed in accordance with Article 28(4) of Regulation (EC) No 1260/2001. Candy sugar is defined in Commission Regulation (EC) No 2135/95 of 7 September 1995 laying down detailed rules of application for the grant of export refunds in the sugar sector ⁽³⁾. The refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

- (4) The world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination.
- (5) In special cases, the amount of the refund may be fixed by other legal instruments.
- (6) The refund must be fixed every two weeks. It may be altered in the intervening period.
- (7) It follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto.
- (8) Regulation (EC) No 1260/2001 does not make provision to continue the compensation system for storage costs from 1 July 2001. This should accordingly be taken into account when fixing the refunds granted when the export occurs after 30 September 2001.
- (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 export refunds on the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 February 2003.

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

Done at Brussels, 13 February 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 214, 8.9.1995, p. 16.

ANNEX

to the Commission Regulation of 13 February 2003 fixing 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	38,85 ⁽¹⁾
1701 11 90 9910	A00	EUR/100 kg	39,15 ⁽¹⁾
1701 12 90 9100	A00	EUR/100 kg	38,85 ⁽¹⁾
1701 12 90 9910	A00	EUR/100 kg	39,15 ⁽¹⁾
1701 91 00 9000	A00	EUR/1 % of sucrose × net 100 kg of product	0,4223
1701 99 10 9100	A00	EUR/100 kg	42,23
1701 99 10 9910	A00	EUR/100 kg	42,56
1701 99 10 9950	A00	EUR/100 kg	42,56
1701 99 90 9100	A00	EUR/1 % of sucrose × net 100 kg of product	0,4223

⁽¹⁾ 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 28(4) of Council Regulation (EC) No 1260/2001.

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 274/2003
of 13 February 2003**

**fixing the maximum export refund for white sugar for the 23rd partial invitation to tender issued
within the framework of the standing invitation to tender provided for in Regulation (EC) No
1331/2002**

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 ⁽¹⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽²⁾, and in particular Article 27(5) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1331/2002 of 23 July 2002 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, for the 2002/2003 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 1331/2002 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 23rd 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 23rd partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1331/2002 the maximum amount of the export refund is fixed at 45,969 EUR/100 kg.

Article 2

This Regulation shall enter into force on 14 February 2003.

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

Done at Brussels, 13 February 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 195, 24.7.2002, p. 6.

COMMISSION REGULATION (EC) No 275/2003
of 13 February 2003
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 ⁽¹⁾, as last amended by Commission Regulation (EC) No 509/2002 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 186/2003 ⁽⁴⁾, 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 ⁽⁵⁾, as amended by Commission Regulation (EC) No 680/2002 ⁽⁶⁾, however, this second component is applied only if the added sucrose has been produced using sugar beet or cane harvested in the Community.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 27, 1.2.2003, p. 11.

⁽⁵⁾ OJ L 178, 30.6.2001, p. 1.

⁽⁶⁾ OJ L 104, 20.4.2002, p. 26.

- (7) Commission Regulation (EEC) No 896/84 ⁽¹⁾, as last amended by Regulation (EEC) No 222/88 ⁽²⁾, 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 Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

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 14 February 2003.

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

Done at Brussels, 13 February 2003.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 91, 1.4.1984, p. 71.

⁽²⁾ OJ L 28, 1.2.1988, p. 1.

ANNEX

to the Commission Regulation of 13 February 2003 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	1,991	0402 91 39 9300	L06	EUR/100 kg	8,058
0401 10 90 9000	970	EUR/100 kg	1,991	0402 91 99 9000	L06	EUR/100 kg	39,54
0401 20 11 9100	970	EUR/100 kg	0,000	0402 99 11 9350	L06	EUR/kg	0,1734
0401 20 11 9500	970	EUR/100 kg	3,076	0402 99 19 9350	L06	EUR/kg	0,1734
0401 20 19 9100	970	EUR/100 kg	0,000	0402 99 31 9150	L06	EUR/kg	0,1816
0401 20 19 9500	970	EUR/100 kg	3,076	0402 99 31 9300	L06	EUR/kg	0,2366
0401 20 91 9000	970	EUR/100 kg	3,893	0402 99 31 9500	L06	EUR/kg	0,0000
0401 20 99 9000	970	EUR/100 kg	0,000	0402 99 39 9150	L06	EUR/kg	0,1816
0401 30 11 9400	970	EUR/100 kg	8,983	0403 90 11 9000	L06	EUR/100 kg	50,29
0401 30 11 9700	970	EUR/100 kg	13,49	0403 90 13 9200	L06	EUR/100 kg	50,29
0401 30 19 9700	970	EUR/100 kg	0,00	0403 90 13 9300	L06	EUR/100 kg	82,87
0401 30 31 9100	L06	EUR/100 kg	32,77	0403 90 13 9500	L06	EUR/100 kg	86,49
0401 30 31 9400	L06	EUR/100 kg	51,19	0403 90 13 9900	L06	EUR/100 kg	92,17
0401 30 31 9700	L06	EUR/100 kg	56,46	0403 90 19 9000	L06	EUR/100 kg	92,74
0401 30 39 9100	L06	EUR/100 kg	32,77	0403 90 33 9400	L06	EUR/kg	0,8287
0401 30 39 9400	L06	EUR/100 kg	51,19	0403 90 33 9900	L06	EUR/kg	0,9217
0401 30 39 9700	L06	EUR/100 kg	56,46	0403 90 51 9100	970	EUR/100 kg	1,991
0401 30 91 9100	L06	EUR/100 kg	64,34	0403 90 59 9170	970	EUR/100 kg	13,49
0401 30 91 9500	L06	EUR/100 kg	0,00	0403 90 59 9310	L06	EUR/100 kg	32,77
0401 30 99 9100	L06	EUR/100 kg	64,34	0403 90 59 9340	L06	EUR/100 kg	47,95
0401 30 99 9500	L06	EUR/100 kg	94,56	0403 90 59 9370	L06	EUR/100 kg	47,95
0402 10 11 9000	L06	EUR/100 kg	51,00	0403 90 59 9510	L06	EUR/100 kg	47,95
0402 10 19 9000	L06	EUR/100 kg	51,00	0404 90 21 9120	L06	EUR/100 kg	43,50
0402 10 91 9000	L06	EUR/kg	0,5100	0404 90 21 9160	L06	EUR/100 kg	51,00
0402 10 99 9000	L06	EUR/kg	0,5100	0404 90 23 9120	L06	EUR/100 kg	51,00
0402 21 11 9200	L06	EUR/100 kg	51,00	0404 90 23 9130	L06	EUR/100 kg	83,62
0402 21 11 9300	L06	EUR/100 kg	83,62	0404 90 23 9140	L06	EUR/100 kg	87,27
0402 21 11 9500	L06	EUR/100 kg	87,27	0404 90 23 9150	L06	EUR/100 kg	93,00
0402 21 11 9900	L06	EUR/100 kg	93,00	0404 90 29 9110	L06	EUR/100 kg	93,58
0402 21 17 9000	L06	EUR/100 kg	51,00	0404 90 29 9115	L06	EUR/100 kg	94,13
0402 21 19 9300	L06	EUR/100 kg	83,62	0404 90 29 9125	L06	EUR/100 kg	95,10
0402 21 19 9500	L06	EUR/100 kg	87,27	0404 90 29 9140	L06	EUR/100 kg	102,21
0402 21 19 9900	L06	EUR/100 kg	93,00	0404 90 81 9100	L06	EUR/kg	0,5100
0402 21 91 9100	L06	EUR/100 kg	93,58	0404 90 83 9110	L06	EUR/kg	0,5100
0402 21 91 9200	L06	EUR/100 kg	94,13	0404 90 83 9130	L06	EUR/kg	0,8362
0402 21 91 9350	L06	EUR/100 kg	95,10	0404 90 83 9150	L06	EUR/kg	0,8727
0402 21 91 9500	L06	EUR/100 kg	102,21	0404 90 83 9170	L06	EUR/kg	0,9300
0402 21 99 9100	L06	EUR/100 kg	93,58	0404 90 83 9936	L06	EUR/kg	0,1734
0402 21 99 9200	L06	EUR/100 kg	94,13	0405 10 11 9500	L05	EUR/100 kg	180,49
0402 21 99 9300	L06	EUR/100 kg	95,10	0405 10 11 9700	L05	EUR/100 kg	185,00
0402 21 99 9400	L06	EUR/100 kg	100,37	0405 10 19 9500	L05	EUR/100 kg	180,49
0402 21 99 9500	L06	EUR/100 kg	102,21	0405 10 19 9700	L05	EUR/100 kg	185,00
0402 21 99 9600	L06	EUR/100 kg	109,41	0405 10 30 9100	L05	EUR/100 kg	180,49
0402 21 99 9700	L06	EUR/100 kg	113,49	0405 10 30 9300	L05	EUR/100 kg	185,00
0402 21 99 9900	L06	EUR/100 kg	118,21	0405 10 30 9700	L05	EUR/100 kg	185,00
0402 29 15 9200	L06	EUR/kg	0,5100	0405 10 50 9300	L05	EUR/100 kg	185,00
0402 29 15 9300	L06	EUR/kg	0,8362	0405 10 50 9500	L05	EUR/100 kg	180,49
0402 29 15 9500	L06	EUR/kg	0,8727	0405 10 50 9700	L05	EUR/100 kg	185,00
0402 29 15 9900	L06	EUR/kg	0,9300	0405 10 90 9000	L05	EUR/100 kg	191,78
0402 29 19 9300	L06	EUR/kg	0,8362	0405 20 90 9500	L05	EUR/100 kg	169,22
0402 29 19 9500	L06	EUR/kg	0,8727	0405 20 90 9700	L05	EUR/100 kg	175,98
0402 29 19 9900	L06	EUR/kg	0,9300	0405 20 90 9000	L05	EUR/100 kg	235,07
0402 29 91 9000	L06	EUR/kg	0,9358	0405 90 90 9000	L05	EUR/100 kg	185,00
0402 29 99 9100	L06	EUR/kg	0,9358	0406 10 20 9100	A00	EUR/100 kg	—
0402 29 99 9500	L06	EUR/kg	1,0037	0406 10 20 9230	400	EUR/100 kg	—
0402 91 11 9370	L06	EUR/100 kg	6,804		A01	EUR/100 kg	39,41
0402 91 19 9370	L06	EUR/100 kg	6,804		L03	EUR/100 kg	—
0402 91 31 9300	L06	EUR/100 kg	8,058		L04	EUR/100 kg	39,41

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 10 20 9290	400	EUR/100 kg	—	0406 30 31 9910	400	EUR/100 kg	—
	A01	EUR/100 kg	36,66		A01	EUR/100 kg	15,17
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	36,66		L04	EUR/100 kg	8,10
0406 10 20 9300	400	EUR/100 kg	—	0406 30 31 9930	400	EUR/100 kg	—
	A01	EUR/100 kg	16,09		A01	EUR/100 kg	22,26
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	16,09		L04	EUR/100 kg	11,87
0406 10 20 9610	400	EUR/100 kg	—	0406 30 31 9950	400	EUR/100 kg	—
	A01	EUR/100 kg	53,46		A01	EUR/100 kg	32,38
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	53,46		L04	EUR/100 kg	17,26
0406 10 20 9620	400	EUR/100 kg	—	0406 30 39 9500	400	EUR/100 kg	—
	A01	EUR/100 kg	54,22		A01	EUR/100 kg	22,26
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	54,22		L04	EUR/100 kg	11,87
0406 10 20 9630	400	EUR/100 kg	—	0406 30 39 9700	400	EUR/100 kg	—
	A01	EUR/100 kg	60,52		A01	EUR/100 kg	32,38
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	60,52		L04	EUR/100 kg	17,26
0406 10 20 9640	400	EUR/100 kg	—	0406 30 39 9930	400	EUR/100 kg	—
	A01	EUR/100 kg	88,94		A01	EUR/100 kg	32,38
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	88,94		L04	EUR/100 kg	17,26
0406 10 20 9650	400	EUR/100 kg	—	0406 30 39 9950	400	EUR/100 kg	—
	A01	EUR/100 kg	74,11		A01	EUR/100 kg	36,60
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	74,11		L04	EUR/100 kg	19,53
0406 10 20 9660	A00	EUR/100 kg	—	0406 30 90 9000	400	EUR/100 kg	—
0406 10 20 9830	400	EUR/100 kg	—		A01	EUR/100 kg	38,40
A01	EUR/100 kg	27,49	L03		EUR/100 kg	—	
L03	EUR/100 kg	—	L04		EUR/100 kg	20,48	
0406 10 20 9850	400	EUR/100 kg	—	0406 40 50 9000	400	EUR/100 kg	—
	A01	EUR/100 kg	33,33		A01	EUR/100 kg	94,14
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	33,33		L04	EUR/100 kg	94,14
0406 10 20 9870	A00	EUR/100 kg	—	0406 40 90 9000	400	EUR/100 kg	—
0406 10 20 9900	A00	EUR/100 kg	—		A01	EUR/100 kg	96,66
0406 20 90 9100	A00	EUR/100 kg	—		L03	EUR/100 kg	—
0406 20 90 9913	400	EUR/100 kg	17,96		L04	EUR/100 kg	96,66
0406 20 90 9915	A01	EUR/100 kg	61,46	0406 90 13 9000	400	EUR/100 kg	34,20
	L03	EUR/100 kg	—		A01	EUR/100 kg	121,71
	L04	EUR/100 kg	61,46		L03	EUR/100 kg	—
	400	EUR/100 kg	23,93		L04	EUR/100 kg	106,29
0406 20 90 9917	A01	EUR/100 kg	81,13	0406 90 15 9100	400	EUR/100 kg	35,25
	L03	EUR/100 kg	—		A01	EUR/100 kg	125,77
	L04	EUR/100 kg	81,13		L03	EUR/100 kg	—
	400	EUR/100 kg	25,44		L04	EUR/100 kg	109,84
0406 20 90 9919	A01	EUR/100 kg	86,20	0406 90 17 9100	400	EUR/100 kg	35,25
	L03	EUR/100 kg	—		A01	EUR/100 kg	125,77
	L04	EUR/100 kg	86,20		L03	EUR/100 kg	—
	400	EUR/100 kg	28,38		L04	EUR/100 kg	109,84
0406 20 90 9990	A01	EUR/100 kg	96,33	0406 90 21 9900	400	EUR/100 kg	25,29
	L03	EUR/100 kg	—		A01	EUR/100 kg	122,94
	L04	EUR/100 kg	96,33		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	107,63
0406 30 31 9710	400	EUR/100 kg	—	0406 90 23 9900	400	EUR/100 kg	—
	A01	EUR/100 kg	15,17		A01	EUR/100 kg	108,69
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	8,10		L04	EUR/100 kg	94,51
0406 30 31 9730	400	EUR/100 kg	—	0406 90 25 9900	400	EUR/100 kg	—
	A01	EUR/100 kg	22,26		A01	EUR/100 kg	107,52
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	11,87		L04	EUR/100 kg	93,89

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund	
0406 90 27 9900	400	EUR/100 kg	—	0406 90 78 9100	A01	EUR/100 kg	107,15	
	A01	EUR/100 kg	97,38		L03	EUR/100 kg	—	
	L03	EUR/100 kg	—		L04	EUR/100 kg	94,38	
	L04	EUR/100 kg	85,04		400	EUR/100 kg	—	
0406 90 31 9119	400	EUR/100 kg	14,50	0406 90 78 9300	A01	EUR/100 kg	106,96	
	A01	EUR/100 kg	89,64		L03	EUR/100 kg	—	
	L03	EUR/100 kg	—		L04	EUR/100 kg	91,53	
	L04	EUR/100 kg	78,15		400	EUR/100 kg	—	
0406 90 33 9119	400	EUR/100 kg	14,50	0406 90 78 9500	A01	EUR/100 kg	110,84	
	A01	EUR/100 kg	89,64		L03	EUR/100 kg	—	
	L03	EUR/100 kg	—		L04	EUR/100 kg	97,04	
	L04	EUR/100 kg	78,15		400	EUR/100 kg	—	
0406 90 33 9919	400	EUR/100 kg	—	0406 90 79 9900	A01	EUR/100 kg	109,15	
	A01	EUR/100 kg	82,21		L03	EUR/100 kg	—	
	L03	EUR/100 kg	—		L04	EUR/100 kg	96,13	
	L04	EUR/100 kg	71,43		400	EUR/100 kg	—	
0406 90 33 9951	400	EUR/100 kg	—	0406 90 81 9900	A01	EUR/100 kg	90,23	
	A01	EUR/100 kg	82,27		L03	EUR/100 kg	—	
	L03	EUR/100 kg	—		L04	EUR/100 kg	78,47	
	L04	EUR/100 kg	72,14		400	EUR/100 kg	27,02	
0406 90 35 9190	400	EUR/100 kg	34,88	0406 90 85 9930	A01	EUR/100 kg	113,61	
	A01	EUR/100 kg	127,15		L03	EUR/100 kg	—	
	L03	EUR/100 kg	—		L04	EUR/100 kg	99,20	
	L04	EUR/100 kg	110,56		400	EUR/100 kg	33,67	
0406 90 35 9990	400	EUR/100 kg	22,80	0406 90 85 9970	A01	EUR/100 kg	123,32	
	A01	EUR/100 kg	127,15		L03	EUR/100 kg	—	
	L03	EUR/100 kg	—		L04	EUR/100 kg	107,14	
	L04	EUR/100 kg	110,56		400	EUR/100 kg	29,46	
0406 90 37 9000	400	EUR/100 kg	34,20	0406 90 85 9999	A01	EUR/100 kg	113,03	
	A01	EUR/100 kg	121,71		L03	EUR/100 kg	—	
	L03	EUR/100 kg	—		L04	EUR/100 kg	98,22	
	L04	EUR/100 kg	106,29		A00	EUR/100 kg	—	
0406 90 61 9000	400	EUR/100 kg	32,46	0406 90 86 9100	A00	EUR/100 kg	—	
	A01	EUR/100 kg	135,59	0406 90 86 9200	400	EUR/100 kg	17,68	
	L03	EUR/100 kg	—	A01	EUR/100 kg	106,94		
	L04	EUR/100 kg	117,14	L03	EUR/100 kg	—		
0406 90 63 9100	400	EUR/100 kg	36,31	0406 90 86 9300	L04	EUR/100 kg	90,13	
	A01	EUR/100 kg	134,46		400	EUR/100 kg	19,38	
	L03	EUR/100 kg	—		A01	EUR/100 kg	108,06	
	L04	EUR/100 kg	116,53		L03	EUR/100 kg	—	
0406 90 63 9900	400	EUR/100 kg	27,77	0406 90 86 9400	L04	EUR/100 kg	91,43	
	A01	EUR/100 kg	129,88		400	EUR/100 kg	21,93	
	L03	EUR/100 kg	—		A01	EUR/100 kg	113,61	
	L04	EUR/100 kg	112,03		L03	EUR/100 kg	—	
0406 90 69 9100	A00	EUR/100 kg	—	0406 90 86 9900	L04	EUR/100 kg	97,13	
0406 90 69 9910	400	EUR/100 kg	27,77		400	EUR/100 kg	25,67	
A01	EUR/100 kg	129,88	A01		EUR/100 kg	123,32		
L03	EUR/100 kg	—	L03		EUR/100 kg	—		
0406 90 73 9900	L04	EUR/100 kg	112,03	0406 90 87 9100	L04	EUR/100 kg	107,14	
	400	EUR/100 kg	29,89		A00	EUR/100 kg	—	
	A01	EUR/100 kg	111,82		0406 90 87 9200	400	EUR/100 kg	15,81
	L03	EUR/100 kg	—		A01	EUR/100 kg	89,10	
0406 90 75 9900	L04	EUR/100 kg	97,56	0406 90 87 9300	L03	EUR/100 kg	—	
	400	EUR/100 kg	12,61		L04	EUR/100 kg	75,11	
	A01	EUR/100 kg	113,03		400	EUR/100 kg	17,85	
	L03	EUR/100 kg	—		A01	EUR/100 kg	99,25	
0406 90 76 9300	L04	EUR/100 kg	98,22	0406 90 87 9400	L03	EUR/100 kg	—	
	400	EUR/100 kg	—		L04	EUR/100 kg	83,95	
	A01	EUR/100 kg	101,43		400	EUR/100 kg	19,55	
	L03	EUR/100 kg	—		A01	EUR/100 kg	100,75	
0406 90 76 9400	L04	EUR/100 kg	88,57	0406 90 87 9951	L03	EUR/100 kg	—	
	400	EUR/100 kg	13,13		L04	EUR/100 kg	86,15	
	A01	EUR/100 kg	113,61		400	EUR/100 kg	27,03	
	L03	EUR/100 kg	—		A01	EUR/100 kg	111,58	
0406 90 76 9500	L04	EUR/100 kg	99,20		L03	EUR/100 kg	—	
	400	EUR/100 kg	13,13		L04	EUR/100 kg	97,43	

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 87 9971	400	EUR/100 kg	21,93	0406 90 87 9975	L03	EUR/100 kg	—
	A01	EUR/100 kg	111,58		L04	EUR/100 kg	103,82
	L03	EUR/100 kg	—		400	EUR/100 kg	20,40
	L04	EUR/100 kg	97,43		A01	EUR/100 kg	119,70
0406 90 87 9972	400	EUR/100 kg	—	0406 90 87 9979	L03	EUR/100 kg	—
	A01	EUR/100 kg	47,73		L04	EUR/100 kg	105,90
	L03	EUR/100 kg	—		400	EUR/100 kg	15,39
	L04	EUR/100 kg	41,51		A01	EUR/100 kg	108,69
0406 90 87 9973	400	EUR/100 kg	15,39	0406 90 88 9100	L03	EUR/100 kg	—
	A01	EUR/100 kg	109,55		L04	EUR/100 kg	94,51
	L03	EUR/100 kg	—		A00	EUR/100 kg	—
	L04	EUR/100 kg	95,66		0406 90 88 9300	400	EUR/100 kg
0406 90 87 9974	400	EUR/100 kg	15,39	A01	EUR/100 kg	87,34	
	A01	EUR/100 kg	118,38	L03	EUR/100 kg	—	
				L04	EUR/100 kg	74,16	

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 1779/2002 (OJ L 269, 5.10.2002, p. 6).

The other destinations are defined as follows:

L03 Ceuta, Melilla, Iceland, Norway, Switzerland, Liechtenstein, 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, Serbia and Montenegro and the Former Yugoslav Republic of Macedonia,

L05 all destinations except Poland, Estonia, Latvia, Lithuania, Hungary and the United States of America.

L06 all destinations except Estonia, Latvia, Lithuania, Hungary 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 276/2003

of 13 February 2003

fixing the export refunds on rice and broken rice and suspending the issue of export licences

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽¹⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽²⁾, and in particular the second subparagraph of Article 13(3) and (15) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 3072/95 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 within the Community may be covered by an export refund.
- (2) Article 13(4) of Regulation (EC) No 3072/95, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other. The same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market with limits resulting from agreements concluded in accordance with Article 300 of the Treaty.
- (3) Commission Regulation (EEC) No 1361/76 ⁽³⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum.
- (4) Export possibilities exist for a quantity of 3 809 tonnes of rice to certain destinations. The procedure laid down in Article 7(4) of Commission Regulation (EC) No 1162/95 ⁽⁴⁾, as last amended by Regulation (EC) No 2305/2002 ⁽⁵⁾, should be used. Account should be taken of this when the refunds are fixed.
- (5) Article 13(5) of Regulation (EC) No 3072/95 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated.

- (6) 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.
- (7) A separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets.
- (8) The refund must be fixed at least once a month; whereas it may be altered in the intervening period.
- (9) It follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto.
- (10) For the purposes of administering the volume restrictions resulting from Community commitments in the context of the WTO, the issue of export licences with advance fixing of the refund should be restricted.
- (11) 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 of Regulation (EC) No 3072/95 with the exception of those listed in paragraph 1(c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

With the exception of the quantity of 3 809 tonnes provided for in the Annex, the issue of export licences with advance fixing of the refund is suspended.

Article 3

This Regulation shall enter into force on 14 February 2003.

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 154, 15.6.1976, p. 11.

⁽⁴⁾ OJ L 117, 24.5.1995, p. 2.

⁽⁵⁾ OJ L 348, 21.12.2002, p. 92.

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

Done at Brussels, 13 February 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 13 February 2003 fixing the export refunds on rice and broken rice and suspending the issue of export licences

Product code	Destination	Unit of measurement	Amount of refunds (1)	Product code	Destination	Unit of measurement	Amount of refunds (1)
1006 20 11 9000	R01	EUR/t	111	1006 30 65 9100	R01	EUR/t	139
1006 20 13 9000	R01	EUR/t	111		R02	EUR/t	145
1006 20 15 9000	R01	EUR/t	111		R03	EUR/t	150
1006 20 17 9000	—	EUR/t	—		064 and 066	EUR/t	165
1006 20 92 9000	R01	EUR/t	111		A97	EUR/t	145
1006 20 94 9000	R01	EUR/t	111	1006 30 65 9900	021 and 023	EUR/t	145
1006 20 96 9000	R01	EUR/t	111		R01	EUR/t	139
1006 20 98 9000	—	EUR/t	—		064 and 066	EUR/t	165
1006 30 21 9000	R01	EUR/t	111		A97	EUR/t	145
1006 30 23 9000	R01	EUR/t	111	1006 30 67 9100	021 and 023	EUR/t	145
1006 30 25 9000	R01	EUR/t	111		064 and 066	EUR/t	165
1006 30 27 9000	—	EUR/t	—		A97	EUR/t	145
1006 30 42 9000	R01	EUR/t	111	1006 30 67 9900	064 and 066	EUR/t	165
1006 30 44 9000	R01	EUR/t	111		064 and 066	EUR/t	165
1006 30 46 9000	R01	EUR/t	111	1006 30 92 9100	R01	EUR/t	139
1006 30 48 9000	—	EUR/t	—		R02	EUR/t	145
1006 30 61 9100	R01	EUR/t	139		R03	EUR/t	150
	R02	EUR/t	145		064 and 066	EUR/t	165
	R03	EUR/t	150	1006 30 92 9900	R01	EUR/t	139
	064 and 066	EUR/t	165		A97	EUR/t	145
	A97	EUR/t	145		064 and 066	EUR/t	165
	021 and 023	EUR/t	145	1006 30 94 9100	R01	EUR/t	139
1006 30 61 9900	R01	EUR/t	139		R02	EUR/t	145
	A97	EUR/t	145		R03	EUR/t	150
	064 and 066	EUR/t	165		064 and 066	EUR/t	165
1006 30 63 9100	R01	EUR/t	139		A97	EUR/t	145
	R02	EUR/t	145	1006 30 94 9900	021 and 023	EUR/t	145
	R03	EUR/t	150		R01	EUR/t	139
	064 and 066	EUR/t	165		A97	EUR/t	145
	A97	EUR/t	145	1006 30 96 9100	064 and 066	EUR/t	165
	021 and 023	EUR/t	145		R01	EUR/t	139
1006 30 63 9900	R01	EUR/t	139		R02	EUR/t	145
	064 and 066	EUR/t	165		R03	EUR/t	150
	A97	EUR/t	145		064 and 066	EUR/t	165
					A97	EUR/t	145
				1006 30 96 9900	021 and 023	EUR/t	145
					R01	EUR/t	139
					A97	EUR/t	145
				1006 30 98 9100	064 and 066	EUR/t	165
				1006 30 98 9900	021 and 023	EUR/t	145
					—	EUR/t	—
				1006 40 00 9000	—	EUR/t	—

(1) The procedure laid down in Article 7(4) of Regulation (EC) No 1162/95 applies to licences applied for under that Regulation for quantities according to the destination:
 destination R01: 1 000 t,
 all destinations R02 and R03: 1 000 t,
 destinations 021 and 023: 533 t,
 destinations 064 and 066: 1 000 t,
 destination A97: 276 t.

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 1779/2002 (OJ L 269, 5.10.2002, p. 6).

The other destinations are defined as follows:

R01 Switzerland, Liechtenstein, communes of Livigno and Campione d'Italia.

R02 Morocco, Algeria, Tunisia, Malta, Egypt, Israel, Lebanon, Libya, Syria, Ex-Spanish Sahara, Cyprus, Jordan, Iraq, Iran, Yemen, Kuwait, United Arab Emirates, Oman, Bahrain, Qatar, Saudi Arabia, Eritrea, West Bank/Gaza Strip, Estonia, Latvia, Lithuania, Poland, Czech Republic, Slovenia, Slovakia, Norway, Faroe Islands, Iceland, Russia, Belarus, Bosnia and Herzegovina, Croatia, Serbia and Montenegro, Former Yugoslav Republic of Macedonia, Albania, Bulgaria, Georgia, Armenia, Azerbaijan, Moldova, Ukraine, Kazakstan, Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan.

R03 Colombia, Ecuador, Peru, Bolivia, Chile, Argentina, Uruguay, Paraguay, Brazil, Venezuela, Canada, Mexico, Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Cuba, Bermuda, South Africa, Australia, New Zealand, Hong Kong SAR, Singapore, A40 except the Netherlands Antilles, Aruba, Turks and Caicos Islands, A11 except Suriname, Guyana, Madagascar.

COMMISSION REGULATION (EC) No 277/2003
of 13 February 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 ⁽¹⁾, as last amended by Regulation (EC) No 1666/2000 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EC) No 1163/2002 ⁽⁴⁾, as amended by Regulation (EC) No 1324/2002 ⁽⁵⁾, 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 14 February 2003.

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

Done at Brussels, 13 February 2003.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 147, 30.6.1995, p. 7.

⁽⁴⁾ OJ L 170, 29.6.2002, p. 46.

⁽⁵⁾ OJ L 194, 23.7.2002, p. 26.

ANNEX

to the Commission Regulation of 13 February 2003 fixing the corrective amount applicable to the refund on cereals

Product code	Destination	(EUR/t)						
		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	A00	0	0	0	0	0	—	—
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	0	—	—
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	0	0	0	—	—
1007 00 90 9000	—	—	—	—	—	—	—	—
1008 20 00 9000	—	—	—	—	—	—	—	—
1101 00 11 9000	—	—	—	—	—	—	—	—
1101 00 15 9100	A00	0	0	0	0	0	—	—
1101 00 15 9130	A00	0	0	0	0	0	—	—
1101 00 15 9150	A00	0	0	0	0	0	—	—
1101 00 15 9170	A00	0	0	0	0	0	—	—
1101 00 15 9180	A00	0	0	0	0	0	—	—
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.

DIRECTIVE 2003/4/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 28 January 2003
on public access to environmental information and repealing Council Directive 90/313/EEC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Economic and Social Committee ⁽²⁾,

Having regard to the opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽⁴⁾ in the light of the joint text approved by the Conciliation Committee on 8 November 2002,

Whereas:

- (1) Increased public access to environmental information and the dissemination of such information contribute to a greater awareness of environmental matters, a free exchange of views, more effective participation by the public in environmental decision-making and, eventually, to a better environment.
- (2) Council Directive 90/313/EEC of 7 June 1990 on the freedom of access to information on the environment ⁽⁵⁾ initiated a process of change in the manner in which public authorities approach the issue of openness and transparency, establishing measures for the exercise of the right of public access to environmental information which should be developed and continued. This Directive expands the existing access granted under Directive 90/313/EEC.
- (3) Article 8 of that Directive requires Member States to report to the Commission on the experience gained, in the light of which the Commission is required to make a report to the European Parliament and to the Council together with any proposal for revision of the Directive which it may consider appropriate.
- (4) The report produced under Article 8 of that Directive identifies concrete problems encountered in the practical application of the Directive.
- (5) On 25 June 1998 the European Community signed the UN/ECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters ('the Aarhus Convention'). Provisions of Community law must be consistent with that Convention with a view to its conclusion by the European Community.
- (6) It is appropriate in the interest of increased transparency to replace Directive 90/313/EEC rather than to amend it, so as to provide interested parties with a single, clear and coherent legislative text.
- (7) Disparities between the laws in force in the Member States concerning access to environmental information held by public authorities can create inequality within the Community as regards access to such information or as regards conditions of competition.
- (8) It is necessary to ensure that any natural and legal person has a right of access to environmental information held by or for public authorities without his having to state an interest.
- (9) It is also necessary that public authorities make available and disseminate environmental information to the general public to the widest extent possible, in particular by using information and communication technologies. The future development of these technologies should be taken into account in the reporting on, and reviewing of, this Directive.
- (10) The definition of environmental information should be clarified so as to encompass information in any form on the state of the environment, on factors, measures or activities affecting or likely to affect the environment or designed to protect it, on cost-benefit and economic analyses used within the framework of such measures or activities and also information on the state of human health and safety, including the contamination of the food chain, conditions of human life, cultural sites and built structures in as much as they are, or may be, affected by any of those matters.
- (11) To take account of the principle in Article 6 of the Treaty, that environmental protection requirements should be integrated into the definition and implementation of Community policies and activities, the definition of public authorities should be expanded so as to encompass government or other public administration at national, regional or local level whether or not they have specific responsibilities for the environment. The definition should likewise be expanded to include other persons or bodies performing public administrative functions in relation to the environment under national law, as well as other persons or bodies acting under their control and having public responsibilities or functions in relation to the environment.

⁽¹⁾ OJ C 337 E, 28.11.2000, p. 156 and OJ C 240 E, 28.8.2001, p. 289.

⁽²⁾ OJ C 116, 20.4.2001, p. 43.

⁽³⁾ OJ C 148, 18.5.2001, p. 9.

⁽⁴⁾ Opinion of the European Parliament of 14 March 2001 (OJ C 343, 5.12.2001, p. 165), Council Common Position of 28 January 2002 (OJ C 113 E, 14.5.2002, p. 1) and Decision of the European Parliament of 30 May 2002 (not yet published in the Official Journal). Decision of the Council of 16 December 2002 and decision of the European Parliament of 18 December 2002.

⁽⁵⁾ OJ L 158, 23.6.1990, p. 56.

- (12) Environmental information which is physically held by other bodies on behalf of public authorities should also fall within the scope of this Directive.
- (13) Environmental information should be made available to applicants as soon as possible and within a reasonable time and having regard to any timescale specified by the applicant.
- (14) Public authorities should make environmental information available in the form or format requested by an applicant unless it is already publicly available in another form or format or it is reasonable to make it available in another form or format. In addition, public authorities should be required to make all reasonable efforts to maintain the environmental information held by or for them in forms or formats that are readily reproducible and accessible by electronic means.
- (15) Member States should determine the practical arrangements under which such information is effectively made available. These arrangements shall guarantee that the information is effectively and easily accessible and progressively becomes available to the public through public telecommunications networks, including publicly accessible lists of public authorities and registers or lists of environmental information held by or for public authorities.
- (16) The right to information means that the disclosure of information should be the general rule and that public authorities should be permitted to refuse a request for environmental information in specific and clearly defined cases. Grounds for refusal should be interpreted in a restrictive way, whereby the public interest served by disclosure should be weighed against the interest served by the refusal. The reasons for a refusal should be provided to the applicant within the time limit laid down in this Directive.
- (17) Public authorities should make environmental information available in part where it is possible to separate out any information falling within the scope of the exceptions from the rest of the information requested.
- (18) Public authorities should be able to make a charge for supplying environmental information but such a charge should be reasonable. This implies that, as a general rule, charges may not exceed actual costs of producing the material in question. Instances where advance payment will be required should be limited. In particular cases, where public authorities make available environmental information on a commercial basis, and where this is necessary in order to guarantee the continuation of collecting and publishing such information, a market-based charge is considered to be reasonable; an advance payment may be required. A schedule of charges should be published and made available to applicants together with information on the circumstances in which a charge may be levied or waived.
- (19) Applicants should be able to seek an administrative or judicial review of the acts or omissions of a public authority in relation to a request.
- (20) Public authorities should seek to guarantee that when environmental information is compiled by them or on their behalf, the information is comprehensible, accurate and comparable. As this is an important factor in assessing the quality of the information supplied the method used in compiling the information should also be disclosed upon request.
- (21) In order to increase public awareness in environmental matters and to improve environmental protection, public authorities should, as appropriate, make available and disseminate information on the environment which is relevant to their functions, in particular by means of computer telecommunication and/or electronic technology, where available.
- (22) This Directive should be evaluated every four years, after its entry into force, in the light of experience and after submission of the relevant reports by the Member States, and be subject to revision on that basis. The Commission should submit an evaluation report to the European Parliament and the Council.
- (23) Since the objectives of the proposed Directive cannot be sufficiently achieved by the Member States and can therefore be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.
- (24) The provisions of this Directive shall not affect the right of a Member State to maintain or introduce measures providing for broader access to information than required by this Directive,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Objectives

The objectives of this Directive are:

- (a) to guarantee the right of access to environmental information held by or for public authorities and to set out the basic terms and conditions of, and practical arrangements for, its exercise; and

- (b) to ensure that, as a matter of course, environmental information is progressively made available and disseminated to the public in order to achieve the widest possible systematic availability and dissemination to the public of environmental information. To this end the use, in particular, of computer telecommunication and/or electronic technology, where available, shall be promoted.

Article 2

Definitions

For the purposes of this Directive:

1. 'Environmental information' shall mean any information in written, visual, aural, electronic or any other material form on:
 - (a) the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;
 - (b) factors, such as substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases into the environment, affecting or likely to affect the elements of the environment referred to in (a);
 - (c) measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect the elements and factors referred to in (a) and (b) as well as measures or activities designed to protect those elements;
 - (d) reports on the implementation of environmental legislation;
 - (e) cost-benefit and other economic analyses and assumptions used within the framework of the measures and activities referred to in (c); and
 - (f) the state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures inasmuch as they are or may be affected by the state of the elements of the environment referred to in (a) or, through those elements, by any of the matters referred to in (b) and (c).
2. 'Public authority' shall mean:
 - (a) government or other public administration, including public advisory bodies, at national, regional or local level;
 - (b) any natural or legal person performing public administrative functions under national law, including specific duties, activities or services in relation to the environment; and
 - (c) any natural or legal person having public responsibilities or functions, or providing public services, relating to the environment under the control of a body or person falling within (a) or (b).

Member States may provide that this definition shall not include bodies or institutions when acting in a judicial or legislative capacity. If their constitutional provisions at the

date of adoption of this Directive make no provision for a review procedure within the meaning of Article 6, Member States may exclude those bodies or institutions from that definition.

3. 'Information held by a public authority' shall mean environmental information in its possession which has been produced or received by that authority.
4. 'Information held for a public authority' shall mean environmental information which is physically held by a natural or legal person on behalf of a public authority.
5. 'Applicant' shall mean any natural or legal person requesting environmental information.
6. 'Public' shall mean one or more natural or legal persons, and, in accordance with national legislation or practice, their associations, organisations or groups.

Article 3

Access to environmental information upon request

1. Member States shall ensure that public authorities are required, in accordance with the provisions of this Directive, to make available environmental information held by or for them to any applicant at his request and without his having to state an interest.
2. Subject to Article 4 and having regard to any timescale specified by the applicant, environmental information shall be made available to an applicant:
 - (a) as soon as possible or, at the latest, within one month after the receipt by the public authority referred to in paragraph 1 of the applicant's request; or
 - (b) within two months after the receipt of the request by the public authority if the volume and the complexity of the information is such that the one-month period referred to in (a) cannot be complied with. In such cases, the applicant shall be informed as soon as possible, and in any case before the end of that one-month period, of any such extension and of the reasons for it.
3. If a request is formulated in too general a manner, the public authority shall as soon as possible, and at the latest within the timeframe laid down in paragraph 2(a), ask the applicant to specify the request and shall assist the applicant in doing so, e.g. by providing information on the use of the public registers referred to in paragraph 5(c). The public authorities may, where they deem it appropriate, refuse the request under Article 4(1)(c).
4. Where an applicant requests a public authority to make environmental information available in a specific form or format (including in the form of copies), the public authority shall make it so available unless:
 - (a) it is already publicly available in another form or format, in particular under Article 7, which is easily accessible by applicants; or
 - (b) it is reasonable for the public authority to make it available in another form or format, in which case reasons shall be given for making it available in that form or format.

For the purposes of this paragraph, public authorities shall make all reasonable efforts to maintain environmental information held by or for them in forms or formats that are readily reproducible and accessible by computer telecommunications or by other electronic means.

The reasons for a refusal to make information available, in full or in part, in the form or format requested shall be provided to the applicant within the time limit referred to in paragraph 2(a).

5. For the purposes of this Article, Member States shall ensure that:

- (a) officials are required to support the public in seeking access to information;
- (b) lists of public authorities are publicly accessible; and
- (c) the practical arrangements are defined for ensuring that the right of access to environmental information can be effectively exercised, such as:
 - the designation of information officers;
 - the establishment and maintenance of facilities for the examination of the information required,
 - registers or lists of the environmental information held by public authorities or information points, with clear indications of where such information can be found.

Member States shall ensure that public authorities inform the public adequately of the rights they enjoy as a result of this Directive and to an appropriate extent provide information, guidance and advice to this end.

Article 4

Exceptions

1. Member States may provide for a request for environmental information to be refused if:

- (a) the information requested is not held by or for the public authority to which the request is addressed. In such a case, where that public authority is aware that the information is held by or for another public authority, it shall, as soon as possible, transfer the request to that other authority and inform the applicant accordingly or inform the applicant of the public authority to which it believes it is possible to apply for the information requested;
- (b) the request is manifestly unreasonable;
- (c) the request is formulated in too general a manner, taking into account Article 3(3);
- (d) the request concerns material in the course of completion or unfinished documents or data;
- (e) the request concerns internal communications, taking into account the public interest served by disclosure.

Where a request is refused on the basis that it concerns material in the course of completion, the public authority shall state the name of the authority preparing the material and the estimated time needed for completion.

2. Member States may provide for a request for environmental information to be refused if disclosure of the information would adversely affect:

- (a) the confidentiality of the proceedings of public authorities, where such confidentiality is provided for by law;
- (b) international relations, public security or national defence;
- (c) the course of justice, the ability of any person to receive a fair trial or the ability of a public authority to conduct an enquiry of a criminal or disciplinary nature;
- (d) the confidentiality of commercial or industrial information where such confidentiality is provided for by national or Community law to protect a legitimate economic interest, including the public interest in maintaining statistical confidentiality and tax secrecy;
- (e) intellectual property rights;
- (f) the confidentiality of personal data and/or files relating to a natural person where that person has not consented to the disclosure of the information to the public, where such confidentiality is provided for by national or Community law;
- (g) the interests or protection of any person who supplied the information requested on a voluntary basis without being under, or capable of being put under, a legal obligation to do so, unless that person has consented to the release of the information concerned;
- (h) the protection of the environment to which such information relates, such as the location of rare species.

The grounds for refusal mentioned in paragraphs 1 and 2 shall be interpreted in a restrictive way, taking into account for the particular case the public interest served by disclosure. In every particular case, the public interest served by disclosure shall be weighed against the interest served by the refusal. Member States may not, by virtue of paragraph 2(a), (d), (f), (g) and (h), provide for a request to be refused where the request relates to information on emissions into the environment.

Within this framework, and for the purposes of the application of subparagraph (f), Member States shall ensure that the requirements of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data are complied with ⁽¹⁾.

3. Where a Member State provides for exceptions, it may draw up a publicly accessible list of criteria on the basis of which the authority concerned may decide how to handle requests.

⁽¹⁾ OJ L 281, 23.11.1995, p. 31.

4. Environmental information held by or for public authorities which has been requested by an applicant shall be made available in part where it is possible to separate out any information falling within the scope of paragraphs 1(d) and (e) or 2 from the rest of the information requested.

5. A refusal to make available all or part of the information requested shall be notified to the applicant in writing or electronically, if the request was in writing or if the applicant so requests, within the time limits referred to in Article 3(2)(a) or, as the case may be, (b). The notification shall state the reasons for the refusal and include information on the review procedure provided for in accordance with Article 6.

Article 5

Charges

1. Access to any public registers or lists established and maintained as mentioned in Article 3(5) and examination *in situ* of the information requested shall be free of charge.

2. Public authorities may make a charge for supplying any environmental information but such charge shall not exceed a reasonable amount.

3. Where charges are made, public authorities shall publish and make available to applicants a schedule of such charges as well as information on the circumstances in which a charge may be levied or waived.

Article 6

Access to justice

1. Member States shall ensure that any applicant who considers that his request for information has been ignored, wrongfully refused (whether in full or in part), inadequately answered or otherwise not dealt with in accordance with the provisions of Articles 3, 4 or 5, has access to a procedure in which the acts or omissions of the public authority concerned can be reconsidered by that or another public authority or reviewed administratively by an independent and impartial body established by law. Any such procedure shall be expeditious and either free of charge or inexpensive.

2. In addition to the review procedure referred to in paragraph 1, Member States shall ensure that an applicant has access to a review procedure before a court of law or another independent and impartial body established by law, in which the acts or omissions of the public authority concerned can be reviewed and whose decisions may become final. Member States may furthermore provide that third parties incriminated by the disclosure of information may also have access to legal recourse.

3. Final decisions under paragraph 2 shall be binding on the public authority holding the information. Reasons shall be stated in writing, at least where access to information is refused under this Article.

Article 7

Dissemination of environmental information

1. Member States shall take the necessary measures to ensure that public authorities organise the environmental information which is relevant to their functions and which is held by or for them, with a view to its active and systematic dissemination to the public, in particular by means of computer telecommunication and/or electronic technology, where available.

The information made available by means of computer telecommunication and/or electronic technology need not include information collected before the entry into force of this Directive unless it is already available in electronic form.

Member States shall ensure that environmental information progressively becomes available in electronic databases which are easily accessible to the public through public telecommunication networks.

2. The information to be made available and disseminated shall be updated as appropriate and shall include at least:

- (a) texts of international treaties, conventions or agreements, and of Community, national, regional or local legislation, on the environment or relating to it;
- (b) policies, plans and programmes relating to the environment;
- (c) progress reports on the implementation of the items referred to in (a) and (b) when prepared or held in electronic form by public authorities;
- (d) the reports on the state of the environment referred to in paragraph 3;
- (e) data or summaries of data derived from the monitoring of activities affecting, or likely to affect, the environment;
- (f) authorisations with a significant impact on the environment and environmental agreements or a reference to the place where such information can be requested or found in the framework of Article 3;
- (g) environmental impact studies and risk assessments concerning the environmental elements referred to in Article 2(1)(a) or a reference to the place where the information can be requested or found in the framework of Article 3.

3. Without prejudice to any specific reporting obligations laid down by Community legislation, Member States shall take the necessary measures to ensure that national, and, where appropriate, regional or local reports on the state of the environment are published at regular intervals not exceeding four years; such reports shall include information on the quality of, and pressures on, the environment.

4. Without prejudice to any specific obligation laid down by Community legislation, Member States shall take the necessary measures to ensure that, in the event of an imminent threat to human health or the environment, whether caused by human activities or due to natural causes, all information held by or for public authorities which could enable the public likely to be affected to take measures to prevent or mitigate harm arising from the threat is disseminated, immediately and without delay.

5. The exceptions in Article 4(1) and (2) may apply in relation to the duties imposed by this Article.

6. Member States may satisfy the requirements of this Article by creating links to Internet sites where the information can be found.

Article 8

Quality of environmental information

1. Member States shall, so far as is within their power, ensure that any information that is compiled by them or on their behalf is up to date, accurate and comparable.

2. Upon request, public authorities shall reply to requests for information pursuant to Article 2(1)b, reporting to the applicant on the place where information, if available, can be found on the measurement procedures, including methods of analysis, sampling, and pre-treatment of samples, used in compiling the information, or referring to a standardised procedure used.

Article 9

Review procedure

1. Not later than 14 February 2009, Member States shall report on the experience gained in the application of this Directive.

They shall communicate the report to the Commission not later than 14 August 2009.

No later than 14 February 2004, the Commission shall forward to the Member States a guidance document setting out clearly the manner in which it wishes the Member States to report.

2. In the light of experience and taking into account developments in computer telecommunication and/or electronic technology, the Commission shall make a report to the European Parliament and to the Council together with any proposal for revision, which it may consider appropriate.

Article 10

Implementation

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 14 February 2005. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

Article 11

Repeal

Directive 90/313/EEC is hereby repealed with effect from 14 February 2005.

References to the repealed Directive shall be construed as referring to this Directive and shall be read in accordance with the correlation table in the Annex.

Article 12

Entry into force

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

Article 13

Addressees

This Directive is addressed to the Member States.

Done at Brussels, 28 January 2003.

For the European Parliament

The President

P. COX

For the Council

The President

G. PAPANDREOU

ANNEX

CORRELATION TABLE

Directive 90/313/EEC	This Directive
Article 1	Article 1(a) Article 1(b)
Article 2(a)	Article 2(1)
Article 2(b)	Article 2(2)
—	Article 2(3)
—	Article 2(4)
—	Article 2(5)
—	Article 2(6)
Article 3(1)	Article 3(1) and Article 3(5)
Article 3(2)	Article 4(2) and Article 4(4)
Article 3(3)	Article 4(1)(b), (c), (d) and (e)
Article 3(4)	Article 3(2) and Article 4(5)
—	Article 4(1)(a)
—	Article 3(3)
—	Article 3(4)
Article 4	Article 6(1) and Article 6(2)
—	Article 6(3)
Article 5	Article 5(1)
—	Article 5(2)
—	Article 5(3)
Article 6	Article 2(2)(c), Article 3(1)
Article 7	Article 7(1), (2), and (3)
—	Article 7(4)
—	Article 7(5)
—	Article 7(6)
—	Article 8
Article 8	Article 9
Article 9	Article 10
Article 10	Article 13
—	Article 11
—	Article 12

COMMISSION DIRECTIVE 2003/13/EC
of 10 February 2003
amending Directive 96/5/EC on processed cereal-based foods and baby foods for infants and young children
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses ⁽¹⁾, as last amended by Directive 1999/41/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 4(1) thereof,

Having regard to the opinion of the Scientific Committee on Food,

Whereas:

- (1) Article 6 of Commission 96/5/EC ⁽³⁾, as last amended by Directive 1999/39/EC ⁽⁴⁾, stipulates that processed cereal-based foods and baby foods shall not contain any substance in such quantity as to endanger the health of infants and young children.
- (2) On the basis of opinions given by the Scientific Committee on Food on 19 September 1997 and 4 June 1998, Directive 96/5/EC established a general maximum residue level of 0,01 mg/kg for any individual pesticide in processed cereal-based foods and baby foods.
- (3) In the case of a small number of pesticides or metabolites of pesticides even a maximum residue level of 0,01 mg/kg might, under worst-case intake conditions, allow infants and young children to exceed the acceptable daily intake. This is the case for pesticides or metabolites of pesticides with an acceptable daily intake lower than 0,0005 mg/kg body weight.
- (4) Directive 96/5/EC establishes the principle of the prohibition of the use of these pesticides in the production of agricultural products intended for processed cereal-based foods and baby foods. The pesticides in question should be listed in Annex VIII to Directive 96/5/EC. However, this prohibition does not necessarily guarantee that products are free from such pesticides, since some pesticides contaminate the environment and their residues may be found in the products concerned.
- (5) The health of infants and young children can be better protected by applying additional requirements which can be enforced by analysis regardless of a product's origin.

- (6) Most of the pesticides which have acceptable daily intake values lower than 0,0005 mg/kg body weight are already prohibited in the Community or will be prohibited by July 2003. The prohibited pesticides should not be detectable in processed cereal-based foods and baby foods by state of the art analytical methods. However, some pesticides degrade slowly and still contaminate the environment. They might be present in processed cereal-based foods and baby foods even if they have not been used. For the purposes of control, a harmonised approach has to be followed.
- (7) Pending Commission decisions on whether they satisfy the safety requirements of Article 5 of Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽⁵⁾, as last amended by Commission Directive 2003/5/EC ⁽⁶⁾, the continued use of authorised pesticides should be permitted as long as their residues comply with the maximum residue levels established in the present Directive. The latter should be set at levels ensuring that their respective acceptable daily intake values are not exceeded by infants and young children under worst-case intake conditions.
- (8) Directive 96/5/EC should be amended accordingly.
- (9) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 96/5/EC is amended as follows:

1. Article 6 is amended as follows:

— Paragraph 1 is replaced by the following:

‘1. Processed cereal-based foods and baby foods shall not contain any substance in such quantity as to endanger the health of infants and young children. Necessary maximum levels for substances other than those referred to in paragraphs 2 and 3 shall be established without delay.’

⁽¹⁾ OJ L 186, 30.6.1989, p. 27.

⁽²⁾ OJ L 172, 8.7.1999, p. 38.

⁽³⁾ OJ L 49, 28.2.1996, p. 17.

⁽⁴⁾ OJ L 124, 18.5.1999, p. 8.

⁽⁵⁾ OJ L 230, 19.8.1991, p. 1.

⁽⁶⁾ OJ L 8, 14.1.2003, p. 7.

— Paragraph 3 is replaced by the following:

'3. (a) Those pesticides listed in Annex VIII shall not be used in agricultural products intended for the production of processed cereal-based foods and baby foods. However, for the purpose of control:

(i) pesticides listed in Table 1 of Annex VIII are considered not to have been used if their residues do not exceed a level of 0,003 mg/kg. This level which is considered to be the limit of quantification of the analytical methods shall be kept under regular review in the light of technical progress;

(ii) pesticides listed in Table 2 of Annex VIII are considered not to have been used if their residues do not exceed a level of 0,003 mg/kg. This level shall be kept under regular review in the light of data on environmental contamination.

The levels referred to in (i) and (ii) shall apply to the products as proposed ready for consumption or as reconstituted according to the instructions of the manufacturers.

(b) For pesticides listed in Annex VII, where a decision concerning the non-inclusion of an active substance in Annex I to Directive 91/414/EEC is taken, Annex VII and Annex VIII to this Directive shall be amended accordingly.'

2. Annex VII is replaced by Annex I to this Directive.

3. Annex VIII is replaced by Annex II to this Directive.

Article 2

1. The Member States shall authorise trade in products which comply with Article 6(3) of Directive 96/5/EC by 6 March 2004 at the latest.

2. The Member States shall prohibit trade in products which do not comply with Article 6(3) of Directive 96/5/EC by 6 March 2005.

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 6 March 2004 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.

Article 4

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 10 February 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

ANNEX VII

Specific maximum residue levels of pesticides or metabolites of pesticides in processed cereal-based foods and baby foods

Chemical name of the substance	Maximum residue level (mg/kg)
Cadusafos	0,006
Demeton-S-methyl/demeton-S-methyl sulfone/oxydemeton-methyl (individually or combined, expressed as demeton-S-methyl)	0,006
Ethoprophos	0,008
Fipronil (sum of fipronil and fipronil-desulfinyl, expressed as fipronil)	0,004
Propineb/propylenethiourea (sum of propineb and propylenethiourea)	0,006'

ANNEX II

'ANNEX VIII

Pesticides which shall not be used in agricultural production intended for the production of processed cereal-based foods and baby foods

Table 1

Chemical name of the substance (residue definition)
Disulfoton (sum of disulfoton, disulfoton sulfoxide and disulfoton sulfone expressed as disulfoton)
Fensulfothion (sum of fensulfothion, its oxygen analogue and their sulfones, expressed as fensulfothion)
Fentin, expressed as triphenyltin cation
Haloxyfop (sum of haloxyfop, its salts and esters including conjugates, expressed as haloxyfop)
Heptachlor and <i>trans</i> -heptachlor epoxide, expressed as heptachlor
Hexachlorobenzene
Nitrofen
Omethoate
Terbufos (sum of terbufos, its sulfoxide and sulfone, expressed as terbufos)

Table 2

Chemical name of the substance
Aldrin and dieldrin, expressed as dieldrin
Endrin'

COMMISSION DIRECTIVE 2003/14/EC
of 10 February 2003
amending Directive 91/321/EEC on infant formulae and follow-on formulae
(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses ⁽¹⁾, as last amended by Directive 1999/41/EC of the European Parliament and of the Council ⁽²⁾, and in particular Article 4(1) thereof,

Having regard to the opinion of the Scientific Committee on Food,

Whereas:

- (1) Article 6 of Commission Directive 91/321/EEC ⁽³⁾, as last amended by Directive 1999/50/EC ⁽⁴⁾, stipulates that infant formulae and follow-on formulae shall not contain any substance in such quantity as to endanger the health of infants and young children.
- (2) On the basis of opinions given by the Scientific Committee on Food on 19 September 1997 and 4 June 1998, Directive 91/321/EEC established a general maximum residue level of 0,01 mg/kg for any individual pesticide in infant formulae and follow-on formulae.
- (3) In the case of a small number of pesticides or metabolites of pesticides even a maximum residue level of 0,01 mg/kg might, under worst-case intake conditions, allow infants and young children to exceed the acceptable daily intake. This is the case for pesticides or metabolites of pesticides with an acceptable daily intake lower than 0,0005 mg/kg body weight.
- (4) Directive 91/321/EEC establishes the principle of the prohibition of the use of these pesticides in the production of agricultural products intended for infant formulae and follow-on formulae. The pesticides in question should be listed in Annex IX to Directive 91/321/EEC. However, this prohibition does not necessarily guarantee

that products are free from such pesticides, since some pesticides contaminate the environment and their residues may be found in the products concerned.

- (5) The health of infants and young children can be better protected by applying additional requirements which can be enforced by analysis regardless of a product's origin.
- (6) Most of the pesticides which have acceptable daily intake values lower than 0,0005 mg/kg body weight are already prohibited in the Community or will be prohibited by July 2003. The prohibited pesticides should not be detectable in infant formulae and follow-on formulae by state of the art analytical methods. However, some pesticides degrade slowly and still contaminate the environment. They might be present in infant formulae and follow-on formulae even if they have not been used. For the purposes of control, a harmonised approach has to be followed.
- (7) Pending Commission decisions on whether they satisfy the safety requirements of Article 5 of Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽⁵⁾, as last amended by Commission Directive 2003/5/EC ⁽⁶⁾, the continued use of authorised pesticides should be permitted as long as their residues comply with the maximum residue levels established in the present Directive. The latter should be set at levels ensuring that their respective acceptable daily intake values are not exceeded by infants and young children under worst-case intake conditions.
- (8) Directive 91/321/EEC should be amended accordingly.
- (9) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

⁽¹⁾ OJ L 186, 30.6.1989, p. 27.

⁽²⁾ OJ L 172, 8.7.1999, p. 38.

⁽³⁾ OJ L 175, 4.7.1991, p. 35.

⁽⁴⁾ OJ L 139, 2.6.1999, p. 29.

⁽⁵⁾ OJ L 230, 19.8.1991, p. 1.

⁽⁶⁾ OJ L 8, 14.1.2003, p. 7.

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 91/321/EEC is amended as follows:

1. Article 6 is amended as follows:

— Paragraph 1 is replaced by the following:

‘1. Infant formulae and follow-on formulae shall not contain any substance in such quantity as to endanger the health of infants and young children. Necessary maximum levels for substances other than those referred to in paragraphs 2 and 3 shall be established without delay.’

— Paragraph 3 is replaced by the following:

‘3. (a) Those pesticides listed in Annex IX shall not be used in agricultural products intended for the production of infant formulae and follow-on formulae. However, for the purpose of control:

(i) pesticides listed in Table 1 of Annex IX are considered not to have been used if their residues do not exceed a level of 0,003 mg/kg. This level which is considered to be the limit of quantification of the analytical methods shall be kept under regular review in the light of technical progress;

(ii) pesticides listed in Table 2 of Annex IX are considered not to have been used if their residues do not exceed a level of 0,003 mg/kg. This level shall be kept under regular review in the light of data on environmental contamination.

(b) By derogation of paragraph 2, for the pesticides listed in Annex X, the maximum residue levels specified therein shall apply.

For pesticides listed in Annex X, where a decision concerning the non-inclusion of an active substance in Annex I to Directive 91/414/EEC is taken, Annex IX and Annex X to this Directive shall be amended accordingly.

(c) The levels referred to in subparagraphs (a) and (b) shall apply to the products as proposed ready for consumption or as reconstituted according to the instructions of the manufacturers.’

2. Annex IX is replaced by Annex I to this Directive.

3. Annex II to this Directive is added as Annex X.

Article 2

1. The Member States shall authorise trade in products which comply with Article 6(3) of Directive 91/321/EEC by 6 March 2004 at the latest.

2. The Member States shall prohibit trade in products which do not comply with Article 6(3) of Directive 91/321/EEC by 6 March 2005.

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 6 March 2004 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.

Article 4

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 10 February 2003.

For the Commission

David BYRNE

Member of the Commission

ANNEX I

'ANNEX IX

Pesticides which shall not be used in agricultural production intended for the production of infant formulae and follow-on formulae

Table 1

Chemical name of the substance (residue definition)
Disulfoton (sum of disulfoton, disulfoton sulfoxide and disulfoton sulfone expressed as disulfoton)
Fensulfothion (sum of fensulfothion, its oxygen analogue and their sulfones, expressed as fensulfothion)
Fentin, expressed as triphenyltin cation
Haloxyfop (sum of haloxyfop, its salts and esters including conjugates, expressed as haloxyfop)
Heptachlor and <i>trans</i> -heptachlor epoxide, expressed as heptachlor
Hexachlorobenzene
Nitrofen
Omethoate
Terbufos (sum of terbufos, its sulfoxide and sulfone, expressed as terbufos)

Table 2

Chemical name of the substance
Aldrin and dieldrin, expressed as dieldrin
Endrin'

ANNEX II

ANNEX X

Specific maximum residue levels of pesticides or metabolites of pesticides in infant formulae and follow-on formulae

Chemical name of the substance	Maximum residue level (mg/kg)
Cadusafos	0,006
Demeton-S-methyl/demeton-S-methyl sulfone/oxydemeton-methyl (individually or combined, expressed as demeton-S-methyl)	0,006
Ethoprophos	0,008
Fipronil (sum of fipronil and fipronil-desulfinyl, expressed as fipronil)	0,004
Propineb/propylenethiourea (sum of propineb and propylenethiourea)	0,006'

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 February 2003

laying down minimum requirements for the establishment of breeding programmes for resistance to transmissible spongiform encephalopathies in sheep

(notified under document number C(2003) 498)

(Text with EEA relevance)

(2003/100/EC)

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 ⁽¹⁾, as last amended by Commission Regulation (EC) No 1494/2002 ⁽²⁾, and in particular Article 23 thereof,

Whereas:

- (1) Scrapie poses a considerable animal health problem within the Community's ovine and caprine population.
- (2) There is no validated routine diagnostic method to distinguish between Bovine spongiform encephalopathy (BSE) and scrapie infection in ovine and caprine animals. BSE infection has not been proven to exist in ovine and caprine animals under natural conditions. However, there is some uncertainty as to whether BSE may have infected the ovine and caprine population and may still be present in that population. Accordingly transmissible spongiform encephalopathy (TSE) infections in ovine and caprine animals also pose a potential risk to public health.
- (3) Research has shown that certain prion protein genotypes in sheep confer resistance to scrapie. Evidence to date indicates that a similar genetically determined resistance to BSE exists in sheep when challenged orally with BSE infection under experimental conditions.

- (4) The opinion of the Scientific Steering Committee (SSC) of 4 and 5 April 2002 on safe sourcing of small ruminant materials laid down guidelines for the main points in a breeding programme for TSE resistance in sheep. The SSC considers that such a programme should be targeted at populations at risk or risk areas.
- (5) One requirement for such a breeding programme is an approximation of the frequency of ARR/ARR sheep for each important breed. To obtain this information, Commission Decision 2002/1003/EC ⁽³⁾ has introduced a survey of the sheep breeds in the Member States.
- (6) It should be possible to derogate from the requirement to establish a breeding programme in accordance with this Decision for certain breeds with a low natural level of resistance and for local breeds indigenous to the area and in danger of being lost to farming as referred to in Regulation (EC) No 445/2002 of 26 February 2002 laying down detailed rules for the application of Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) ⁽⁴⁾.
- (7) In its opinion, the SSC recommended the establishment of the certification of flocks with a negligible risk of scrapie/BSE. One of the options recommended is the certification of flocks based on full genetic resistance to TSEs combined with regular TSE testing.

⁽¹⁾ OJ L 147, 31.5.2001, p. 1.

⁽²⁾ OJ L 225, 28.8.2002, p. 3.

⁽³⁾ OJ L 349, 24.12.2002, p. 105.

⁽⁴⁾ OJ L 74, 15.3.2002, p. 1.

- (8) The SSC recommended a comprehensive list of tissues in ovine and caprine animals which might be considered to pose a risk to human and animal health in the event of BSE being confirmed or considered probable. However, the opinion considered that these tissues would not pose any significant risk when derived from resistant and semi-resistant animals under the age of 18 and 6 months respectively. It is appropriate to promote the development of certified flocks along these lines.
- (9) The Commission will propose to the Council and Parliament an amendment to Regulation (EC) No 999/2001 to provide a legal basis in that Regulation for the measures contained in this Decision. In the meantime, it is appropriate to adopt this Decision as a transitional measure.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

Definitions

For the purposes of this Decision the definitions set out in Annex I to Commission Decision 2002/1003/EC shall apply.

Article 2

Breeding programme for TSE resistance in pure-bred sheep

1. By 1 January 2004, on the basis of the outcome of the survey provided for in Decision 2002/1003/EC, each Member State shall introduce a breeding programme to select for resistance to TSEs in each of its sheep breeds which are native, or which form a significant population in its territory. The minimum requirements for such a programme shall be those set out in Annex I.

2. The Member State may decide that participation by flock owners in the breeding programme referred to in paragraph 1 shall be voluntary until 1 April 2005. However, after that date, it shall be compulsory for all flocks of high genetic merit to participate in the breeding programme.

Article 3

Derogations

1. Member States may be granted a derogation from the requirement to establish a breeding programme as provided for in Article 2:

- on the basis of a national scrapie control programme submitted and approved in accordance with point (b) of Part I of Chapter A of Annex VIII to Regulation (EC) No 999/2001, which includes continuous active monitoring of dead-on-farm ovine and caprine animals in all flocks in the Member State, or

- when the Commission has recognised its territory as being free from scrapie in accordance with point (c) of Part I of Chapter A of Annex VIII to Regulation (EC) No 999/2001, based on the results of a conclusive statistical survey.

2. The derogation provided for in paragraph 1 shall be adopted in accordance with the procedure referred to in Article 24(2) of Regulation (EC) No 999/2001.

Article 4

Framework to recognise the TSE-resistant status of certain sheep flocks

1. By 1 January 2004, each Member State shall establish a framework for the recognition of the TSE-resistant status of certain sheep flocks.

This framework shall follow the criteria set out in Annex II.

2. The recognition of the TSE-resistant status of a flock under the framework provided for in paragraph 1 shall not be considered a necessary criterion to exclude the presence of a TSE in that flock.

Article 5

Reports to be provided to the Commission by the Member States

Member States shall provide the Commission with the following reports:

- (a) report on the requirements of their breeding programmes as provided for in Article 2 by 1 April 2004;
- (b) an annual progress report to be provided for the first time by 1 April 2005, of the progress made in the breeding programmes.

Article 6

Summary of reports by the Commission to the Member States

The Commission shall present to the Member States a summary of the reports it receives under Article 5, within three months of the deadline for the receipt of the reports.

Article 7

Review

The requirements of this Decision shall be reviewed:

- (a) on the basis of reports referred to in Article 5,
- (b) in respect of breeds for which a serious negative genetic effect has been demonstrated during the course of the breeding programme,
- (c) in any event before 1 April 2005, to take account of any new scientific advice.

Article 8

Addressees

This Decision is addressed to the Member States.

Done at Brussels, 13 February 2003.

For the Commission
David BYRNE
Member of the Commission

ANNEX I

MINIMUM REQUIREMENTS FOR A BREEDING PROGRAMME FOR RESISTANCE TO TSEs IN SHEEP**Part 1 — General requirements**

1. The breeding programme shall concentrate on flocks of high genetic merit.
2. A database shall be established containing at least the following information:
 - (a) the identity, breed and number of animals in all flocks participating in the breeding programme;
 - (b) the identification of the individual animals sampled under the breeding programme;
 - (c) the results of any genotyping tests.
3. A system of uniform certification shall be established in which the genotype of each animal sampled under the breeding programme is certified by reference to its individual identification number.
4. Sampling shall be carried out by personnel specifically designated for this purpose under the breeding programme.
5. A system for the identification of animals and samples, the processing of samples and the delivery of results shall be established which minimises the possibility of human error. The efficiency of this system shall be subject to regular random checking.
6. Genotyping of blood or other tissues collected for the purposes of the breeding programme shall be carried out in laboratories that have been approved under the scheme.
7. The competent authority of the Member State may assist breed societies who wish to do so, to establish genetic banks consisting of semen, ova and/or embryos representative of prion protein genotypes which are likely to become rare as a result of the breeding programme.
8. Breeding programmes shall be drawn up for each breed, taking account of:
 - (a) frequencies of the different alleles within the breed;
 - (b) rarity of the breed;
 - (c) avoidance of inbreeding or genetic drift.

Part 2 — Specific rules for participating flocks

1. The breeding programme shall be aimed at increasing the frequency of the ARR allele within the sheep flock, while reducing the prevalence of those alleles which have been shown to contribute to susceptibility to TSEs.
2. The minimum rules for participating flocks shall be:
 - (a) all animals in the flock that are to be genotyped shall be individually identified using secure means;
 - (b) it shall be compulsory for all rams intended for breeding within the flock to be genotyped before being used for breeding;
 - (c) it shall be compulsory to slaughter or castrate, within six months following the determination of its genotype, any male animal carrying the VRQ allele; any such animal shall not leave the holding except for slaughter;
 - (d) it shall be prohibited for female animals that are known to carry the VRQ allele to leave the holding except for slaughter;
 - (e) it shall be prohibited for male animals, including semen donors used for artificial insemination, other than those certified under the programme, to be used for breeding within the flock.

Part 3 — Protection of breeds and production traits

1. Member States may decide to grant a derogation from the requirements of point 2(c) and (d) of Part 2, in the case of breeds:
 - (a) which display a level of the ARR allele below 25 % in the survey referred to in Decision 2002/1003/EC; or
 - (b) which are in danger of being lost to farming, as referred to in Article 14(1)(a) of Regulation (EC) No 445/2002.
2. In the case of breeds which display an absence, or a level of less than 10 %, of the ARR allele in the survey referred to in Commission Decision 2002/1003/EC, Member States may decide to grant a derogation from Parts 1 and 2, subject to the condition that such breeds shall be subject to scrapie control programmes.
3. Member States shall inform the Commission of derogations granted under points 1 and 2 and of the criteria used.

ANNEX II**THE FRAMEWORK FOR THE RECOGNITION OF THE TSE-RESISTANT STATUS OF FLOCKS OF SHEEP**

1. The framework shall recognise the TSE-resistant status of flocks of sheep that, whether as a result of participation in the breeding programme as provided for in Article 2 or otherwise, satisfy certain criteria.

This recognition shall be granted on at least two levels:

 - (a) level I flocks shall be flocks composed entirely of sheep of the ARR/ARR genotype;
 - (b) level II flocks shall be flocks whose progeny have been sired exclusively by rams of the ARR/ARR genotype.

Member States may decide to grant recognition on further levels to suit national requirements.
2. Regular random sampling of sheep from TSE-resistant flocks shall be carried out:
 - (a) either on the farm or at the slaughterhouse to verify their genotype;
 - (b) in the case of level I flocks, in animals over 18 months of age at the slaughterhouse, for TSE testing in accordance with Annex III to Regulation (EC) No 999/2001.

COMMISSION DECISION**of 13 February 2003****amending for the 12th time Decision 2000/284/EC establishing the list of approved semen collection centres for imports of equine semen from third countries***(notified under document number C(2003) 499)***(Text with EEA relevance)**

(2003/101/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/65/EEC of 13 July 1992, laying down animal health requirements governing trade in and imports into the Community of animals, semen, ova and embryos not subject to animal health requirements laid down in specific Community rules referred to in Annex A (I) to Directive 90/425/EEC ⁽¹⁾, as last amended by Regulation (EC) No 1282/2002 ⁽²⁾, and in particular Article 17 (3)(b) thereof,

Whereas:

- (1) Commission Decision 2000/284/EC ⁽³⁾, as last amended by Decision 2002/776/EC ⁽⁴⁾, established the list of approved semen collection centres for imports of equine semen from third countries.
- (2) The competent authorities of Australia and the United States of America officially informed the Commission of the approval in accordance with the provisions of Directive 92/65/EEC of an additional equine semen collection centre respectively.
- (3) It is appropriate to amend the list of approved centres in the light of new information received from the third countries concerned, and to highlight the amendments in the Annex for clarity.

(4) Decision 2000/284/EC should be amended accordingly.

(5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2000/284/EC is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 February 2003.

For the Commission

David BYRNE

Member of the Commission⁽¹⁾ OJ L 268, 14.9.1992, p. 54.⁽²⁾ OJ L 187, 16.7.2002, p. 3.⁽³⁾ OJ L 94, 14.4.2000, p. 35.⁽⁴⁾ OJ L 267, 4.10.2002, p. 30.

ANNEX

'ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO — LIITE — BILAGA

- 1 Versión — Udgave — Fassung vom — Έκδοση — Version — Version — Versione — Versie — Versão — Tilanne — Version
- 2 Código ISO — ISO-kode — ISO-Code — Κωδικός ISO — ISO code — Code ISO — Codice ISO — ISO-code — Código ISO — ISO-koodi — ISO-kod
- 3 Tercer país — Tredjeland — Drittland — Τρίτη χώρα — Third country — Pays tiers — Paese terzo — Derde land — País terceiro — Kolmas maa — Tredje land
- 4 Nombre del centro autorizado — Den godkendte stations navn — Name der zugelassenen Besamungsstation — Όνομα του εγκεκριμένου κέντρου — Name of approved centre — Nom du centre agréé — Nome del centro riconosciuto — Naam van het erkende centrum — Nome do centro aprovado — Hyväksytyt aseman nimi — Hingststationens namn
- 5 Dirección del centro autorizado — Den godkendte stations adresse — Anschrift der zugelassenen Besamungsstation — Διεύθυνση του εγκεκριμένου κέντρου — Address of approved centre — Adresse du centre agréé — Indirizzo del centro riconosciuto — Adres van het erkende centrum — Endereço aprovado — Hyväksytyt aseman osoite — Hingststationens adress
- 6 Autoridad competente en materia de autorización — Godkendelsesmyndighed — Zulassungsbehörde — Εγκρίνουσα αρχή — Approving authority — Autorité d'agrément — Autorità che rilascia il riconoscimento — Autoriteit die de erkenning heeft verleend — Autoridade de aprovação — Hyväksyntäviranomainen — Godkännandemyndighet
- 7 Número de autorización — Godkendelsesnummer — Registriernummer — Αριθμός έγκρισης — Approval No — Numéro d'agrément — Numero di riconoscimento — Registratienummer — Número de aprovação — Hyväksyntänumero — Godkännandenummer
- 8 Fecha de la autorización — Godkendelsesdato — Zulassungsdatum — Ημερομηνία έγκρισης — Approval date — Date d'agrément — Data di approvazione — Datum van erkenning — Data da aprovação — Hyväksyntäpäivä — Datum för godkännandet

1: 1.2003

2	3	4	5	6	7	8
AE	UNITED ARAB EMIRATES (*)					
AR	ARGENTINA	Haras El Atalaya	91 Cuartel 17 Arrecifes Buenos Aires	SENASA	I-E14 (Integral-Equino 14)	27.3.1998
AU	AUSTRALIA	Alabar Bloodstock Corporation	Koyuga (Near Echuca) Victoria 3622			
AU		Beef Breeding Services Qld DPI	Grindle Road, Wacol Qld 4076			
AU		Kinnordy Stud Mr H. Schmorl	MS 465, Cambooya Qld 4358			
AU		Equine Artificial Breeding Services "Lumeah"	Miriam Bentley Hume Highway Mullengandra NSW 2644	AQIS	NSW-AB-H-01	21.2.2001
AU		Equine Artificial Breeding Services "Alabar Bloodstock"	Alan Galloway Koyuga (near Echuca) Victoria 3622	AQIS	VIC-AB-H-01	30.10.2002

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2	3	4	5	6	7	8
BB	BARBADOS ^(b)					
BG	BULGARIA					
BH	BAHRAIN ^(b)					
BM	BERMUDA ^(b)					
BO	BOLIVIA ^(b)					
BR	BRAZIL					
BY	BELARUS					
CA	CANADA	Ferme Canaco	89 Rang St.-André St.-Bernard de Lacolle Co. St.-Jean, Quebec; J0J 1V0	CFIA	4-EQ-01	23.2.2000
CA		Amstrong Brothers	14709 Hurontario Street Inglewood, Ontario, L0N 1K0	CFIA	5-EQ-01	12.2.1997
CA		Zorgwijk Stables Ltd	508 Mt. Pleasant Road, R.R.2, Brantford, Ontario; N3T 5L5	CFIA	5-EQ-02	6.4.1999
CA		Tara Hills Stud	13700 Mast Road, R.R.4 Port Perry, Ontario, L9L 1B5	CFIA	5-EQ-03	26.1.2000
CA		Taylorlane Farm	R.R.#2 Orton, Ontario, L0N 1N0	CFIA	5-EQ-04	13.1.2000
CA		Earl Lennox	R.R.2 Orton, Ontario, L0N 1N0	CFIA	5-EQ-05	15.3.2000

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2	3	4	5	6	7	8
CA		Rideau Field Farm	756 Heritage Drive, R.R.4 Merrickville, Ontario; K0G 1N0	CFIA	5-EQ-06	4.5.1998
CA		Glengate Farms	PO box 220, 8343 Walker's Line Campbellville, Ontario, L0P 1B0	CFIA	5-EQ-07	31.1.1995
CA		Gencor The Genetic Corporation	R.R.#5 Guelph Ontario, N1H 6J2	CFIA	5-EQ-08	10.1.1997
CA		Jou Veterinary Service	2409 Alps Road, R.R.1, Ayr Ontario; NOB 1E0	CFIA	5-EQ-09	30.10.2000
CA		AE Breeding Farm Dr Mike Zajac	19619 McGowan Road Mount Albert Ontario; L0G 1M0	CFIA	5-EQ-10	2.3.2000
CA		Equine Reproduction Services	Box 877, Turner Valley Alberta, L0G 1M0	CFIA	8-EQ-01	20.11.2000
CA		Meadowview Ilene Poole	23052 TWP Road 521 Sherwood Park Alberta, T8B 1G6	CFIA	8-EQ-02	1.2.2002
CH	SWITZERLAND	Eidgenössisches Gestüt/Haras fédéral/Istituto Federale dell'allevamento equino Avenches	CH-1580 Avenches	Bundesamt für Veterinärwesen	CH-AI-4E	13.2.1997
CH		Besamungsstation Pferde, Gestüt Hanaya	Expohof CH-8165 Schleinikon	Bundesamt für Veterinärwesen	CH-AI-8E	6.5.1999
CL	CHILE					
CU	CUBA (†)					
CY	CYPRUS					
CZ	CZECH REPUBLIC					

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2	3	4	5	6	7	8
DZ	ALGERIA					
EE	ESTONIA					
EG	EGYPT ^(b)					
FK	FALKLAND ISLANDS					
GL	GREENLAND					
HK	HONG KONG ^(b)					
HR	CROATIA					
HU	HUNGARY					
IL	ISRAEL					
IS	ICELAND	Gunnarsholt	Saedingastod Gunnarsholti 851 Hella	Iceland Veterinary Services	H001	20.12.1999
JO	JORDAN ^(b)					
JP	JAPAN ^(b)					
KG	KYRGYZSTAN ^(b)					
KR	REPUBLIC OF KOREA ^(b)					
KW	KUWAIT ^(b)					
LB	LEBANON ^(b)					

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2	3	4	5	6	7	8
LI	LITHUANIA					
LV	LATVIA					
LY	LIBYA ^(b)					
MA	MOROCCO					
MK ^(a)	FORMER YUGOSLAV REPUBLIC OF MACEDONIA					
MO	MACAO ^(b)					
MT	MALTA					
MU	MAURITIUS					
MY	MALAYSIA (PENINSULA) ^(b)					
MX	MÉXICO	CEPROSEM Club Hípico "La Silla"	Monterrey Nuevo León	SAGARPA	02-19-05-96-E	2.8.2001
NZ	NEW ZEALAND	Animal Breeding Services Ltd	3680 State Highway 3 RD2, Hamilton	MAF	NZSEQ-001	27.3.2002
NZ		Phoenician Stallion Collection Centre	75 Penrith Road RD2, Napier	MAF	NZSEQ-002	2.5.2002
OM	OMAN ^(b)					
PE	PERÚ ^(b)					
PL	POLAND					
PM	ST PIERRE AND MIQUELON					
PY	PARAGUAY					

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2	3	4	5	6	7	8
QA	QATAR ^(b)					
RO	ROMANIA					
RU	RUSSIA					
SA	SAUDI ARABIA ^(b)					
SG	SINGAPORE ^(b)					
SI	SLOVENIA					
SK	SLOVAK REPUBLIC					
SY	SYRIA ^(b)					
TH	THAILAND ^(b)					
TN	TUNISIA					
UA	UKRAINE					
US	USA	The Old Place	PO box 90 Mt Holly, AR 71758	APHIS	00AR001-EQS	19.7.2000
US		OS CEDROS, USA	8700 East Black Mountain Road Scottsdale, AZ 85262	APHIS	02AZ001-EQS	7.1.2002
US		Steve Cruse — Show Horses	29251 N Hayden Road Scottsdale, AZ 85262	APHIS	02AZ002-EQS	28.1.2002
US		Kellog Arabian Horse Center	3801 W. Temple Avenue Pomona, CA 71758	APHIS	97CA002-EQS	22.5.1997
US		Mariana Farm	Valley Center, CA 92082	APHIS	98CA001-EQS	14.11.1997
US		Advanced Equine Reproduction	1145 Arroyo Mesa Road Solvang, CA 93463	APHIS	98CA002-EQS	12.8.1997

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2	3	4	5	6	7	8
US		Pacific International Genetics	14300 Jackson Road Sloughhouse, CA 95683	APHIS	98CA003-EQS	23.1.1998
US		Alamo Pintado Equine Clinic	2501 Santa Barbara Avenue Los Olivos, CA 93441	APHIS	98CA004-EQS	23.2.1998
US		Anaheim Hills Saddle Club	6352 E Nohl Ranch Road Anaheim, CA 92807	APHIS	98CA005-EQS	23.3.1998
US		Valley Oak Ranch	10940 26 Mile Road Oakdale, CA 95361	APHIS	99CA006-EQS	2.4.1999
US		Jeff Oswood Stallion Station	21860 Avenue 160 Porterville, CA 93257	APHIS	99CA007-EQS	8.4.1999
US		Magness Racing Ventures	4050 Casey Avenue Santa Ynez, CA 93460	APHIS	00CA008-EQS	10.12.1999
US		Crawford Stallion Services	34520 DePortola Temecula, CA 92592	APHIS	00CA010-EQS	20.1.2000
US		Exclusively Equine Reproduction	28753 Valley Center Road Temecula, CA 92082	APHIS	00CA011-EQS	2.3.2000
US		Santa Lucia Farms	1924 W Hwy 154 Santa Ynez, CA 93460	APHIS	01CA012-EQSE	16.2.2001
US		Specifically Equine Veterinary Service	910 W Hwy 246 Buellton, CA 93427	APHIS	01CA013-EQS	20.5.1997
US		Bishop Lane Farms	5525 Volkerts Road Sabastopol, CA 95472	APHIS	01CA014-EQS	19.3.2001
US		Hunter Stallion Station	10163 Badger Creek Lane Wilton, CA 95693	APHIS	02CA016-EQS	14.2.2002
US		Colorado State University Equine Reproduction Center	3194 Rampart Road Fort Collins, CO 80523	APHIS	02CO001-EQS	13.2.2002

2	3	4	5	6	7	8
US		Candlewood Equine	2 Beaver Pond Lane Bridgewater, CT 06752	APHIS	00CT001-EQS	1.3.2000
US		Windbank Farm	1620 Choptank Road Middletown, DE 19075	APHIS	01DE001-EQS	7.6.2001
US		Peterson & Smith Reproduction Center	15107 S.E. 47th Avenue Summerfield, FL 34491	APHIS	00FL001-EQS	10.1.2000
US		Silver Maple Farm	6621 Daniels Road Naples, FL 34109	APHIS	00FL002-EQS	26.1.2000
US		University of Florida College of Veterinary Medicine	2015 SW 16th Avenue Gainesville, FL 32601	APHIS	01FL003-EQS	15.5.2001
US		Double L Quarter Horse	1881 E Berry Road Cedar Rapids, IA 52403	APHIS	96IA001-EQS	2.1.1996
US		Jim Dudley Quarter Horses	Rt. 1, Box 137 Latimer, IA 50452	APHIS	98IA002-EQS	26.5.1998
US		Grandview Farms	123 West 200 South Huntington, IN 46750	APHIS	99IN001-EQS	16.12.1999
US		Ed Mulick	4333 Straightline Pike Richmond, IN 47374	APHIS	00IN002-EQS	13.3.2000
US		Gumz Farms Quarter Horses	7491 S 100 W North Judson, IN 46366	APHIS	00IN003-EQS	3.7.2000
US		White River Equine Centre	707 Edith Avenue Noblesville, IN 46060	APHIS	01IN004-EQS	15.3.2001
US		Meadowbrook Farms	3400 S 143rd Street East Wichita, KS 67232	APHIS	01KS001-EQS	28.2.2001
US		Kentuckiana Farm	PO box 11743 Lexington, KY 40577	APHIS	97KY001-EQS	16.10.1997

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2	3	4	5	6	7	8
US		Castleton Farm	2469 Iron Works Pike PO box 11889 Lexington, KY 40511	APHIS	98KY002-EQS	13.8.1998
US		Autumn Lane Farm	371 Etter Lane Georgetown, KY 40324	APHIS	01KY001-EQS	19.10.2001
US		Hamilton Farm	66 Woodland Mead PO box 2639 South Hamilton, MA 01982	APHIS	98MA001-EQS	30.3.1998
US		Select Breeders Service, Inc.	1088 Nesbitt Road Colora, MD 21917	APHIS	98MD001-EQS	3.11.1997
US		Imperial Egyptian Stud	2642 Mt Carmel Road Parkton, MD 21120	APHIS	00MD002-EQS	18.7.2000
US		Harris Paints	27720 Possum Hill Road Federalsburg, MD 21632	APHIS	00MD003-EQS	25.9.2000
US		Midwest Station II	16917 70th St NE, Elk River, MN 55330	APHIS	00MN001-EQS	16.5.2000
US		Anoka Equine Veterinary Services	16445 NE 70th St Elk River, MN 55330	APHIS	01MN001-EQS	17.12.2001
US		Schemel Stables Collection Facility	986 PCR, Co. Rd 810 Perryville, MO 63775	APHIS	99MO001-EQS	15.12.1999
US		Equine Reproduction Facility	137 Speaks Road Advance, NC 27006	APHIS	97NC001-EQS	21.8.1997
US		Walnridge Farm, Inc.	Hornerstown-Arneytown Road Cream Ridge, NJ 08514	APHIS	96NJ003-EQS	14.8.1996
US		Cedar Lane Farm	40 Lambertville Headquarters Road Lambertville, NJ 08530	APHIS	96NJ004-EQS	4.9.1996
US		Peretti's Farm	Route 526, Box 410 Cream Ridge, NJ 08514	APHIS	97NJ005-EQS	17.3.1997

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2	3	4	5	6	7	8
US		Kentuckiana Farm of NJ	18 Archertown Road New Egypt, NJ 08533	APHIS	99NJ006-EQS	30.7.1999
US		Southwind Farm	29 Burd Road Pennington, NJ 08534	APHIS	00NJ007-EQS	13.7.2000
US		Blue Chip Farm	807 Hogagherburgh Road Wallkill, NY 12589	APHIS	96NY001-EQS	31.8.2000
US		Sunny Gables Farm	282 Rt. 416 Montgomery, NY 12549	APHIS	00NY002-EQS	24.7.2000
US		Autumn Lane Farm	7901 Panhandle Road Newark, OH 43056	APHIS	99OH001-EQS	19.5.1999
US		Good Version	5224 Dearth Road Springboro, OH 45062	APHIS	01OH001-EQS	3.8.2001
US		Paws Up Quarter Horses	Route 1, Box 43-1 Purcell, OK 73080	APHIS	00OK002-EQS	11.4.2000
US		Bryant Ranch	11777 NW Oak Ridge Road Yamhill, OR 97148	APHIS	98OR001-EQS	19.2.1998
US		Honalee Equine Semen Collection Facility	14005 SW Tooze Road Sherwood, OR 97140	APHIS	99OR001-EQS	26.10.1999
US		Kosmos Horse Breeders	372 Littlestown Road Littlestown, PA 17340	APHIS	97PA001-EQS	19.3.1997
US		Hanover Shoe Farm	Route 194 South PO box 339 Hanover, PA 17331	APHIS	97PA002-EQS	28.3.1997
US		Nandi Veterinary Associates	3244 West Sieling Road New Freedom, PA 17349	APHIS	97PA003-EQS	22.9.1997
US		Cryo-Star International	223 Old Philadelphia Pike Douglassville, PA 19518	APHIS	01PA005-EQS	29.5.2001
US		Hempt Farms	250 Hempt Road Mechanicsburg, PA 17050	APHIS	01PA006-EQS	16.8.2001

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2	3	4	5	6	7	8
US		Babcock Ranch Semen Collection Center	Rt. 2, Box 357 Gainsville, TX 76240	APHIS	97TX001-EQS	2.6.1997
US		Select Breeders	Rt. 3, Box 196 Aubrey, TX 76227	APHIS	97TX002-EQS	1.2.1997
US		Floyd Moore Ranch	Route 2, Box 293 Huntsville, TX 77340	APHIS	98TX003-EQS	12.5.1998
US		Bluebonnet Farm	746 FM 529 Bellville, TX 77418	APHIS	00TX007-EQS	25.1.2000
US		Alpha Equine Breeding Center	2301 Boyd Road Granbury, TX 76049	APHIS	00TX008-EQS	28.2.2000
US		Joe Landers Breeding Facility	4322 Tintop Road Weatherford, TX 76087	APHIS	00TX010-EQS	11.4.2000
US		Willow Tree Farm	10334 Strittmatter Pilot Point, TX 76258	APHIS	00TX011-EQS	28.4.2000
US		Green Valley Farm	3952 PR 2718 Aubrey, TX 76227	APHIS	00TX012-EQS	28.4.2000
US		6666 Ranch	PO box 130 Guthrie, TX 79236	APHIS	00TX013-EQS	17.10.2000
US		Michael Byatt Arabians	7716 Red Bird Road New Ulm, TX 78950	APHIS	00TX014-EQSE	9.11.2000
US		DLR Ranch	5301 FM 1885 Weatherford, TX 76088	APHIS	01TX015A-EQSE	7.2.2001
US		RB Quarter Horse	1346 Prarie Grove Rd Valley View, TX 76272	APHIS	01TX017-EQS	22.10.2001
US		LKA, Inc.	360 Leea Lane Weatherford, TX 76087	APHIS	01TX018-EQS	6.11.2001
US		Bullard Farms	250 Shady Oak Dr. Weatherford, TX 76087	APHIS	02TX018-EQS	18.1.2002

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2	3	4	5	6	7	8
US		Watkins Equine Breeding Center	453 McCarthy Weatherford, TX 76088	APHIS	02TX019-EQS	8.2.2002
US		Arabians LTD, Inc.	8459 Rock Creek Rd Waco, TX 76708	APHIS	02TX020-EQS	26.2.2002
US		Tommy Manion, Inc.	PO Box 94 Aubrey, TX 76207	APHIS	02TX021-EQS	21.3.2002
US		Kedon Farms	2357 Advance Weatherford, TX 76088	APHIS	02TX022-EQS	18.4.2002
US		Crosby Farms	8459 FM 455E Pilot Point, TX 76258	APHIS	02TX023-EQS	27.6.2002
US		Roanoke AI Labs, Inc.	8535 Martin Creek Road Roanoke, VA 20401	APHIS	96VA001-EQS	14.11.1996
US		Commonwealth Equine Reproduction Center	16078 Rockets Mill Road Doswell, VA 23047	APHIS	00VA002-EQS	9.8.2000
US		Equine Reproduction Concepts	111 Hackleys Mill Road Amisville, VA 20106	APHIS	02VA003-EQS	12.11.2002
US		Hass Quarter Horses	W9821 Hwy 29 Shawano, WI 54166	APHIS	97WI001-EQS	29.5.1997
US		Battle Hill Farm	HC 40, Box 9 Lewisburg, WV 24901	APHIS	01WV001	13.11.2001
US		Snowy Range Ranch	251 Mandel Lane Laramie, WY 82070	APHIS	01WY001-EQS	1.2.2001
UY	URUGUAY					
ZA	SOUTH AFRICA ^(b)					

- (^a) Código provisional que no afecta a la denominación definitiva del país que será asignada cuando concluyan las negociaciones en curso en las Naciones Unidas — Foreløbig kode, som ikke foregriber den endelige betegnelse af landet, der skal tildeles, når de igangværende forhandlinger i FN er afsluttet — Provisorischer Code, der in nichts der endgültigen Bezeichnung des Landes vorgreift, die bei Schlussfolgerung der momentan laufenden Verhandlungen in diesem Zusammenhang im Rahmen der Vereinten Nationen genehmigt wird — Προσωρινός κωδικός που δεν επηρεάζει τον οριστικό τίτλο της χώρας που θα δοθεί μετά την περάτωση των διαπραγματεύσεων που πραγματοποιούνται επί του παρόντος στα Ηνωμένα Έθνη — Provisional code that does not affect the definitive denomination of the country to be attributed after the conclusion of the negotiations currently taking place in the United Nations — Code provisoire ne préjugeant pas de la dénomination définitive du pays qui sera arrêtée à l'issue des négociations en cours dans le cadre des Nations unies — Codice provvisorio senza effetti sulla denominazione definitiva del paese che sarà attribuita dopo la conclusione dei negoziati in corso presso le Nazioni Unite — Voorlopige code die geen gevolgen heeft voor de definitieve benaming die aan het land wordt gegeven op grond van de onderhandelingen die momenteel in het kader van de Verenigde Naties worden gevoerd — Código provisório que não afecta a denominação definitiva do país a ser atribuída após a conclusão das negociações actualmente em curso nas Nações Unidas — Väliaikainen koodi, joka ei vaikuta maan lopulliseen nimeen, joka annetaan tällä hetkellä Yhdistyneissä Kansakunnissa meneillään olevien neuvottelujen päätteeksi — Provisorisk kod som inte påverkar det slutgiltiga landsnamnet som skall anges när de pågående förhandlingarna i Förenta nationerna slutförts.
- (^b) Sólo esperma procedente de caballos registrados — Kun sæd fra registrerede heste — Nur Samen von registrierten Pferden — Μόνο σπέρμα που συλλέχθηκε από καταγεγραμμένους ίππους — Only semen collected from registered horses — Sperme provenant uniquement de chevaux enregistrés — Solamente sperma raccolto da cavalli registrati — Enkel sperma verzameld van geregistreerde paarden — Apenas semen colhido de cavalos registrados — Ainoastaan rekisteröidyistä hevosista kerätty siemenneste — Bara sperma insamlad från registrerade hästar.»
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CORRIGENDA**Corrigendum to Commission Regulation (EC) No 2305/2002 of 20 December 2002 amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice**

(Official Journal of the European Communities L 348 of 21 December 2002)

On page 93, in the Annex, column: 'Products (CN code)', against 'Slovenia':

add: '1008 20 00 90 00',

delete: '1703'.
