

English edition

Legislation

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⁽¹⁾ Text with EEA relevance

Price: EUR 18

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EN

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2003/571/EC:

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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1356/2003
of 31 July 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 1 August 2003.

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

Done at Brussels, 31 July 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 31 July 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	060	56,0
	999	56,0
0707 00 05	052	103,8
	999	103,8
0709 90 70	052	74,2
	999	74,2
0805 50 10	382	46,3
	388	57,8
	524	46,6
	528	54,4
	999	51,3
0806 10 10	052	122,1
	220	115,5
	400	192,1
	600	151,5
	624	137,6
	999	143,8
0808 10 20, 0808 10 50, 0808 10 90	388	81,6
	400	97,7
	508	84,6
	512	81,6
	528	59,8
	720	66,1
	800	183,5
	804	84,5
	999	92,4
0808 20 50	052	75,0
	388	64,7
	512	57,8
	528	89,3
	999	71,7
0809 20 95	052	292,9
	400	260,8
	404	250,9
	999	268,2
0809 30 10, 0809 30 90	052	157,3
	064	92,6
	999	125,0
0809 40 05	064	78,9
	068	72,5
	094	66,2
	999	72,5

⁽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 1357/2003
of 31 July 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 806/2003 ⁽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 833/2003 ⁽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 122, 14.4.2003, p. 1.

⁽³⁾ OJ L 20, 27.1.1999, p. 8.

⁽⁴⁾ OJ L 120, 15.5.2003, p. 18.

⁽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 measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

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 1 August 2003.

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

Done at Brussels, 31 July 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 31 July 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	L07	EUR/100 kg	8,058
0401 10 90 9000	970	EUR/100 kg	1,991	0402 91 99 9000	L07	EUR/100 kg	39,54
0401 20 11 9100	970	EUR/100 kg	0,000	0402 99 11 9350	L07	EUR/kg	0,1734
0401 20 11 9500	970	EUR/100 kg	3,076	0402 99 19 9350	L07	EUR/kg	0,1734
0401 20 19 9100	970	EUR/100 kg	0,000	0402 99 31 9150	L07	EUR/kg	0,1816
0401 20 19 9500	970	EUR/100 kg	3,076	0402 99 31 9300	L07	EUR/kg	0,2366
0401 20 91 9000	970	EUR/100 kg	3,893	0402 99 31 9500	L07	EUR/kg	0,0000
0401 20 99 9000	970	EUR/100 kg	0,000	0402 99 39 9150	L07	EUR/kg	0,1816
0401 30 11 9400	970	EUR/100 kg	8,983	0403 90 11 9000	L07	EUR/100 kg	59,16
0401 30 11 9700	970	EUR/100 kg	13,49	0403 90 13 9200	L07	EUR/100 kg	59,16
0401 30 19 9700	970	EUR/100 kg	0,00	0403 90 13 9300	L07	EUR/100 kg	91,25
0401 30 31 9100	L06	EUR/100 kg	32,77	0403 90 13 9500	L07	EUR/100 kg	95,23
0401 30 31 9400	L06	EUR/100 kg	51,19	0403 90 13 9900	L07	EUR/100 kg	101,49
0401 30 31 9700	L06	EUR/100 kg	56,46	0403 90 19 9000	L07	EUR/100 kg	102,11
0401 30 39 9100	L06	EUR/100 kg	32,77	0403 90 33 9400	L07	EUR/kg	0,9125
0401 30 39 9400	L06	EUR/100 kg	51,19	0403 90 33 9900	L07	EUR/kg	1,0149
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	L07	EUR/100 kg	32,77
0401 30 99 9100	L06	EUR/100 kg	64,34	0403 90 59 9340	L07	EUR/100 kg	47,95
0401 30 99 9500	L06	EUR/100 kg	94,56	0403 90 59 9370	L07	EUR/100 kg	47,95
0402 10 11 9000	L07	EUR/100 kg	60,00	0403 90 59 9510	L07	EUR/100 kg	47,95
0402 10 19 9000	L07	EUR/100 kg	60,00	0404 90 21 9120	L07	EUR/100 kg	51,18
0402 10 91 9000	L07	EUR/kg	0,6000	0404 90 21 9160	L07	EUR/100 kg	60,00
0402 10 99 9000	L07	EUR/kg	0,6000	0404 90 23 9120	L07	EUR/100 kg	60,00
0402 21 11 9200	L07	EUR/100 kg	60,00	0404 90 23 9130	L07	EUR/100 kg	92,07
0402 21 11 9300	L07	EUR/100 kg	92,07	0404 90 23 9140	L07	EUR/100 kg	96,09
0402 21 11 9500	L07	EUR/100 kg	96,09	0404 90 23 9150	L07	EUR/100 kg	102,40
0402 21 11 9900	L07	EUR/100 kg	102,40	0404 90 29 9110	L07	EUR/100 kg	103,04
0402 21 17 9000	L07	EUR/100 kg	60,00	0404 90 29 9115	L07	EUR/100 kg	103,64
0402 21 19 9300	L07	EUR/100 kg	92,07	0404 90 29 9125	L07	EUR/100 kg	104,71
0402 21 19 9500	L07	EUR/100 kg	96,09	0404 90 29 9140	L07	EUR/100 kg	112,54
0402 21 19 9900	L07	EUR/100 kg	102,40	0404 90 81 9100	L07	EUR/kg	0,6000
0402 21 91 9100	L07	EUR/100 kg	103,04	0404 90 83 9110	L07	EUR/kg	0,6000
0402 21 91 9200	L07	EUR/100 kg	103,64	0404 90 83 9130	L07	EUR/kg	0,9207
0402 21 91 9350	L07	EUR/100 kg	104,71	0404 90 83 9150	L07	EUR/kg	0,9609
0402 21 91 9500	L07	EUR/100 kg	112,54	0404 90 83 9170	L07	EUR/kg	1,0240
0402 21 99 9100	L07	EUR/100 kg	103,04	0404 90 83 9936	L07	EUR/kg	0,1734
0402 21 99 9200	L07	EUR/100 kg	103,64	0405 10 11 9500	L05	EUR/100 kg	180,49
0402 21 99 9300	L07	EUR/100 kg	104,71	0405 10 11 9700	L05	EUR/100 kg	185,00
0402 21 99 9400	L07	EUR/100 kg	110,51	0405 10 19 9500	L05	EUR/100 kg	180,49
0402 21 99 9500	L07	EUR/100 kg	112,54	0405 10 19 9700	L05	EUR/100 kg	185,00
0402 21 99 9600	L07	EUR/100 kg	120,47	0405 10 30 9100	L05	EUR/100 kg	180,49
0402 21 99 9700	L07	EUR/100 kg	124,96	0405 10 30 9300	L05	EUR/100 kg	185,00
0402 21 99 9900	L07	EUR/100 kg	130,16	0405 10 30 9700	L05	EUR/100 kg	185,00
0402 29 15 9200	L07	EUR/kg	0,6000	0405 10 50 9300	L05	EUR/100 kg	185,00
0402 29 15 9300	L07	EUR/kg	0,9207	0405 10 50 9500	L05	EUR/100 kg	180,49
0402 29 15 9500	L07	EUR/kg	0,9609	0405 10 50 9700	L05	EUR/100 kg	185,00
0402 29 15 9900	L07	EUR/kg	1,0240	0405 10 90 9000	L05	EUR/100 kg	191,78
0402 29 19 9300	L07	EUR/kg	0,9207	0405 20 90 9500	L05	EUR/100 kg	169,22
0402 29 19 9500	L07	EUR/kg	0,9609	0405 20 90 9700	L05	EUR/100 kg	175,98
0402 29 19 9900	L07	EUR/kg	1,0240	0405 90 10 9000	L05	EUR/100 kg	231,30
0402 29 91 9000	L07	EUR/kg	1,0304	0405 90 90 9000	L05	EUR/100 kg	185,00
0402 29 99 9100	L07	EUR/kg	1,0304	0406 10 20 9100	A00	EUR/100 kg	—
0402 29 99 9500	L07	EUR/kg	1,1051	0406 10 20 9230	L03	EUR/100 kg	—
0402 91 11 9370	L07	EUR/100 kg	6,804		L04	EUR/100 kg	31,53
0402 91 19 9370	L07	EUR/100 kg	6,804		400	EUR/100 kg	—
0402 91 31 9300	L07	EUR/100 kg	8,058		A01	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	L03	EUR/100 kg	—	0406 30 31 9910	L03	EUR/100 kg	—
	L04	EUR/100 kg	29,33		L04	EUR/100 kg	6,48
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	36,66		A01	EUR/100 kg	15,17
0406 10 20 9300	L03	EUR/100 kg	—	0406 30 31 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	12,87		L04	EUR/100 kg	9,50
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	16,09		A01	EUR/100 kg	22,26
0406 10 20 9610	L03	EUR/100 kg	—	0406 30 31 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	42,77		L04	EUR/100 kg	13,81
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	53,46		A01	EUR/100 kg	32,38
0406 10 20 9620	L03	EUR/100 kg	—	0406 30 39 9500	L03	EUR/100 kg	—
	L04	EUR/100 kg	43,38		L04	EUR/100 kg	9,50
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	54,22		A01	EUR/100 kg	22,26
0406 10 20 9630	L03	EUR/100 kg	—	0406 30 39 9700	L03	EUR/100 kg	—
	L04	EUR/100 kg	48,42		L04	EUR/100 kg	13,81
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	60,52		A01	EUR/100 kg	32,38
0406 10 20 9640	L03	EUR/100 kg	—	0406 30 39 9930	L03	EUR/100 kg	—
	L04	EUR/100 kg	71,15		L04	EUR/100 kg	13,81
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	88,94		A01	EUR/100 kg	32,38
0406 10 20 9650	L03	EUR/100 kg	—	0406 30 39 9950	L03	EUR/100 kg	—
	L04	EUR/100 kg	59,29		L04	EUR/100 kg	15,62
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	74,11		A01	EUR/100 kg	36,60
0406 10 20 9660	A00	EUR/100 kg	—	0406 30 90 9000	L03	EUR/100 kg	—
0406 10 20 9830	L03	EUR/100 kg	—		L04	EUR/100 kg	16,38
L04	EUR/100 kg	21,99	400		EUR/100 kg	—	
400	EUR/100 kg	—	A01		EUR/100 kg	38,40	
0406 10 20 9850	A01	EUR/100 kg	27,49	0406 40 50 9000	L03	EUR/100 kg	—
	L03	EUR/100 kg	—		L04	EUR/100 kg	75,31
	L04	EUR/100 kg	26,66		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	94,14
0406 10 20 9870	A00	EUR/100 kg	—	0406 40 90 9000	L03	EUR/100 kg	—
0406 10 20 9900	A00	EUR/100 kg	—		L04	EUR/100 kg	77,33
0406 20 90 9100	A00	EUR/100 kg	—		400	EUR/100 kg	—
0406 20 90 9913	L03	EUR/100 kg	—		A01	EUR/100 kg	96,66
0406 20 90 9915	L04	EUR/100 kg	49,17	0406 90 13 9000	L03	EUR/100 kg	—
	400	EUR/100 kg	17,96		L04	EUR/100 kg	85,03
	A01	EUR/100 kg	61,46		400	EUR/100 kg	34,20
	L03	EUR/100 kg	—		A01	EUR/100 kg	121,71
0406 20 90 9917	L04	EUR/100 kg	64,90	0406 90 15 9100	L03	EUR/100 kg	—
	400	EUR/100 kg	23,93		L04	EUR/100 kg	87,87
	A01	EUR/100 kg	81,13		400	EUR/100 kg	35,25
	L03	EUR/100 kg	—		A01	EUR/100 kg	125,77
0406 20 90 9919	L04	EUR/100 kg	68,96	0406 90 17 9100	L03	EUR/100 kg	—
	400	EUR/100 kg	25,44		L04	EUR/100 kg	87,87
	A01	EUR/100 kg	86,20		400	EUR/100 kg	35,25
	L03	EUR/100 kg	—		A01	EUR/100 kg	125,77
0406 20 90 9990	L04	EUR/100 kg	77,06	0406 90 21 9900	L03	EUR/100 kg	—
	400	EUR/100 kg	28,38		L04	EUR/100 kg	86,10
	A01	EUR/100 kg	96,33		400	EUR/100 kg	25,29
	A00	EUR/100 kg	—		A01	EUR/100 kg	122,94
0406 30 31 9710	L03	EUR/100 kg	—	0406 90 23 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	6,48		L04	EUR/100 kg	75,61
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	15,17		A01	EUR/100 kg	108,69
0406 30 31 9730	L03	EUR/100 kg	—	0406 90 25 9900	L03	EUR/100 kg	—
	L04	EUR/100 kg	9,50		L04	EUR/100 kg	75,11
	400	EUR/100 kg	—		400	EUR/100 kg	—
	A01	EUR/100 kg	22,26		A01	EUR/100 kg	107,52

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 27 9900	L03	EUR/100 kg	—	0406 90 76 9500	L03	EUR/100 kg	—
	L04	EUR/100 kg	68,03		L04	EUR/100 kg	75,50
	400	EUR/100 kg	—		400	EUR/100 kg	13,13
	A01	EUR/100 kg	97,38		A01	EUR/100 kg	107,15
0406 90 31 9119	L03	EUR/100 kg	—	0406 90 78 9100	L03	EUR/100 kg	—
	L04	EUR/100 kg	62,52		L08	EUR/100 kg	73,22
	400	EUR/100 kg	14,50		092	EUR/100 kg	—
	A01	EUR/100 kg	89,64		400	EUR/100 kg	—
0406 90 33 9119	L03	EUR/100 kg	—	0406 90 78 9300	A01	EUR/100 kg	106,96
	L04	EUR/100 kg	62,52		L03	EUR/100 kg	—
	400	EUR/100 kg	14,50		L08	EUR/100 kg	77,63
	A01	EUR/100 kg	89,64		092	EUR/100 kg	—
0406 90 33 9919	L03	EUR/100 kg	—	0406 90 78 9500	400	EUR/100 kg	—
	L04	EUR/100 kg	57,14		A01	EUR/100 kg	110,84
	400	EUR/100 kg	—		L03	EUR/100 kg	—
	A01	EUR/100 kg	82,21		L08	EUR/100 kg	76,90
0406 90 33 9951	L03	EUR/100 kg	—	0406 90 79 9900	092	EUR/100 kg	—
	L04	EUR/100 kg	57,71		400	EUR/100 kg	—
	400	EUR/100 kg	—		A01	EUR/100 kg	109,15
	A01	EUR/100 kg	82,27		L03	EUR/100 kg	—
0406 90 35 9190	L03	EUR/100 kg	—	0406 90 81 9900	L04	EUR/100 kg	62,78
	L04	EUR/100 kg	88,45		400	EUR/100 kg	—
	400	EUR/100 kg	34,88		A01	EUR/100 kg	90,23
	A01	EUR/100 kg	127,15		L03	EUR/100 kg	—
0406 90 35 9990	L03	EUR/100 kg	—	0406 90 85 9930	L04	EUR/100 kg	79,36
	L04	EUR/100 kg	88,45		400	EUR/100 kg	27,02
	400	EUR/100 kg	22,80		A01	EUR/100 kg	113,61
	A01	EUR/100 kg	127,15		L03	EUR/100 kg	—
0406 90 37 9000	L03	EUR/100 kg	—	0406 90 85 9970	L04	EUR/100 kg	85,71
	L04	EUR/100 kg	85,03		400	EUR/100 kg	33,67
	400	EUR/100 kg	34,20		A01	EUR/100 kg	123,32
	A01	EUR/100 kg	121,71		L03	EUR/100 kg	—
0406 90 61 9000	L03	EUR/100 kg	—	0406 90 85 9999	L04	EUR/100 kg	78,58
	L04	EUR/100 kg	93,71		400	EUR/100 kg	29,46
	400	EUR/100 kg	32,46		A01	EUR/100 kg	113,03
	A01	EUR/100 kg	135,59		A00	EUR/100 kg	—
0406 90 63 9100	L03	EUR/100 kg	—	0406 90 86 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	93,22	0406 90 86 9200	L03	EUR/100 kg	—
	400	EUR/100 kg	36,31	L04	EUR/100 kg	72,10	
	A01	EUR/100 kg	134,46	400	EUR/100 kg	17,68	
0406 90 63 9900	L03	EUR/100 kg	—	0406 90 86 9300	A01	EUR/100 kg	106,94
	L04	EUR/100 kg	89,62		L03	EUR/100 kg	—
	400	EUR/100 kg	27,77		L04	EUR/100 kg	73,14
	A01	EUR/100 kg	129,88		400	EUR/100 kg	19,38
0406 90 69 9100	A00	EUR/100 kg	—	0406 90 86 9400	A01	EUR/100 kg	108,06
0406 90 69 9910	L03	EUR/100 kg	—		L03	EUR/100 kg	—
L04	EUR/100 kg	89,62	L04		EUR/100 kg	77,70	
400	EUR/100 kg	27,77	400		EUR/100 kg	21,93	
0406 90 73 9900	A01	EUR/100 kg	129,88	0406 90 86 9900	A01	EUR/100 kg	113,61
	L03	EUR/100 kg	—		L03	EUR/100 kg	—
	L04	EUR/100 kg	78,05		L04	EUR/100 kg	85,71
	400	EUR/100 kg	29,89		400	EUR/100 kg	25,67
0406 90 75 9900	A01	EUR/100 kg	111,82	0406 90 87 9100	A01	EUR/100 kg	123,32
	L03	EUR/100 kg	—		A00	EUR/100 kg	—
	L04	EUR/100 kg	78,58		L03	EUR/100 kg	—
	400	EUR/100 kg	12,61		L04	EUR/100 kg	60,09
0406 90 76 9300	A01	EUR/100 kg	113,03	0406 90 87 9200	400	EUR/100 kg	15,81
	L03	EUR/100 kg	—		A01	EUR/100 kg	89,10
	L04	EUR/100 kg	70,86		L03	EUR/100 kg	—
	400	EUR/100 kg	—		L04	EUR/100 kg	67,16
0406 90 76 9400	A01	EUR/100 kg	101,43	0406 90 87 9300	400	EUR/100 kg	17,85
	L03	EUR/100 kg	—		A01	EUR/100 kg	99,25
	L04	EUR/100 kg	79,36		L03	EUR/100 kg	—
	400	EUR/100 kg	13,13		L04	EUR/100 kg	68,92
0406 90 76 9900	A01	EUR/100 kg	113,61	0406 90 87 9400	400	EUR/100 kg	19,55
	L03	EUR/100 kg	—		A01	EUR/100 kg	100,75
	L04	EUR/100 kg	79,36		L04	EUR/100 kg	68,92
	400	EUR/100 kg	13,13		400	EUR/100 kg	19,55
0406 90 76 9900	A01	EUR/100 kg	113,61	0406 90 87 9400	A01	EUR/100 kg	100,75
	L03	EUR/100 kg	—		L04	EUR/100 kg	68,92
	L04	EUR/100 kg	79,36		400	EUR/100 kg	19,55
	400	EUR/100 kg	13,13		A01	EUR/100 kg	100,75

Product code	Destination	Unit of measurement	Amount of refund	Product code	Destination	Unit of measurement	Amount of refund
0406 90 87 9951	L03	EUR/100 kg	—	0406 90 87 9974	L03	EUR/100 kg	—
	L04	EUR/100 kg	77,94		L04	EUR/100 kg	83,06
	400	EUR/100 kg	27,03		400	EUR/100 kg	15,39
	A01	EUR/100 kg	111,58		A01	EUR/100 kg	118,38
0406 90 87 9971	L03	EUR/100 kg	—	0406 90 87 9975	L03	EUR/100 kg	—
	L04	EUR/100 kg	77,94		L04	EUR/100 kg	84,72
	400	EUR/100 kg	21,93		400	EUR/100 kg	20,40
	A01	EUR/100 kg	111,58		A01	EUR/100 kg	119,70
0406 90 87 9972	L03	EUR/100 kg	—	0406 90 87 9979	L03	EUR/100 kg	—
	L04	EUR/100 kg	33,21		L04	EUR/100 kg	75,61
	400	EUR/100 kg	—		400	EUR/100 kg	15,39
	A01	EUR/100 kg	47,73		A01	EUR/100 kg	108,69
0406 90 87 9973	L03	EUR/100 kg	—	0406 90 88 9100	A00	EUR/100 kg	—
	L04	EUR/100 kg	76,53	0406 90 88 9300	L03	EUR/100 kg	—
	400	EUR/100 kg	15,39	L04	EUR/100 kg	59,33	
	A01	EUR/100 kg	109,55	400	EUR/100 kg	19,38	
				A01	EUR/100 kg	87,34	

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, the Czech Republic, Slovakia and the United States of America,

L06 all destinations except Estonia, Latvia, Lithuania, Hungary and the United States of America,

L07 all destinations except Estonia, Latvia, Lithuania, Hungary, the Czech Republic, Slovakia and the United States of America,

L08 Albania, Slovenia, Bosnia and Herzegovina, Serbia and Montenegro and the Former Yugoslav Republic of Macedonia,

'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 1358/2003

of 31 July 2003

implementing Regulation (EC) No 437/2003 of the European Parliament and of the Council on statistical returns in respect of the carriage of passengers, freight and mail by air and amending Annexes I and II thereto

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 437/2003 of the European Parliament and of the Council of 27 February 2003 on statistical returns in respect of the carriage of passengers, freight and mail by air ⁽¹⁾, and in particular Article 10 thereof,

Whereas:

- (1) In accordance with Article 10 of Regulation (EC) No 437/2003, the Commission should lay down the arrangements for implementing that Regulation.
- (2) It is necessary to establish the list of Community airports, apart from those having only occasional commercial traffic, and the derogations to be provided.
- (3) It is necessary to specify the format in which the data are to be transmitted, in sufficient detail to ensure that such data can be processed rapidly and in a cost-effective way.
- (4) The arrangements concerning the dissemination of the statistical results should be drawn up.
- (5) In accordance with the first indent of Article 10 of Regulation (EC) No 437/2003, the Commission should also adapt the specifications in the Annexes thereto.
- (6) The record structure for data transmission, the codes and the definitions set out in Annexes I and II to Regulation (EC) No 437/2003 need to be adapted.
- (7) Regulation (EC) No 437/2003 should therefore be amended accordingly.

- (8) The measures provided for in this Regulation are in accordance with the opinion of the Statistical Programme Committee set up by Decision 89/382/EEC/Euratom ⁽²⁾,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 3(2), (4) and (5) of Regulation (EC) No 437/2003, the list of Community airports, apart from those having only occasional commercial traffic, and the derogations, shall be as specified in Annex I to this Regulation.

Article 2

For the purposes of Article 7 of Regulation (EC) No 437/2003, the results shall be transmitted according to the description of the data files and transmission medium defined in Annex II to this Regulation.

Article 3

For the purposes of Article 8(1) of Regulation (EC) No 437/2003, the Commission shall disseminate all data not declared as confidential by the Member States, on any medium and with any data structure.

Article 4

Annexes I and II to Regulation (EC) No 437/2003 are replaced by the text set out in Annex III to this Regulation.

Article 5

This Regulation shall enter into force on the 20th 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, 31 July 2003.

For the Commission
Pedro SOLBES MIRA
Member of the Commission

⁽¹⁾ OJ L 66, 11.3.2003, p. 1.

⁽²⁾ OJ L 181, 28.6.1989, p. 47.

ANNEX I

AIRPORT CATEGORIES, LISTS OF COMMUNITY AIRPORTS AND DEROGATIONS

I. Airport categories and reference periods taken into account

Four categories of Community airports can be defined:

- category 0: Airports with less than 15 000 passenger units per year are considered as having only 'occasional commercial traffic', so have, according to Article 3(3), no obligation to report,
- category 1: Airports with between 15 000 and 150 000 passenger units per year shall transmit only table C1,
- category 2: Airports with more than 150 000 passenger units and less than 1 500 000 passenger units per year shall transmit all tables listed in Annex I, but may, according to the terms of Article 3(4), benefit from complete or partial derogations until year 2003, 2004 or 2005,
- category 3: Airports with at least 1 500 000 passenger units per year shall transmit all tables listed in Annex I, but may, according to the terms of Article 3(5), benefit from a complete or partial derogation on table B1, in year 2003 only.

For the purpose of defining the airport category in year N, the reference year taken into account for the calculation of the passenger units is:

- for category 0, 1 and 2 airports: year N-2,
- for category 3 airports: year N (except for the reporting of year 2003 tables where 2001 passenger units are taken into account and for the reporting of year 2004 tables where 2003 passenger units are taken into account).

Airports for which passenger units decreased between year N-2 and year N-1 may use year N-1 as the reference year for their classification.

II. Permitted derogations

Summary table by reporting year and according to the Community airport size category.

Community Airports categories by size	Year 2003	Year 2004	Year 2005
(0) Less than 15 000 passenger units	No obligation to report	No obligation to report	No obligation to report
(1) Between 15 000 and 150 000 passenger units	C1 (possible derogation)	C1 (possible derogation)	C1 (possible derogation)
(2) More than 150 000 and less than 1 500 000 passenger units	A1 (possible derogation) B1 (possible derogation) C1 (possible derogation)	A1 (possible derogation) B1 (possible derogation) C1 (possible derogation)	A1 (possible derogation) B1 (possible derogation) C1 (possible derogation)
(3) At least 1 500 000 passenger units	A1 (no derogations) B1 (possible derogation) C1 (no derogations)	A1 (no derogations) B1 (no derogations) C1 (no derogations)	A1 (no derogations) B1 (no derogations) C1 (no derogations)

Derogations can be either partial or total.

Partial derogations can only be granted for the following fields: 'airline information' and 'passenger seats available'.

In case a partial derogation is granted for these fields, an 'unknown code' shall be reported instead of the expected code (for the 'Passenger seats available' field, the unknown code to be used is '999999999999').

If a derogation was granted for an airport in year N but the airport changes category in year N, then the derogation is no longer valid for that year.

III. List of Community airports covered and derogations

Community airports having only occasional commercial traffic (category 0) have no obligation to report. They are therefore excluded from the following lists.

Category 1 airports are mentioned in italic font in the following lists.

Category 2 airports are mentioned in normal font in the following lists.

Category 3 airports are mentioned in bold font in the following lists.

Category 3 airports for which a derogation for table B1 is granted in 2003 are marked with an X in column (4) in case of a total derogation and a P in column (4) in case of a partial derogation.

Category 2 airports for which a derogation for table A1 and/or B1 is granted until year N (year 2003, 2004 or 2005) are marked with 'year N' in column (5.1) and/or (5.2). In case only a partial derogation is granted, a 'P' follows the year.

Category '1' or '2' airports for which a derogation for table C1 is granted until year N (year 2003, 2004 or 2005) are marked with 'year N' in column (5.3). In case only a partial derogation is granted, a 'P' follows the year.

Details related to partial derogations (if any) follow the tables.

Belgium: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
EBAW	Antwerpen/Deurne	2		2005	2005	2005
EBBR	Bruxelles/National	3				
EBCI	Charleroi/Brussels South	2		2005	2005	2005
EBLG	Liège/Bierset	2		2005	2005	2005
EBOS	<i>Oostende</i>	1				2005

Denmark: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
EKAH	Århus	2		2003	2004	
EKBI	Billund	3	X			
EKCH	Copenhagen Kastrup	3	X			
EKEB	Esbjerg	2		2003P	2003	
EKKA	Karup	2		2003P	2004	
EK RK	<i>Copenhagen Roskilde</i>	1				2004
EKRN	Bornholm	2		2003P		
EKSB	<i>Sønderborg</i>	1				
EKYT	Aalborg	2		2003	2004	

Partial derogations are applicable to the 'passenger seats available' (table A1) field.

Germany: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
EDDB	Berlin-Schönefeld	3				
EDDC	Dresden	3				
EDDE	Erfurt	2				
EDDF	Frankfurt/Main	3				
EDDG	Münster/Osnabrück	3				
EDDH	Hamburg	3				
EDDI	Berlin-Tempelhof	2				
EDDK	Köln/Bonn	3				
EDDL	Düsseldorf	3				
EDDM	München	3				
EDDN	Nürnberg	3				
EDDP	Leipzig/Halle	3				
EDDR	Saarbrücken	2				
EDDS	Stuttgart	3				
EDDT	Berlin-Tegel	3				
EDDV	Hannover	3				
EDDW	Bremen	3				
EDFH	Hahn	2		2003	2003	
EDFM	Mannheim	1				
EDHK	Kiel	1				
EDHL	Lübeck	2		2004	2004	
EDLN	Mönchengladbach	1				
EDLP	Paderborn/Lippstadt	2		2003	2003	
EDLW	Dortmund	2		2003	2003	
EDMA	Augsburg	2		2004	2004	
EDNY	Friedrichshafen	2		2004	2004	
EDOG	Gransee	1				
EDOR	Rostock-Laage	1				
EDQM	Hof/Plauen	1				
EDTK	Karlsruhe	2		2004	2004	

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
EDVE	Braunschweig	1				
EDVK	Kassel	1				
EDWG	Wangerooge	1				
EDWJ	Juist	1				
EDWS	Norddeich	1				
EDXP	Harle	1				
EDXW	Sylt/Westerland	1				
ETNU	Neubrandenburg	1				

Greece: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
LGAL	Alexandroupolis	2				
LGAT	Athens	3				
LGBL	N. Anchialos	1				
LGHI	Chios	2				
LGIK	Ikaria	1				
LGIO	Ioannina	1				
LGIR	Irakleion	3				
LGKF	Kefallinia	2				
LGKL	Kalamata	1				
LGKO	Kos	3				
LGKP	Karpathos	1				
LGKR	Kerkyra	3				
LGKV	Kavala	2				
LGLM	Limnos	1				
LGMK	Mykonos	2				
LGMT	Mytilini	2				
LGNX	Naxos	1				

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
LGPZ	Aktio	2				
LGRP	Rodos	3				
LGRX	Araxos	1				
LGSA	Chania	2				
LGSO	Syros	1				
LGSK	Skiathos	2				
LGSM	Samos	2				
LGSR	Santorini	2				
LGTS	Thessaloniki	3				
LGZA	Zakynthos	2				

Spain: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
GCFV	Puerto del Rosario/Fuerteventura	3				
GCGM	Gomera España	1				
GCHI	Hierro	1				
GCLA	Santa Cruz de La Palma	2				
GCLP	Las Palmas/Gran Canaria	3				
GCRR	Arrecife/Lanzarote	3				
GCTS	Tenerife Sur — Reina Sofía	3				
GCXO	Tenerife Norte	3				
GEML	Melilla	2				
LEAL	Alicante	3				
LEAM	Almería	2				
LEAS	Avilés/Asturias	2				
LEBB	Bilbao	3				
LEBL	Barcelona	3				

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
LEBZ	<i>Badajoz/Talavera la Real</i>	1				
LECO	A Coruña	2				
LEGE	Girona/Costa Brava	2				
LEGR	Granada	2				
LEIB	Eivissa (Ibiza)	3				
LEJR	Jerez	2				
LELC	Murcia-San Javier	2				
LELN	<i>León</i>	1				
LEMD	Madrid/Barajas	3				
LEMG	Málaga	3				
LEMH	Menorca/Maó (Mahón)	3				
LEPA	Palma de Mallorca	3				
LEPP	Pamplona	2				
LERS	Reus	2				
LESA	<i>Salamanca</i>	1				
LESO	San Sebastián	2				
LEST	Santiago	2				
LEVC	Valencia	3				
LEVD	Valladolid	2				
LEVT	Vitoria	2				
LEVX	Vigo	2				
LEXJ	Santander	2				
LEZG	Zaragoza	2				
LEZL	Sevilla	3				

France: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
FMEE	St Denis Roland Garros	3				
LFBA	<i>Agen La Garenne</i>	1				

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
LFBD	Bordeaux Merignac	3				
LFBE	<i>Bergerac Roumanière</i>	1				
LFBH	<i>La Rochelle Île de Ré</i>	1				
LFBI	<i>Poitiers Biard</i>	1				
LFBL	<i>Limoges</i>	1				
LFBO	Toulouse Blagnac	3				
LFBP	<i>Pau Pyrénées</i>	2		2005P		
LFBT	<i>Tarbes Lourdes Pyrénées</i>	2		2005P		
LFBV	<i>Brive Laroche</i>	1				
LFBX	<i>Périgueux</i>	1				
LFBZ	<i>Biarritz-Bayonne — Anglet</i>	2		2005P		
LFCK	<i>Castres Mazamet</i>	1				
LFCR	<i>Rodez Marcillac</i>	1				
LFJL	<i>Metz Nancy Lorraine</i>	2		2005P		
LFKB	<i>Bastia Poretta</i>	2		2005P		
LFKC	<i>Calvi Sainte Catherine</i>	2		2005P		
LFKF	<i>Figari Sud Corse</i>	2		2005P		
LFKJ	<i>Ajaccio Campo dell'oro</i>	2		2005P		
LFLB	<i>Chambéry — Aix Les Bains</i>	1				
LFLC	<i>Clermont Ferrand Auvergne</i>	2		2005P		
LFLI	Lyon St Exupéry	3				
LFLP	<i>Annecy Meythet</i>	1				
LFLS	<i>Grenoble St Geoirs</i>	2		2005P		
LFLW	<i>Aurillac Tronquières</i>	1				
LFMH	<i>St Étienne Bouthéon</i>	1				
LFMK	<i>Carcassonne</i>	2		2005P		
LFML	Marseille Provence	3				
LFMN	Nice Côte d'Azur	3				
LFMP	<i>Perpignan Rivesaltes</i>	2		2005P		

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
LFMT	Montpellier Méditerranée	3				
LFMU	Béziers Vias	1				
LFMV	Avignon Caumont	1				
LFOB	Beauvais Tille	2		2005P		
LFOH	La Havre Octeville	1				
LFOK	Châlons Vatry	1				
LFOP	Rouen Vallée de Seine	1				
LFPG	Paris Charles De Gaulle	3				
LFPO	Paris Orly	3				
LFQQ	Lille Lesquin	2		2005P		
LFRB	Brest Guipavas	2		2005P		
LFRD	Dinard Pleurtuit	1				
LFRH	Lorient	2		2005P		
LFRK	Caen Carpiquet	1				
LFRN	Rennes St Jacques	2		2005P		
LFRO	Lannion Servel	1				
LFRQ	Quimper Pluguffan	1				
LFRS	Nantes Atlantique	3				
LFSB	Bâle Mulhouse	3				
LFSD	Dijon Bourgogne	1				
LFST	Strasbourg	3				
LFTH	Toulon — Hyères	2		2005P		
LFTW	Nîmes Arles Camargue	2		2005P		
SOCA	Cayenne Rochambeau	2		2005P		
TFFF	Fort de France	3				
TFFG	St Martin Grand Case	1				
TFFJ	St Barthélemy	2		2005P		
TFFR	Pointe à Pitre	3				

Partial derogations are applicable to the 'passenger seats available' (Table A1) field.

Ireland: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
EICA	Connemara Regional Airport	1				
EICK	Cork	3				
EICM	Galway	1				
EIDL	Donegal	1				
EIDW	Dublin	3				
EIIM	Inishmore	1				
EIKN	Connaught Regional Airport	2		2005	2005	2005P
EIKY	Kerry	2		2005	2005	2005P
EINN	Shannon	3				
EISG	Sligo Regional Airport	1				
EIWF	Waterford	1				

Partial derogations are applicable to the 'airline information' field.

Italy: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
LIBC	Crotone	1				
LIBD	Bari-Palese Macchie	2				
LIBP	Pescara	2		2005	2005	
LIBR	Brindisi-Casale	2				
LICA	Lamezia Terme	2			2005	
LICC	Catania-Fontanarossa	3				
LICD	Lampedusa	1				

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
LICG	<i>Pantelleria</i>	1				
LICJ	Palermo-Punta Raisi	3				
LICR	Reggio di Calabria	2		2005	2005	
LICT	<i>Trapani-Birgi</i>	1				
LIEA	Alghero-Fertilia	2		2005	2005	
LIEE	Cagliari-Elmas	3				
LIEO	Olbia — Costa Smeralda	2				
LJET	<i>Arbatax di Tortoli</i>	1				
LIMC	Milano-Malpensa	3				
LIME	Bergamo-Orio al Serio	3				
LIMF	Torino-Caselle	3				
LIMJ	Genova-Sestri	2		2005	2005	
LIML	Milano-Linate	3				
LIMP	<i>Parma</i>	1				
LIPB	<i>Bolzano</i>	1				
LIPE	Bologna-Borgo Panigale	3				
LIPH	Treviso-Sant'Angelo	2		2003	2003	
LIPK	<i>Forlì</i>	1				
LIPO	Brescia-Montichiari	2				
LIPQ	Trieste-Ronchi dei Legionari	2		2004	2004	
LIPR	Rimini	2				
LIPX	Verona-Villafranca	3				
LIPY	Ancona-Falconara	2		2005	2005	
LIPZ	Venezia-Tessera	3				
LIRA	Roma-Ciampino	2				
LIRF	Roma-Fiumicino	3				
LIRN	Napoli-Capodichino	3				
LIRP	Pisa-San Giusto	2		2005	2005	
LIRQ	Firenze-Peretola	2				
LIRZ	<i>Perugia</i>	1				

Luxembourg: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
ELLX	Luxembourg	3	X			

Netherlands: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
EHAM	Amsterdam/Schiphol	3	P			
EHBK	Maastricht-Aachen	2		2005P		2005P
EHEH	Eindhoven/Welschap	2		2005P		2005P
EHGG	Eelde/Groningen	1				
EHRD	Rotterdam/Zestienhoven	2		2005P		2005P
EHTE	Deventer/Teuge	1				2005
EHTW	Enschede/Twenthe	1				2005

Partial derogations are applicable to the 'passenger seats available' and 'airline information' fields.

Austria: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
LOWG	Graz	2				
LOWI	Innsbruck	2				
LOWK	Klagenfurt	2				
LOWL	Linz	2				
LOWS	Salzburg	2				
LOWW	Wien/Schwechat	3				

Portugal: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
LPAZ	<i>Santa Maria</i>	1				
LPFL	<i>Flores</i>	1				
LPFR	Faro	3				
LPMA	Madeira/Madeira	3				
LPHR	<i>Horta</i>	2				
LPLA	<i>Lajes</i>	2				
LPPD	<i>Ponta Delgada</i>	2				
LPPI	<i>Pico</i>	1				
LPPR	Porto	3				
LPPS	<i>Porto Santo</i>	2				
LPPT	Lisboa	3				

Finland: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
EFHK	Helsinki-Vantaa	3				
EFIV	<i>Ivalo</i>	1				
EFJO	<i>Joensuu</i>	2				
EFJY	<i>Jyväskylä</i>	2				
EFKE	<i>Kemi-Tornio</i>	1				
EFKI	<i>Kajaani</i>	1				
EFKK	<i>Kruunupy</i>	1				
EFKS	<i>Kuusamo</i>	1				
EFKT	<i>Kittilä</i>	2				
EFKU	<i>Kuopio</i>	2				
EFLP	<i>Lappeenranta</i>	1				
EFMA	<i>Mariehamn</i>	1				
EFOU	<i>Oulu</i>	2				

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
EFPO	Pori	1				
EFRO	Rovaniemi	2				
EFSA	Savonlinna	1				
EFSE	Seinäjoki	1				
EFTP	Tampere-Pirkkala	2				
EFTU	Turku	2				
EFVA	Vaasa	2				
EFVR	Varkaus	1				

Sweden: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
ESDB	Ängelholm	2			2005	
ESDF	Ronneby	2			2005	
ESGG	Göteborg-Landvetter	3	X			
ESGJ	Jönköping	2			2005	
ESGP	Göteborg/Säve	1				2005
ESGT	Trollhättan/Vänersb	1				2005
ESKN	Stockholm/Skavsta	2		2005	2005	2005
ESMK	Kristianstad/Everöd	2		2005	2005	2005
ESMO	Oskarshamn	1				2005
ESMQ	Kalmar	2			2005	
ESMS	Malmö-Sturup	3	X			
ESMT	Halmstad	1				
ESMX	Växjö/Kronoberg	2		2005	2005	2005
ESNG	Gällivare	1				2005
ESNK	Kramfors	1				2005
ESNL	Lycksele	1				2005

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
ESNN	Sundsvall-Härnösand	2			2005	
ESNO	Örnsköldsvik	2			2005	
ESNQ	Kiruna	2			2005	
ESNS	Skellefteå	2			2005	
ESNU	Umeå	2			2005	
ESNV	Vilhelmina	1				2005
ESNX	Arvidsjaur	1				2005
ESOE	Örebro	2		2005	2005	2005
ESOK	Karlstad	2			2005	
ESOW	Stockholm/Västerås	2		2005	2005	2005
ESPA	Luleå	2			2005	
ESPC	Östersund	2			2005	
ESSA	Stockholm-Arlanda	3	X			
ESSB	Stockholm-Bromma	2			2005	
ESSD	Borlänge	1				2005
ESSL	Linköping/Saab	1				2005
ESSP	Norrköping	2			2005	
ESSV	Visby	2			2005	
ESUD	Storuman	1				2005

United Kingdom: List of Community airports and derogations

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
EGAA	Belfast International	3				
EGAC	Belfast City	2				
EGAE	Londonderry	2				
EGBB	Birmingham	3				
EGBE	Coventry	1				

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
EGCC	Manchester	3				
EGDG	Newquay	1				2004
EGFF	Cardiff Wales	3				
EGFH	Swansea	1				2004
EGGD	Bristol	3				
EGGP	Liverpool	3				
EGGW	Luton	3				
EGHC	Land's End	1				
EGHD	Plymouth	1				
EGHE	Isles of Scilly (St. Marys)	1				
EGHH	Bournemouth	2				
EGHI	Southampton	2				
EGHK	Penzance Heliport	1				
EGHT	Isles of Scilly (Tresco)	1				
EGKK	Gatwick	3				
EGLC	London City	3				
EGLL	Heathrow	3				
EGMH	Kent International	2				
EGNH	Blackpool	1				
EGNJ	Humberside	2				
EGNM	Leeds Bradford	3				
EGNT	Newcastle	3				
EGNV	Teesside	2				
EGNX	East Midlands	3				
EGPA	Kirkwall	1				
EGPB	Sumburgh	1				
EGPC	Wick	1				
EGPD	Aberdeen	3				
EGPE	Inverness	2				
EGPF	Glasgow	3				

(1) ICAO airport code	(2) Airport name	(3) Airport category in 2003	(4) Category 3 airports only: derogation request for table B1 in 2003	(5) Categories 1 and 2 airports only: For each table: last year for which a derogation is requested (' ' or '2003' or '2004' or '2005')		
				(5.1) Table A1	(5.2) Table B1	(5.3) Table C1
EGPH	Edinburgh	3				
EGPI	Islay	1				
EGPK	Prestwick	3				
EGPL	Benbecula	1				
EGPM	Scatsta	2				
EGPN	Dundee	1				
EGPO	Stornoway	1				
EGSC	Cambridge	1				
EGSH	Norwich	2				
EGSS	Stansted	3				
EGSY	Sheffield City	1				
EGTE	Exeter	2				

ANNEX II

DESCRIPTION OF THE DATA FILES AND TRANSMISSION MEDIUM

Two EDI compatible formats are acceptable for the transmission of the regulation tables: 'CSV' (Comma Separated Values) with semicolon (;) as field separator and GESMES-EDIFACT.

List and description of the fields to be used for each table of the Regulation:

The following summary table gives for each table of the regulation (A1, B1 and C1) and each record (line), the list of fields to be provided. Two different types of fields are marked in the column associated to the relevant table:

- 'X': fields that have to be provided for a table,
- ' ' (space): fields not relevant for the table. These fields should normally not be provided in the related tables. Nevertheless empty fields (two fields separator without data between) are also acceptable in this case.

Format and size of the fields:

The format of each field is either numeric (n) or alphabetic (a) or alphanumeric (an)

The size is either fixed ('format + number' — e.g.: 'n4') or variable with a maximum number of positions ('format + ".." + maximum number of positions — e.g.: "n..12").

Pos	Fields	Format and size	Tables		
			A1	B1	C1
1	Table identification	an2	X	X	X
2	Reporting country	a2	X	X	X
3	Reference year	n2	X	X	X
4	Reference period	an2	X	X	X
5	Reporting airport	an4	X	X	X
6	Partner airport	an4	X	X	
7	Arrival/departure	n1	X	X	
8	Scheduled/non-scheduled services	n1	X	X	
9	Passenger flight/All-freight and mail flight	n1	X	X	
10	Airline information	a3	X	X	X
11	Aircraft type	an..4	X		
12	Passengers	n..12	X	X	X
13	Direct transit passengers	n..12			X
14	Freight and mail	n..12	X	X	X
15	Commercial air flights (table 'A1')/Total commercial aircraft movements (table 'C1')	n..12	X		X
16	Total aircraft movements	n..12			X
17	Passenger seats available	n..12	X		

One table (for one period) should correspond to one file (or 'consignment') transmitted to Eurostat

Each file (table) should be named according to the following standard: 'CCYYPPTT.csv' (for csv format) or: 'CCYYPPTT.ges' (for gesmes format): where 'CC' represents the Country Code (ISO alpha2), 'YY' the Year, 'PP' the period (AN, Q1..Q4 or 01..12) and 'TT', the Table-ID ('A1', 'B1' or 'C1').

In case the file is compressed, the '.zip' suffix should be used instead of '.csv' or '.ges'.

The transmission mean shall be compatible with an automatic monitoring and processing of data in Eurostat.

EDI compatible tools should be favoured. Nevertheless, 'Pre-EDI' tools as well as structured e-mail sent to an address given by Eurostat could also be accepted in a transitional period.

In case a structured e-mail is used, then:

- the subject field of the e-mail should contain the name of the file (table) to be transmitted,
 - the file (table) should be attached to the e-mail (only one file attached per e-mail is acceptable),
 - comments on data can be entered as plain text in the body of the message to which a table is attached (formatted text shall not be used).
-

ANNEX III

Amendments to the Annexes of Regulation (EC) No 437/2003

ANNEX I

RECORD STRUCTURE FOR DATA TRANSMISSION TO EUROSTAT

The scope of the data to be reported is limited to civil aviation.

State flights and movements by surface modes of either passengers travelling with a flight code or freight shipped using an air waybill are excluded.

A. Flight stage table (monthly data (*))

Data reported in this table refer to commercial air services only.

Data file record format

Elements	Coding detail	Nomenclature	Unit
Table	2-alpha	"A1"	
Reporting country	2-alpha	(1) Main ICAO nationality letters	
Reference year	2-digit	Type "yy" (2 last positions of the year)	
Reference period	2-alpha	(2) Explicit (or Statra)	
Reporting airport	4-alpha	(3) ICAO	
Next/previous airport	4-alpha	(3) ICAO	
Arrival/departure	1-digit	1 = arrival 2 = departure	
Scheduled/non-scheduled service	1-digit	1 = scheduled 2 = non-scheduled	
Passenger service/all-freight and mail service	1-digit	1 = passenger service 2 = all-freight and mail service	
Airline information	3-alpha	(4) Information on the airline (optional)	
Aircraft type	4-alpha	(5) ICAO	
Passengers on board	12-digit		passenger
Freight and mail on board	12-digit		tonne
Commercial air flights	12-digit		number of flights
Passenger seats available	12-digit		passenger seat

B. On flight origin/destination table (monthly data (**))

Data reported in this table refer to commercial air services only.

Data file record format

Elements	Coding detail	Nomenclature	Unit
Table	2-alpha	B1	
Reporting country	2-alpha	(1) Main ICAO nationality letters	
Reference year	2-digit	Type "yy" (2 last positions of the year)	
Reference period	2-alpha	(2) Explicit (or Statra)	

(*) In 2003 quarterly data can be accepted.

(**) In 2003 quarterly data can be accepted.

Elements	Coding detail	Nomenclature	Unit
Reporting airport	4-alpha	(3) ICAO	
On flight origin/destination airport	4-alpha	(3) ICAO	
Arrival/departure	1-digit	1 = arrival 2 = departure	
Scheduled/non-scheduled services	1-digit	1 = scheduled 2 = non-scheduled	
Passenger service/all-freight and mail service	1-digit	1 = passenger service 2 = all-freight and mail service	
Airline information	3-alpha	(4) Information on the airline (optional)	
Passengers carried	12-digit		passenger
Freight and mail loaded or unloaded	12-digit		tonne

C. Airports table (at least annual data)

Data reported in this table refer to commercial air services only, with the exception of "total commercial aircraft movements" which also refers to all commercial general aviation operations and "total aircraft movements" which refers to all civil aircraft movements (except State flights).

Data file record format

Elements	Coding detail	Nomenclature	Unit
Table	2-alpha	C1	
Reporting country	2-alpha	(1) Main ICAO nationality letters	
Reference year	2-digit	Type "yy"	
Reference period	2-alpha	(2) Explicit (or Statra)	
Reporting airport	4-alpha	(3) ICAO	
Airline information (*)	3-alpha	(4) Information on the airline	
Total passengers carried	12-digit		passenger
Total direct transit passengers	12-digit		passenger
Total freight and mail loaded/unloaded	12-digit		tonne
Total commercial aircraft movements	12-digit		movement
Total aircraft movements	12-digit		movement

(*) The "airline information" field is obligatory only for airports which also have to report tables A1 and B1. For the airports which are under no obligation to report tables A1 and B1, a code that covers all airlines may be used.

CODES

1. Reporting country

The coding system to be used is derived from the ICAO index to nationality letters for location indicators. If several ICAO prefixes exist for the same country, only the main ICAO prefix of the mainland is applicable.

Belgium	EB
Denmark	EK
Germany	ED
Greece	LG
Spain	LE
France	LF
Ireland	EI

Italy	LI
Luxembourg	EL
Netherlands	EH
Austria	LO
Portugal	LP
Finland	EF
Sweden	ES
United Kingdom	EG

2. Reference period

AN	(or 45) year
Q1	(or 21) January-March (first quarter)
Q2	(or 22) April-June (second quarter)
Q3	(or 23) July-September (third quarter)
Q4	(or 24) October-December (fourth quarter)
01 to 12	January to December (month)

3. Airports

Airports shall be coded according to the ICAO four-letter codes as listed in ICAO document 7910. Unknown airports should be coded as "ZZZZ".

4. Airline information

"1EU" for airlines licensed in the European Union,

"1NE" for airlines not licensed in the European Union,

"ZZZ" for unknown airlines,

"888" for "confidential" (to be used in tables A1 and B1 if an "information on the airline" is not allowed for confidentiality reasons),

"999" for all airlines (to be used in table C1 only).

Airlines partly licensed in EU shall be reported as "EU airlines".

On a voluntary basis, the code "2"+Iso alpha 2 country code (country of licensing of the airline) could also be used as well as the ICAO airline code.

5. Aircraft type

Aircraft types shall be coded according to ICAO aircraft type designators as listed in ICAO document 8643.

Unknown aircraft types should be coded as "ZZZZ".

ANNEX II

DEFINITIONS AND STATISTICS TO BE REPORTED

Following the header of each definition, the list of articles or tables of the regulation where a reference to the term is made can be found.

I. DEFINITIONS AND VARIABLES OF GENERAL INTEREST

1. **Community airport** (Articles 1 and 3)

A defined area on land or water in a Member State subject to the provisions of the treaty, which is intended to be used either wholly or in part for the arrival, departure and surface movement of aircraft and open for **commercial air services**^(see -4).

2. **State flight** (Article 1 and table C1)

Any flight performed by aircraft for military, customs, police or other law enforcement services of a State.

Any flight declared as a "State flight" by State authorities.

The expression "except for flights by States aircraft" in Article 1 should be interpreted as "except for State flights".

3. **Passenger unit** (Article 3(2), (4) and (5))

One passenger unit is equivalent to either one passenger or 100 kilograms of freight and mail.

*For the purpose of drawing up the list of **Community airports**^(see-1-) as referred to in Article 3(2) and for the transitional period referred to in Article 3(4) and (5), the calculation of thresholds using "passenger units" has to take into account at **Community airports**^(see-1-), the total **passengers carried**^(see-16-) plus the total **direct transit passengers**^(see-18-) (counted once) plus the total **freight and mail loaded and unloaded**^(see-17-).*

4. **Commercial air service** (Article 1 and tables A1, B1, C1)

An air transport flight or series of flights for the public transport of passengers and/or freight and mail, for remuneration or for hire.

*The air service may be either **scheduled**⁽⁻⁵⁻⁾ or **non-scheduled**⁽⁻⁶⁻⁾.*

5. **Scheduled air service** (Tables A1 and B1)

A **commercial air service**^(see-4) operated according to a published timetable, or with such a regular frequency that it constitutes an easily recognisable systematic series of flights.

Includes extra section flights occasioned by overflow traffic from scheduled flights.

6. **Non-scheduled air service** (Tables A1 and B1)

A **commercial air service**^(see-4) other than scheduled air service^(see-5).

7. **Passenger air service** (Tables A1 and B1)

Scheduled^(see-5-) or **non-scheduled air service**^(see-6-) performed by aircraft carrying one or more revenue passengers and any flights listed in published timetables as open to passengers.

Includes flights carrying both revenue passengers and revenue freight and mail.

8. **All-freight and mail air service** (Tables A1 and B1)

Scheduled^(see-5-) or **non-scheduled air service**^(see-6-) performed by aircraft carrying revenue loads other than revenue passengers, i.e. freight and mail.

Excludes flights carrying one or more revenue passengers and flights listed in published timetables as open to passengers.

9. **Airline (Commercial air transport operator)** (Tables A1, B1 and C1)

An air transport undertaking with a valid operating licence for operating **commercial air flights**^(see-13-).

Where airlines have joint-venture or other contractual arrangements requiring two or more of them to assume separate responsibility for the offer and sale of air transport products for a flight or combination of flights, the airline actually operating the flight shall be reported.

II. DEFINITIONS AND VARIABLES OF INTEREST FOR TABLE A1 (FLIGHT STAGE)

10. **Flight stage** (Table A1)

The operation of an aircraft from take-off to its next landing.

11. **Passengers on board** (Table A1)

All passengers on board of the aircraft upon landing at the reporting airport or at taking off from the reporting airport.

All revenue and non revenue passengers on board an aircraft during a **flight stage**^(sec-10-).

Includes direct transit passengers^(sec-18-) (counted at arrivals and departures).

12. **Freight and mail on board** (Table A1)

All freight and mail on board of the aircraft upon landing at the reporting airport or at taking off from the reporting airport.

All freight and mail on board an aircraft during a **flight stage**^(sec-10-).

Includes direct transit freight and mail (counted at arrivals and departures).

Includes express services and diplomatic bags.

Excludes passenger baggage.

13. **Commercial air flight** (Table A1)

An air transport flight performed for the public transport of passengers and/or freight and mail, for remuneration and for hire.

In table A1, the commercial air flights are aggregated to calculate the other "indicator fields" ("**Passengers on board**^(sec-11-)", "**Freight and mail on board**^(sec-12-)" and "**Passenger seats available**^(sec-14-)").

14. **Passenger seats available** (Table A1)

The total number of passenger seats available for sale on an aircraft operating a **flight stage**^(sec-10-) between a pair of airports.

On a **flight stage**⁽⁻¹⁰⁻⁾, the total number of revenue passengers should not exceed the total number of passenger seats available for sale.

Includes seats which are already sold on a flight stage i.e. including those occupied by **direct transit passengers**^(sec-18-).

Excludes seats not actually available for the carriage of passengers because of maximum gross weight limitations.

If information on this basis is not available, then one of the following estimates should be provided in order of preference (from more to less adequate):

1. the specific aircraft configuration expressed in number of passenger seats available in the aircraft (identified by aircraft registration number),
2. the average aircraft configuration expressed in average number of passenger seats available for the type of aircraft for the airline,
3. the average aircraft configuration expressed in average number of passenger seats available for the type of aircraft.

III. DEFINITIONS AND VARIABLES OF INTEREST FOR TABLE B1 (ON FLIGHT ORIGIN AND DESTINATION) AND TABLE C1 (AIRPORTS)

15. **On flight origin and destination** (Table B1)

Traffic on a commercial air service^(sec-4-) identified by a unique flight number subdivided by airport pairs in accordance with point of embarkation and point of disembarkation on that flight.

For passengers, freight or mail where the airport of embarkation is not known, the aircraft origin should be deemed to be the point of embarkation; similarly, if the airport of disembarkation is not known, the aircraft destination should be deemed to be the point of disembarkation.

16. Passengers carried (Tables B1 and C1)

All passengers on a particular flight (with one flight number) counted once only and not repeatedly on each individual stage of that flight.

All revenue and non revenue passengers whose journey begins or terminates at the reporting airport and transfer passengers joining or leaving the flight at the reporting airport.

Excludes direct transit passengers^(see-18-).

17. Freight and mail loaded or unloaded (Tables B1 and C1)

All freight and mail loaded onto or unloaded from an aircraft.

Includes express services and diplomatic bags.

Excludes passenger baggage.

Excludes direct transit freight and mail.

18. Direct transit passengers (Table C1)

Passengers who, after a short stop, continue their journey on the same aircraft on a flight having the same flight number as the flight on which they arrive.

In total airport statistics as well as for the calculation of the passenger units^(see-3-), passengers in direct transit are counted once only.

Passengers who change aircraft because of technical problems but continue on a flight with the same flight number are counted as direct transit passengers.

On some flights with intermediate stops, the flight number changes at an airport to designate the change between an inbound and outbound flight. An example is a flight from Barcelona to Hamburg where the flight continues to Frankfurt before returning to Barcelona. Where passengers for an intermediate destination continue their journey on the same aircraft in such circumstances, they should be counted as direct transit passengers.

19. Total commercial aircraft movements (Table C1)

All take-offs and landings for flights performed for remuneration and for hire.

*Includes **commercial air services**⁽⁻⁴⁻⁾ as well as all commercial general aviation operations.*

20. Total aircraft movements (Table C1)

All take-offs and landings of aircraft.

*Includes **total commercial aircraft movements**⁽⁻¹⁹⁻⁾ as well as non-commercial general aviation operations.*

*Excludes **State flights**⁽⁻²⁻⁾.*

Excludes Touch and goes, overshoots and unsuccessful approaches.'

COMMISSION REGULATION (EC) No 1359/2003
of 31 July 2003
fixing the final amount of aid for dried fodder for the marketing year 2002/03

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 603/95 of 21 February 1995 on the common organisation of the market in dried fodder ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 18 thereof,

Whereas:

- (1) Article 3(2) and (3) of Regulation (EC) No 603/95 fix the amounts of aid to be paid to processors for dehydrated fodder and sun-dried fodder produced during the 2002/03 marketing year up to the maximum guaranteed quantities laid down in Article 4(1) and (3) of that Regulation.
- (2) The information forwarded to the Commission by the Member States under the second indent of Article 15(a) of Commission Regulation (EC) No 785/95 of 6 April 1995 laying down detailed rules for the application of Council Regulation (EC) No 603/95 on the common organisation of the market in dried fodder ⁽³⁾, as last amended by Regulation (EC) No 1413/2001 ⁽⁴⁾, indicates that the maximum guaranteed quantity for dehydrated fodder has been exceeded, and that the maximum guaranteed quantity for sun-dried fodder has not been exceeded.

- (3) It should therefore be laid down that the aid provided for in Regulation (EC) No 603/95 for dehydrated fodder should be reduced in accordance with Article 5 of that Regulation. The aid for sun-dried fodder should be paid to recipients in full.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Dried Fodder,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for dehydrated fodder and sun-dried fodder provided for in Article 3(2) and (3) respectively of Regulation (EC) No 603/95 shall be paid as follows for the 2002/2003 marketing year:

- (a) the amount of aid for dried fodder shall be reduced to EUR 67,27 per tonne in all the Member States;
- (b) the aid for sun-dried fodder shall be paid in full.

Article 2

This Regulation shall enter into force on the third 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, 31 July 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 63, 21.3.1995, p. 1.

⁽²⁾ OJ L 131, 15.6.1995, p. 1.

⁽³⁾ OJ L 79, 7.4.1995, p. 5.

⁽⁴⁾ OJ L 191, 13.7.2001, p. 8.

COMMISSION REGULATION (EC) No 1360/2003**of 31 July 2003****derogating, for the marketing year 2003/2004, from Regulation (EC) No 2316/1999 as regards the use of land set aside in certain regions of the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1251/1999 of 17 May 1999 establishing a support system for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 1038/2001 ⁽²⁾, and in particular Article 9 thereof,

Whereas:

- (1) Commission Regulation (EC) No 2316/1999 of 22 October 1999 laying down detailed rules for the application of Council Regulation (EC) No 1251/1999 establishing a support system for producers of certain arable crops ⁽³⁾, as last amended by Regulation (EC) No 1035/2003 ⁽⁴⁾, lays down conditions for granting area payments for certain arable crops. Under Article 19(2) and (3) of Regulation (EC) No 2316/1999, areas set aside must so remain for a period commencing on 15 January at the latest and ending on 31 August at the earliest and, except as otherwise provided for, may not be used for agricultural production or for any lucrative purpose.
- (2) In recent months certain regions of the Community have experienced extreme drought, which has seriously affected supplies of fodder and exposed breeders to severe losses of income because they have been obliged to sell their stock if normal feed is not ensured.
- (3) It is therefore desirable to locate extra local fodder supplies for animal feed prior to the autumn.

(4) A derogation from Regulation (EC) No 2316/1999 should therefore be granted to authorise the use, in the regions concerned, of land set aside for arable crops for cattle fodder before expiry of the set-aside period, while providing for measures to ensure compliance with the non-lucrative nature of the use of such land.

(5) The measures in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from Article 19(2) and (3) of Regulation (EC) No 2316/1999, land declared as set aside in the regions of the Community listed in the Annex to this Regulation may be used for animal feed during the year 2003/2004.

2. The Member States concerned shall take all necessary measures to ensure compliance with the non-lucrative nature of the use of the land set aside referred to in paragraph 1, in particular the exclusion of products harvested from such land from the arrangements for aid for dried fodder provided for in Council Regulation (EC) No 603/95 ⁽⁵⁾.

Article 2

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

It shall apply from 4 July 2003.

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

Done at Brussels, 31 July 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 1.

⁽²⁾ OJ L 145, 31.5.2001, p. 16.

⁽³⁾ OJ L 280, 30.10.1999, p. 43.

⁽⁴⁾ OJ L 150, 18.6.2003, p. 24.

⁽⁵⁾ OJ L 63, 21.3.1995, p. 1.

ANNEX

Germany (the whole of the following <i>Länder</i>):	Bavaria Baden-Württemberg Berlin Brandenburg Bremen Hessen Mecklenburg-Western Pomerania Lower Saxony Rhineland-Palatinate Saarland Saxony Saxony-Anhalt Thuringia
Austria	Burgenland (the whole Bundesland) Carinthia (political districts: Völkermarkt, Wolfsberg) Lower Austria (the whole Bundesland) Upper Austria (the whole Bundesland) Styria (political districts: Deutschlandsberg, Fürstenfeld, Feldbach, Graz Umgebung, Hartberg, Judenburg, Knittelfeld, Leoben, Leibnitz, Bad Radkersburg, Voitsberg, Weiz) Salzburg: Salzburg Umgebung (Flachgau) Vienna (the whole Bundesland)
Italy	The whole country except Trentino
France (the following departments):	Ain Allier Ardèche Ardennes Aveyron Cantal Charente Charente Maritime Cher Côte d'Or Doubs Drôme Eure et Loir Garonne Haute Gers Île-et-Vilaine Indre Indre-et-Loire Isère Jura Landes Loir-et-Cher Loire Loire Haute Loire-Atlantique Loiret Lot Lot et Garonne Lozère

	Maine et Loire
	Marne Haute
	Mayenne
	Meurthe et Moselle
	Meuse
	Morbihan
	Moselle
	Nièvre
	Puy de Dôme
	Rhin Bas
	Rhin Haut
	Rhône
	Saône et Loire
	Saône Haute
	Sarthe
	Savoie
	Savoie Haute
	Sèvres Deux
	Tarn
	Tarn et Garonne
	Territoire de Belfort
	Vendée
	Vienne
	Vosges
	Yonne

COMMISSION REGULATION (EC) No 1361/2003
of 31 July 2003
correcting Regulation (EC) No 977/2003 opening and providing for the administration of an
import tariff quota for young male bovine animals for fattening (1 July 2003 to 30 June 2004)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 32(1) thereof,

Whereas:

- (1) Article 9(6) of Commission Regulation (EC) No 977/2003 ⁽³⁾ contains a clerical error which needs to be corrected.
- (2) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Article 9(6) of Regulation (EC) No 977/2003 is corrected to read:

‘6. For the purposes of this Article, Articles 4 to 8 shall apply. However, the date of application mentioned in Article 4(2) shall be 27 February 2004 and the date of communication mentioned in Article 4(5) shall be 5 March 2004.’

Article 2

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

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

Done at Brussels, 31 July 2003.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 160, 26.6.1999, p. 21.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 141, 7.6.2003, p. 5.

COMMISSION REGULATION (EC) No 1362/2003

of 31 July 2003

fixing the rates of the refunds applicable to certain cereal and rice-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 (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 13(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice⁽³⁾, as last amended by Commission Regulation (EC) No 411/2002⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EEC) No 1766/92 and Article 13(1) of Regulation (EC) No 3072/95 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EC) No 740/2003⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EC) No 3072/95 as appropriate.
- (3) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (4) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

(5) Now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination.

(6) Pursuant to Article 4(3) and (5) of Regulation (EC) No 1520/2000 provides that a reduced rate of export refund has to be fixed, taking account of the amount of the production refund applicable, pursuant to Council Regulation (EEC) No 1722/93⁽⁸⁾, as last amended by Commission Regulation (EC) No 1786/2001⁽⁹⁾, for the basic product in question, used during the assumed period of manufacture of the goods.

(7) Spirituous beverages are considered less sensitive to the price of the cereals used in their manufacture. However, Protocol 19 of the Act of Accession of the United Kingdom, Ireland and Denmark stipulates that the necessary measures must be decided to facilitate the use of Community cereals in the manufacture of spirituous beverages obtained from cereals. Accordingly, it is necessary to adapt the refund rate applying to cereals exported in the form of spirituous beverages.

(8) In accordance with Council Regulation (EC) No 1039/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Estonia and the exportation of certain agricultural products to Estonia⁽¹⁰⁾, Council Regulation (EC) No 1086/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Slovenia and the exportation of certain processed agricultural products to Slovenia⁽¹¹⁾, Council Regulation (EC) No 1087/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Latvia and the exportation of certain processed agricultural products to Latvia⁽¹²⁾, Council Regulation (EC) No 1088/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Lithuania and the exportation of certain processed agricultural products to Lithuania⁽¹³⁾, Council Regulation (EC) No 1089/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Slovak Republic and the exportation of certain processed agricultural products to the Slovak

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 117, 15.7.2000, p. 1.

⁽⁶⁾ OJ L 106, 29.4.2003, p. 12.

⁽⁷⁾ OJ L 275, 29.9.1987, p. 36.

⁽⁸⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁹⁾ OJ L 242, 12.9.2001, p. 3.

⁽¹⁰⁾ OJ L 151, 19.6.2003, p. 1.

⁽¹¹⁾ OJ L 163, 1.7.2003, p. 1.

⁽¹²⁾ OJ L 163, 1.7.2003, p. 19.

⁽¹³⁾ OJ L 163, 1.7.2003, p. 38.

Republic ⁽¹⁾ and Council Regulation (EC) No 1090/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Czech Republic and the exportation of certain processed agricultural products to the Czech Republic ⁽²⁾ with effect from 1 July 2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Estonia, Slovenia, Latvia, Lithuania, Slovakia or Czech Republic are not eligible for export refunds.

- (9) In accordance with Council Regulation (EC) No 999/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the import of certain processed agricultural products originating in Hungary and the export of certain processed agricultural products to Hungary ⁽³⁾, with effect from 1 July 2003, the goods referred to in its Article 1(2) which are exported to Hungary shall not be eligible for export refunds.
- (10) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.

- (11) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1(1) of Regulation (EC) No 3072/95, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to amended Regulation (EC) No 3072/95 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 2003.

For the Commission

Erkki LIIKANEN

Member of the Commission

⁽¹⁾ OJ L 163, 1.7.2003, p. 56.

⁽²⁾ OJ L 163, 1.7.2003, p. 73.

⁽³⁾ OJ L 146, 13.6.2003, p. 10.

ANNEX

to the Commission Regulation of 31 July 2003 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex I to the Treaty

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾	
		In case of advance fixing of refunds	Other
1001 10 00	Durum wheat: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases	— —	— —
1001 90 99	Common wheat and meslin: – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in other cases: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾ – – where goods falling within subheading 2208 ⁽⁴⁾ are exported – – in other cases	— — — — —	— — — — —
1002 00 00	Rye	3,734	3,734
1003 00 90	Barley – where goods falling within subheading 2208 ⁽⁴⁾ are exported – in other cases	— —	— —
1004 00 00	Oats	—	—
1005 90 00	Maize (corn) used in the form of: – starch: – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾ – – where goods falling within subheading 2208 ⁽⁴⁾ are exported – – in other cases – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽⁵⁾ : – – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾ – – where goods falling within subheading 2208 ⁽⁴⁾ are exported – – in other cases – where goods falling within subheading 2208 ⁽⁴⁾ are exported – other (including unprocessed) Potato starch of CN code 1108 13 00 similar to a product obtained from processed maize: – where Article 4(5) of Regulation (EC) No 1520/2000 applies ⁽³⁾ – – where goods falling within subheading 2208 ⁽⁴⁾ are exported – in other cases	3,748 2,509 4,271 2,680 1,882 3,203 2,509 4,271 3,748 2,509 4,271	3,748 2,509 4,271 2,680 1,882 3,203 2,509 4,271 3,748 2,509 4,271

(EUR/100 kg)

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾	
		In case of advance fixing of refunds	Other
ex 1006 30	Wholly-milled rice:		
	– round grain	10,800	10,800
	– medium grain	10,800	10,800
	– long grain	10,800	10,800
1006 40 00	Broken rice	2,800	2,800
1007 00 90	Grain sorghum, other than hybrid for sowing	—	—

⁽¹⁾ As far as agricultural products obtained from the processing of a basic product or/and assimilated products are concerned, the coefficients shown in Annex E of amended Commission Regulation (EC) No 1520/2000 shall be applied (OJ L 177, 15.7.2000, p. 1).

⁽²⁾ With effect from 1 July 2003 these rates are not applicable to goods not covered by Annex I to the Treaty when exported to the Czech Republic, Estonia, Latvia, Lithuania, Slovakia or Slovenia, and to the goods referred to in Article 1(2) of Regulation (EC) No 999/2003 when exported to Hungary.

⁽³⁾ The goods concerned fall under CN code 3505 10 50.

⁽⁴⁾ Goods listed in Annex B of Council Regulation (EEC) No 1766/92 or referred to in Article 2 of Regulation (EEC) No 2825/93.

⁽⁵⁾ For syrups of CN codes NC 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 1363/2003

of 31 July 2003

fixing 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 15 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(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund. Whereas Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 740/2003 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999.
- (2) In accordance with the first subparagraph of Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.
- (3) Article 4(3) of Regulation (EC) No 1520/2000 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products.
- (4) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.
- (5) Commission Regulation (EC) No 2571/97 of 15 December 1997 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁵⁾, as last amended by Regulation (EC) No 635/2000 ⁽⁶⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.
- (6) In accordance with Council Regulation (EC) No 1039/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Estonia and the exportation of certain agricultural products to Estonia ⁽⁷⁾, Council Regulation (EC) No 1086/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Slovenia and the exportation of certain processed agricultural products to Slovenia ⁽⁸⁾, Council Regulation (EC) No 1087/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Latvia and the exportation of certain processed agricultural products to Latvia ⁽⁹⁾, Council Regulation (EC) No 1088/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Lithuania and the exportation of certain processed agricultural products to Lithuania ⁽¹⁰⁾, Council Regulation (EC) No 1089/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Slovak Republic and the exportation of certain processed agricultural products to the Slovak Republic ⁽¹¹⁾ and Council Regulation (EC) No 1090/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Czech Republic and the exportation of certain processed agricultural products to the Czech Republic ⁽¹²⁾ with effect from 1 July 2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Estonia, Slovenia, Latvia, Lithuania, Slovakia or Czech Republic are not eligible for export refunds.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48.

⁽²⁾ OJ L 79, 22.3.2002, p. 15.

⁽³⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁴⁾ OJ L 106, 29.4.2003, p. 12.

⁽⁵⁾ OJ L 350, 20.12.1997, p. 3.

⁽⁶⁾ OJ L 76, 25.3.2000, p. 9.

⁽⁷⁾ OJ L 151, 19.6.2003, p. 1.

⁽⁸⁾ OJ L 163, 1.7.2003, p. 1.

⁽⁹⁾ OJ L 163, 1.7.2003, p. 19.

⁽¹⁰⁾ OJ L 163, 1.7.2003, p. 38.

⁽¹¹⁾ OJ L 163, 1.7.2003, p. 56.

⁽¹²⁾ OJ L 163, 1.7.2003, p. 73.

- (7) In accordance with Council Regulation (EC) No 999/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the import of certain processed agricultural products originating in Hungary and the export of certain processed agricultural products to Hungary ⁽¹⁾, with effect from 1 July 2003, the goods referred to in its Article 1(2) which are exported to Hungary shall not be eligible for export refunds.
- (8) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1 of Regulation (EC) No 1255/1999, exported in the form of goods listed in the Annex to Regulation (EC) No 1255/1999, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 2003.

For the Commission
Erkki LIIKANEN
Member of the Commission

⁽¹⁾ OJ L 146, 13.6.2003, p. 10.

ANNEX

to the Commission Regulation of 31 July 2003 fixing 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 ⁽¹⁾
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	60,00
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	76,11
	(b) On exportation of other goods	102,40
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

⁽¹⁾ With effect from 1 July 2003 these rates are not applicable to goods not covered by Annex I to the Treaty when exported to the Czech Republic, Estonia, Latvia, Lithuania, Slovakia or Slovenia, and to the goods referred to in Article 1(2) of Regulation (EC) No 999/2003 when exported to Hungary.

COMMISSION REGULATION (EC) No 1364/2003

of 31 July 2003

fixing the rates of refunds applicable to certain products from the sugar sector 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 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⁾, and in particular Article 27(5)(a) and (15),

Whereas:

(1) Article 27(1) and (2) of Regulation (EEC) No 1260/2001 provides that the differences between the prices in international trade for the products listed in Article 1(1)(a), (c), (d), (f), (g) and (h) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in the Annex to that Regulation. Commission Regulation (EC) No 1520/2000 of 13 July 2000 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 740/2003 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EC) No 1260/2001.

(2) In accordance with Article 4(1) of Regulation (EC) No 1520/2000, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month.

(3) Article 27(3) of Regulation (EC) No 1260/2001 and Article 11 of the Agreement on Agriculture concluded under the Uruguay Round lay down that the export refund for a product contained in a good may not exceed the refund applicable to that product when exported without further processing.

(4) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.

(5) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.

(6) In accordance with Council Regulation (EC) No 1039/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Estonia and the exportation of certain agricultural products to Estonia ⁽⁵⁾, Council Regulation (EC) No 1086/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Slovenia and the exportation of certain processed agricultural products to Slovenia ⁽⁶⁾, Council Regulation (EC) No 1087/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Latvia and the exportation of certain processed agricultural products to Latvia ⁽⁷⁾, Council Regulation (EC) No 1088/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in Lithuania and the exportation of certain processed agricultural products to Lithuania ⁽⁸⁾, Council Regulation (EC) No 1089/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Slovak Republic and the exportation of certain processed agricultural products to the Slovak Republic ⁽⁹⁾ and Council Regulation (EC) No 1090/2003 of 18 June 2003 adopting autonomous and transitional measures concerning the importation of certain processed agricultural products originating in the Czech Republic and the exportation of certain processed agricultural products to the Czech Republic ⁽¹⁰⁾ with effect from 1 July 2003, processed agricultural products not listed in Annex I to the Treaty which are exported to Estonia, Slovenia, Latvia, Lithuania, Slovakia or Czech Republic are not eligible for export refunds.

⁽¹⁾ OJ L 178, 30.6.2001, p. 1.

⁽²⁾ OJ L 104, 20.4.2002, p. 26.

⁽³⁾ OJ L 177, 15.7.2000, p. 1.

⁽⁴⁾ OJ L 106, 29.4.2003, p. 12.

⁽⁵⁾ OJ L 151, 19.6.2003, p. 1.

⁽⁶⁾ OJ L 163, 1.7.2003, p. 1.

⁽⁷⁾ OJ L 163, 1.7.2003, p. 19.

⁽⁸⁾ OJ L 163, 1.7.2003, p. 38.

⁽⁹⁾ OJ L 163, 1.7.2003, p. 56.

⁽¹⁰⁾ OJ L 163, 1.7.2003, p. 73.

- (7) In accordance with Council Regulation (EC) No 999/2003 of 2 June 2003 adopting autonomous and transitional measures concerning the import of certain processed agricultural products originating in Hungary and the export of certain processed agricultural products to Hungary ⁽¹⁾, with effect from 1 July 2003, the goods referred to in its Article 1(2) which are exported to Hungary shall not be eligible for export refunds
- (8) It is necessary to ensure continuity of strict management taking account of expenditure forecasts and funds available in the budget.
- (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 rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1520/2000 and listed in Article 1(1) and (2) of Regulation (EC) No 1260/2001, exported in the form of goods listed in Annex V to Regulation (EC) No 1260/2001, are fixed as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 2003.

For the Commission
Erkki LIIKANEN
Member of the Commission

ANNEX

to the Commission Regulation of 31 July 2003 fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty

Product	Rate of refund in EUR/100 kg ⁽¹⁾	
	In case of advance fixing of refunds	Other
White sugar	45,98	45,98

⁽¹⁾ With effect from 1 July 2003 these rates are not applicable to goods not covered by Annex I to the Treaty when exported to the Czech Republic, Estonia, Latvia, Lithuania, Slovakia or Slovenia, and to the goods referred to in Article 1(2) of Regulation (EC) No 999/2003 when exported to Hungary.

COMMISSION REGULATION (EC) No 1365/2003
of 31 July 2003
fixing the import duties in the cereals sector

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 1104/2003 ⁽²⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector ⁽³⁾, as last amended by Regulation (EC) No 1110/2003 ⁽⁴⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10 of Regulation (EEC) No 1766/92 provides that the rates of duty in the Common Customs Tariff are to be charged on import of the products referred to in Article 1 of that Regulation. However, in the case of the products referred to in paragraph 2 of that Article, the import duty is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Pursuant to Article 10(3) of Regulation (EEC) No 1766/92, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market.

- (3) Regulation (EC) No 1249/96 lays down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards import duties in the cereals sector.
- (4) The import duties are applicable until new duties are fixed and enter into force. They also remain in force in cases where no quotation is available for the reference exchange referred to in Annex II to Regulation (EC) No 1249/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the representative market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of Regulation (EC) No 1249/96 results in import duties being fixed as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the cereals sector referred to in Article 10(2) of Regulation (EEC) No 1766/92 shall be those fixed in Annex I to this Regulation on the basis of the information given in Annex II.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 161, 29.6.1996, p. 125.

⁽⁴⁾ OJ L 158, 27.6.2003, p. 12.

ANNEX I

Import duties for the products covered by Article 10(2) of Regulation (EEC) No 1766/92

CN code	Description	Import duty ⁽¹⁾ (EUR/tonne)
1001 10 00	Durum wheat high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	Common high quality wheat other than for sowing	0,00
1002 00 00	Rye	28,15
1005 10 90	Maize seed other than hybrid	61,56
1005 90 00	Maize other than seed ⁽²⁾	61,56
1007 00 90	Grain sorghum other than hybrids for sowing	38,24

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal (Article 2(4) of Regulation (EC) No 1249/96), the importer may benefit from a reduction in the duty of:

— EUR 3 per tonne, where the port of unloading is on the Mediterranean Sea, or

— EUR 2 per tonne, where the port of unloading is in Ireland, the United Kingdom, Denmark, Sweden, Finland or the Atlantic coasts of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flat-rate reduction of EUR 24 per tonne, where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating duties

(period from 16 July 2003 to 29 July 2003)

1. Averages over the two-week period preceding the day of fixing:

Exchange quotations	Minneapolis	Chicago	Minneapolis	Minneapolis	Minneapolis	Minneapolis
Product (% proteins at 12 % humidity)	HRS2. 14 %	YC3	HAD2	Medium quality (*)	Low quality (**)	US barley 2
Quotation (EUR/t)	129,06 (****)	71,81	173,59 (***)	163,59 (***)	143,59 (***)	101,23 (***)
Gulf premium (EUR/t)	—	15,93	—	—	—	—
Great Lakes premium (EUR/t)	23,84	—	—	—	—	—

(*) A discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(**) A discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 2378/2002).

(***) Fob Duluth.

(****) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the two-week period preceding the day of fixing:

Freight/cost: Gulf of Mexico–Rotterdam: 17,82 EUR/t; Great Lakes–Rotterdam: 27,65 EUR/t.

3. Subsidy within the meaning of the third paragraph of Article 4(2) of Regulation (EC) No 1249/96: 0,00 EUR/t (HRW2)
0,00 EUR/t (SRW2).

COMMISSION REGULATION (EC) No 1366/2003
of 31 July 2003
determining the world market price for unginning cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Protocol 4 on cotton, annexed to the Act of Accession of Greece, as last amended by Council Regulation (EC) No 1050/2001 ⁽¹⁾,

Having regard to Council Regulation (EC) No 1051/2001 of 22 May 2001 on production aid for cotton ⁽²⁾, and in particular Article 4 thereof,

Whereas:

- (1) In accordance with Article 4 of Regulation (EC) No 1051/2001, a world market price for unginning cotton is to be determined periodically from the price for ginned cotton recorded on the world market and by reference to the historical relationship between the price recorded for ginned cotton and that calculated for unginning cotton. That historical relationship has been established in Article 2(2) of Commission Regulation (EC) No 1591/2001 of 2 August 2001 ⁽³⁾, as amended by Regulation (EC) No 1486/2002 ⁽⁴⁾. Where the world market price cannot be determined in this way, it is to be based on the most recent price determined.
- (2) In accordance with Article 5 of Regulation (EC) No 1051/2001, the world market price for unginning cotton is to be determined in respect of a product of specific characteristics and by reference to the most favourable

offers and quotations on the world market among those considered representative of the real market trend. To that end, an average is to be calculated of offers and quotations recorded on one or more European exchanges for a product delivered cif to a port in the Community and coming from the various supplier countries considered the most representative in terms of international trade. However, there is provision for adjusting the criteria for determining the world market price for ginned cotton to reflect differences justified by the quality of the product delivered and the offers and quotations concerned. Those adjustments are specified in Article 3(2) of Regulation (EC) No 1591/2001.

- (3) The application of the above criteria gives the world market price for unginning cotton determined hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The world price for unginning cotton as referred to in Article 4 of Regulation (EC) No 1051/2001 is hereby determined as equalling EUR 25,840/100 kg.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 2003.

For the Commission

J. M. SILVA RODRÍGUEZ

Agriculture Director-General

⁽¹⁾ OJ L 148, 1.6.2001, p. 1.

⁽²⁾ OJ L 148, 1.6.2001, p. 3.

⁽³⁾ OJ L 210, 3.8.2001, p. 10.

⁽⁴⁾ OJ L 223, 20.8.2002, p. 3.

**COMMISSION REGULATION (EC) No 1367/2003
of 31 July 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 1 August 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, 31 July 2003.

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

ANNEX

to the Commission Regulation of 31 July 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⁾	6,83	0,08	—
1703 90 00 ⁽¹⁾	9,19	—	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 1368/2003
of 31 July 2003**

fixing the export refunds on white sugar and raw sugar without further processing

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 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 the 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 sugar and raw sugar, non-denatured and exported without further processing, 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 flavour or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content.

(4) In special cases, the amount of the refund may be fixed by other legal instruments.

(5) The refund must be fixed every two weeks. It may be altered in the intervening period.

(6) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.

(7) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial in nature.

(8) In order to prevent any abuses associated with the re-importation into the Community of sugar sector products that have qualified for export refunds, refunds for the products covered by this Regulation should not be fixed for all the countries of the western Balkans.

(9) In view of the above and of the present situation on the market in sugar, and in particular of the quotations or prices for sugar within the Community and on the world market, refunds should be fixed at the appropriate amounts.

(10) 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 refunds to be granted on exports of the products listed in Article 1(1)(a) of Regulation (EC) No 1260/2001, non-denatured and without further processing, are hereby fixed in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 August 2003.

⁽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.

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

Done at Brussels, 31 July 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

REFUNDS ON WHITE SUGAR AND RAW SUGAR EXPORTED WITHOUT FURTHER PROCESSING

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	42,30 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	42,30 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	42,30 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	42,30 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % of sucrose × 100 kg product net	0,4598
1701 99 10 9100	S00	EUR/100 kg	45,98
1701 99 10 9910	S00	EUR/100 kg	45,98
1701 99 10 9950	S00	EUR/100 kg	45,98
1701 99 90 9100	S00	EUR/1 % of sucrose × 100 kg of net product	0,4598

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.).

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:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo, as defined in UN Security Council Resolution 1244 of 10 June 1999) and the former Yugoslav Republic of Macedonia, save for sugar incorporated in the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

⁽¹⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 %, the refund amount applicable shall be calculated in accordance with Article 28(4) of Regulation (EC) No 1260/2001.

**COMMISSION REGULATION (EC) No 1369/2003
of 31 July 2003**

fixing the export refunds on syrups and certain other sugar products exported in the natural 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⁾, as 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)(d) of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Article 3 of 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⁾, provides that the export refund on 100 kilograms of the products listed in Article 1(1)(d) of Regulation (EC) No 1260/2001 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; the sucrose content of the product in question is determined in accordance with Article 3 of Commission Regulation (EC) No 2135/95.
- (3) Article 30(3) of Regulation (EC) No 1260/2001 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one hundredth of the production refund applicable, pursuant to Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽⁴⁾ to the products listed in the Annex to the last mentioned Regulation;
- (4) According to the terms of Article 30(1) of Regulation (EC) No 1260/2001, the basic amount of the refund on the other products listed in Article 1(1)(d) of the said Regulation exported in the natural state must be equal to one-hundredth of an amount which takes account, on

the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward-processing arrangements.

- (5) According to the terms of Article 30(4) of Regulation (EC) No 1260/2001, the application of the basic amount may be limited to some of the products listed in Article 1(1)(d) of the said Regulation.
- (6) Article 27 of Regulation (EC) No 1260/2001 makes provision for setting refunds for export in the natural state of products referred to in Article 1(1)(f) and (g) and (h) of that Regulation; the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1(1)(d) of Regulation (EC) No 1260/2001 and of the economic aspects of the intended exports; in the case of the products referred to in the said Article 1(1)(f) and (g), the refund is to be granted only for products complying with the conditions in Article 5 of Regulation (EC) No 2135/95; for the products referred to in Article 1(1)(h), the refund shall be granted only for products complying with the conditions in Article 6 of Regulation (EC) No 2135/95.
- (7) The abovementioned refunds must be fixed every month; they may be altered in the intervening period.
- (8) The first subparagraph of Article 27(5) of Regulation (EC) No 1260/2001 provides that refunds on the products referred to in Article 1 of that Regulation may vary according to destination, where the world market situation or the specific requirements of certain markets make this necessary.
- (9) The significant and rapid increase in preferential imports of sugar from the western Balkan countries since the start of 2001 and in exports of sugar to those countries from the Community seems to be highly artificial in nature.

⁽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.

⁽⁴⁾ OJ L 178, 30.6.2001, p. 63.

- (10) In order to prevent any abuses associated with the reimportation into the Community of sugar sector products that have qualified for export refunds, refunds for the products covered by this Regulation should not be fixed for all the countries of the western Balkans.
- (11) In view of the above, refunds for the products in question should be fixed at the appropriate amounts.
- (12) 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)(d)(f)(g) and (h) of Regulation (EC) No 1260/2001, exported in the natural state, shall be set out in the Annex hereto to this Regulation.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

EXPORT REFUNDS ON SYRUPS AND CERTAIN OTHER SUGAR PRODUCTS EXPORTED WITHOUT FURTHER PROCESSING

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	S00	EUR/100 kg dry matter	45,98 ⁽¹⁾
1702 60 10 9000	S00	EUR/100 kg dry matter	45,98 ⁽¹⁾
1702 60 80 9100	S00	EUR/100 kg dry matter	87,36 ⁽²⁾
1702 60 95 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,4598 ⁽³⁾
1702 90 30 9000	S00	EUR/100 kg dry matter	45,98 ⁽¹⁾
1702 90 60 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,4598 ⁽³⁾
1702 90 71 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,4598 ⁽³⁾
1702 90 99 9900	S00	EUR/1 % sucrose × net 100 kg of product	0,4598 ⁽³⁾ ⁽⁴⁾
2106 90 30 9000	S00	EUR/100 kg dry matter	45,98 ⁽¹⁾
2106 90 59 9000	S00	EUR/1 % sucrose × net 100 kg of product	0,4598 ⁽³⁾

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).

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:

S00: all destinations (third countries, other territories, victualling and destinations treated as exports from the Community) with the exception of Albania, Croatia, Bosnia and Herzegovina, Serbia and Montenegro (including Kosovo as defined by the United Nations Security Council Resolution 1244 of 10 June 1999) and the former Yugoslav Republic of Macedonia, except for sugar incorporated into the products referred to in Article 1(2)(b) of Council Regulation (EC) No 2201/96 (OJ L 297, 21.11.1996, p. 29).

⁽¹⁾ Applicable only to products referred to in Article 5 of Regulation (EC) No 2135/95.

⁽²⁾ Applicable only to products referred to in Article 6 of Regulation (EC) No 2135/95.

⁽³⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EC) No 2135/95). Sucrose content is determined in accordance with Article 3 of Regulation (EC) No 2135/95.

⁽⁴⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

**COMMISSION REGULATION (EC) No 1370/2003
of 31 July 2003**

fixing the maximum export refund for white sugar to certain third countries for the 38th 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⁾, as amended by Regulation (EC) No 432/2003 ⁽⁴⁾, for the 2002/2003 marketing year, requires partial invitations to tender to be issued for the export of this sugar to certain third countries.

(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 38th 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 38th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1331/2002 the maximum amount of the export refund to certain third countries is fixed at 49,034 EUR/100 kg.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 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.

⁽⁴⁾ OJ L 65, 8.3.2003, p. 21.

**COMMISSION REGULATION (EC) No 1371/2003
of 31 July 2003**

fixing the maximum export refund for white sugar to certain third countries for the first partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1290/2003

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 1290/2003 of 18 July 2003 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar ⁽³⁾, as amended by Regulation (EC) No 432/2003 ⁽⁴⁾, for the 2003/2004 marketing year, requires partial invitations to tender to be issued for the export of this sugar to certain third countries.

(2) Pursuant to Article 9(1) of Regulation (EC) No 1290/2003 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 first 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 first partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1290/2003 the maximum amount of the export refund to certain third countries is fixed at 49,535 EUR/100 kg.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 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 181, 19.7.2003, p. 7.

⁽⁴⁾ OJ L 65, 8.3.2003, p. 21.

**COMMISSION REGULATION (EC) No 1372/2003
of 31 July 2003**

fixing the production refund on white sugar used in the chemical industry

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 7(5) thereof,

Whereas:

- (1) Pursuant to Article 7(3) of Regulation (EC) No 1260/2001, production refunds may be granted on the products listed in Article 1(1)(a) and (f) of that Regulation, on syrups listed in Article 1(1)(d) thereof and on chemically pure fructose covered by CN code 1702 50 00 as an intermediate product, that are in one of the situations referred to in Article 23(2) of the Treaty and are used in the manufacture of certain products of the chemical industry.
- (2) Commission Regulation (EC) No 1265/2001 of 27 June 2001 laying down detailed rules for the application of Council Regulation (EC) No 1260/2001 as regards granting the production refund on certain sugar products used in the chemical industry ⁽³⁾ lays down the rules for determining the production refunds and specifies the chemical products the basic products used in the manufacture of which attract a production refund. Articles 5, 6 and 7 of Regulation (EC) No 1265/2001 provide that the production refund applying to raw sugar, sucrose syrups and unprocessed isoglucose is to be derived from the refund fixed for white sugar in accordance with a method of calculation specific to each basic product.
- (3) Article 9 of Regulation (EC) No 1265/2001 provides that the production refund on white sugar is to be fixed at monthly intervals commencing on the first day of

each month. It may be adjusted in the intervening period where there is a significant change in the prices for sugar on the Community and/or world markets. The application of those provisions results in the production refund fixed in Article 1 of this Regulation for the period shown.

- (4) As a result of the amendment to the definition of white sugar and raw sugar in Article 1(2)(a) and (b) of Regulation (EC) No 1260/2001, flavoured or coloured sugars or sugars containing any other added substances are no longer deemed to meet those definitions and should thus be regarded as 'other sugar'. However, in accordance with Article 1 of Regulation (EC) No 1265/2001, they attract the production refund as basic products. A method should accordingly be laid down for calculating the production refund on these products by reference to their sucrose content.
- (5) 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 production refund on white sugar referred to in Article 4 of Regulation (EC) No 1265/2001 shall be equal to 44,221 EUR/100 kg net.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 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 178, 30.6.2001, p. 63.

COMMISSION REGULATION (EC) No 1373/2003

of 31 July 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 1 000 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 498/2003 ⁽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 1 000 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 1 August 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 74, 20.3.2003, p. 15.

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

Done at Brussels, 31 July 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 31 July 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	82	1006 30 65 9900	R01	EUR/t	102
1006 20 13 9000	R01	EUR/t	82		064 and 066	EUR/t	128
1006 20 15 9000	R01	EUR/t	82		A97	EUR/t	108
1006 20 17 9000	—	EUR/t	—	1006 30 67 9100	021 and 023	EUR/t	108
1006 20 92 9000	R01	EUR/t	82		064 and 066	EUR/t	128
1006 20 94 9000	R01	EUR/t	82	1006 30 67 9900	064 and 066	EUR/t	128
1006 20 96 9000	R01	EUR/t	82	1006 30 92 9100	R01	EUR/t	102
1006 20 98 9000	—	EUR/t	—		R02	EUR/t	108
1006 30 21 9000	R01	EUR/t	82		R03	EUR/t	113
1006 30 23 9000	R01	EUR/t	82		064 and 066	EUR/t	128
1006 30 25 9000	R01	EUR/t	82		A97	EUR/t	108
1006 30 27 9000	—	EUR/t	—		021 and 023	EUR/t	108
1006 30 42 9000	R01	EUR/t	82	1006 30 92 9900	R01	EUR/t	102
1006 30 44 9000	R01	EUR/t	82		A97	EUR/t	108
1006 30 46 9000	R01	EUR/t	82		064 and 066	EUR/t	128
1006 30 48 9000	—	EUR/t	—	1006 30 94 9100	R01	EUR/t	102
1006 30 61 9100	R01	EUR/t	102		R02	EUR/t	108
	R02	EUR/t	108		R03	EUR/t	113
	R03	EUR/t	113		064 and 066	EUR/t	128
	064 and 066	EUR/t	128		A97	EUR/t	108
	A97	EUR/t	108		021 and 023	EUR/t	108
1006 30 61 9900	021 and 023	EUR/t	108	1006 30 94 9900	R01	EUR/t	102
	R01	EUR/t	102		A97	EUR/t	108
	A97	EUR/t	108		064 and 066	EUR/t	128
1006 30 63 9100	064 and 066	EUR/t	128	1006 30 96 9100	R01	EUR/t	102
	R01	EUR/t	102		R02	EUR/t	108
	R02	EUR/t	108		R03	EUR/t	113
	R03	EUR/t	113		064 and 066	EUR/t	128
	064 and 066	EUR/t	128		A97	EUR/t	108
	A97	EUR/t	108		021 and 023	EUR/t	108
1006 30 63 9900	021 and 023	EUR/t	108	1006 30 96 9900	R01	EUR/t	102
	R01	EUR/t	102		A97	EUR/t	108
	064 and 066	EUR/t	128		064 and 066	EUR/t	128
	A97	EUR/t	108		021 and 023	EUR/t	108
1006 30 65 9100	R01	EUR/t	102	1006 30 98 9100	R01	EUR/t	102
	R02	EUR/t	108		A97	EUR/t	108
	R03	EUR/t	113		064 and 066	EUR/t	128
	064 and 066	EUR/t	128	1006 30 98 9900	021 and 023	EUR/t	108
	A97	EUR/t	108		—	EUR/t	—
	021 and 023	EUR/t	108	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:

all destinations R01, R02, R03, 064, 066 and A97: 950 t,
destinations 021 and 023: 50 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 1374/2003
of 31 July 2003
fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 13(2) thereof,

Whereas:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 2003.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, 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 31 July 2003 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

Product code	Destination	Unit of measurement	Amount of refunds	Product code	Destination	Unit of measurement	Amount of refunds
1001 10 00 9200	—	EUR/t	—	1101 00 15 9130	A00	EUR/t	0
1001 10 00 9400	—	EUR/t	—	1101 00 15 9150	A00	EUR/t	0
1001 90 91 9000	—	EUR/t	—	1101 00 15 9170	A00	EUR/t	0
1001 90 99 9000	—	EUR/t	—	1101 00 15 9180	A00	EUR/t	0
1002 00 00 9000	—	EUR/t	—	1101 00 15 9190	—	EUR/t	—
1003 00 10 9000	—	EUR/t	—	1101 00 90 9000	—	EUR/t	—
1003 00 90 9000	—	EUR/t	—	1102 10 00 9500	C14	EUR/t	38,25
1004 00 00 9200	—	EUR/t	—	1102 10 00 9700	C14	EUR/t	30,25
1004 00 00 9400	—	EUR/t	—	1102 10 00 9900	—	EUR/t	—
1005 10 90 9000	—	EUR/t	—	1103 11 10 9200	A00	EUR/t	0 ⁽¹⁾
1005 90 00 9000	—	EUR/t	—	1103 11 10 9400	A00	EUR/t	0 ⁽¹⁾
1007 00 90 9000	—	EUR/t	—	1103 11 10 9900	—	EUR/t	—
1008 20 00 9000	—	EUR/t	—	1103 11 90 9200	A00	EUR/t	0 ⁽¹⁾
1101 00 11 9000	—	EUR/t	—	1103 11 90 9800	—	EUR/t	—
1101 00 15 9100	A00	EUR/t	0				

⁽¹⁾ No refund is granted when this product contains compressed meal.

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

The other destinations are as follows:

C14 All destinations except for Bulgaria, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, the Czech Republic, Romania, Slovakia and Slovenia.

COMMISSION REGULATION (EC) No 1375/2003
of 31 July 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 1 August 2003.

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

Done at Brussels, 31 July 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 31 July 2003 fixing the corrective amount applicable to the refund on cereals

Product code	Destination	(EUR/t)						
		Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
1001 10 00 9200	—	—	—	—	—	—	—	—
1001 10 00 9400	—	—	—	—	—	—	—	—
1001 90 91 9000	—	—	—	—	—	—	—	—
1001 90 99 9000	—	—	—	—	—	—	—	—
1002 00 00 9000	—	—	—	—	—	—	—	—
1003 00 10 9000	—	—	—	—	—	—	—	—
1003 00 90 9000	—	—	—	—	—	—	—	—
1004 00 00 9200	—	—	—	—	—	—	—	—
1004 00 00 9400	—	—	—	—	—	—	—	—
1005 10 90 9000	—	—	—	—	—	—	—	—
1005 90 00 9000	—	—	—	—	—	—	—	—
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 1779/2002 (OJ L 269, 5.10.2002, p. 6).

COMMISSION REGULATION (EC) No 1376/2003
of 31 July 2003
fixing the export refunds on products processed from cereals and rice

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(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organization of the market in rice ⁽³⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽⁴⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 and Article 13 of Regulation (EC) No 3072/95 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund.
- (2) Article 13 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 cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other. The same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market.
- (3) Article 4 of Commission Regulation (EC) No 1518/95 ⁽⁵⁾, as amended by Regulation (EC) No 2993/95 ⁽⁶⁾, on the import and export system for products processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated.
- (4) The refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of

the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product.

- (5) There is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products. For certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time.
- (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) The refund must be fixed once a month. It may be altered in the intervening period.
- (8) Certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted.
- (9) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1(1)(d) of Regulation (EEC) No 1766/92 and in Article 1(1)(c) of Regulation (EC) No 3072/95 and subject to Regulation (EC) No 1518/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 August 2003.

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 193, 29.7.2000, p. 1.

⁽³⁾ OJ L 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 147, 30.6.1995, p. 55.

⁽⁶⁾ OJ L 312, 23.12.1995, p. 25.

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

Done at Brussels, 31 July 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX

to the Commission Regulation of 31 July 2003 fixing the export refunds on products processed from cereals and rice

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
1102 20 10 9200 ⁽¹⁾	C11	EUR/t	59,79	1104 23 10 9300	C14	EUR/t	49,12
1102 20 10 9400 ⁽¹⁾	C11	EUR/t	51,25	1104 29 11 9000	C13	EUR/t	0,00
1102 20 90 9200 ⁽¹⁾	C11	EUR/t	51,25	1104 29 51 9000	C13	EUR/t	0,00
1102 90 10 9100	C17	EUR/t	0,00	1104 29 55 9000	C13	EUR/t	0,00
1102 90 10 9900	C17	EUR/t	0,00	1104 30 10 9000	C13	EUR/t	0,00
1102 90 30 9100	C18	EUR/t	0,00	1104 30 90 9000	C14	EUR/t	10,68
1103 19 40 9100	C16	EUR/t	0,00	1107 10 11 9000	C21	EUR/t	0,00
1103 13 10 9100 ⁽¹⁾	C19	EUR/t	76,88	1107 10 91 9000	C21	EUR/t	0,00
1103 13 10 9300 ⁽¹⁾	C19	EUR/t	59,79	1108 11 00 9200	C10	EUR/t	0,00
1103 13 10 9500 ⁽¹⁾	C19	EUR/t	51,25	1108 11 00 9300	C10	EUR/t	0,00
1103 13 90 9100 ⁽¹⁾	C14	EUR/t	51,25	1108 12 00 9200	C10	EUR/t	68,34
1103 19 10 9000	C16	EUR/t	37,34	1108 12 00 9300	C10	EUR/t	68,34
1103 19 30 9100	C14	EUR/t	0,00	1108 13 00 9200	C10	EUR/t	68,34
1103 20 60 9000	C20	EUR/t	0,00	1108 13 00 9300	C10	EUR/t	68,34
1103 20 20 9000	C17	EUR/t	0,00	1108 19 10 9200	C10	EUR/t	42,56
1104 19 69 9100	C14	EUR/t	0,00	1108 19 10 9300	C10	EUR/t	42,56
1104 12 90 9100	C13	EUR/t	0,00	1109 00 00 9100	C10	EUR/t	0,00
1104 12 90 9300	C13	EUR/t	0,00	1702 30 51 9000 ⁽²⁾	C10	EUR/t	66,95
1104 19 10 9000	C13	EUR/t	0,00	1702 30 59 9000 ⁽²⁾	C10	EUR/t	51,25
1104 19 50 9110	C14	EUR/t	68,34	1702 30 91 9000	C10	EUR/t	66,95
1104 19 50 9130	C14	EUR/t	55,52	1702 30 99 9000	C10	EUR/t	51,25
1104 29 01 9100	C14	EUR/t	0,00	1702 40 90 9000	C10	EUR/t	51,25
1104 29 03 9100	C14	EUR/t	0,00	1702 90 50 9100	C10	EUR/t	66,95
1104 29 05 9100	C14	EUR/t	0,00	1702 90 50 9900	C10	EUR/t	51,25
1104 29 05 9300	C14	EUR/t	0,00	1702 90 75 9000	C10	EUR/t	70,15
1104 22 20 9100	C13	EUR/t	0,00	1702 90 79 9000	C10	EUR/t	48,69
1104 22 30 9100	C13	EUR/t	0,00	2106 90 55 9000	C10	EUR/t	51,25
1104 23 10 9100	C14	EUR/t	64,07				

⁽¹⁾ No refund shall be granted on products given a heat treatment resulting in pregelatinisation of the starch.

⁽²⁾ Refunds are granted in accordance with Council Regulation (EEC) No 2730/75 (OJ L 281, 1.11.1975, p. 20), as amended.

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 Regulation (EC) No 1779/2002 (OJ L 269, 5.10.2002, p. 6).

The other destinations are as follows:

C10 All destinations except for Estonia,

C11 All destinations except for Estonia, Hungary, Poland and Slovenia,

C12 All destinations except for Estonia, Hungary, Latvia and Poland,

C13 All destinations except for Estonia, Hungary and Lithuania,

C14 All destinations except for Estonia and Hungary,

C15 All destinations except for Estonia, Hungary, Latvia, Lithuania and Poland,

C16 All destinations except for Estonia, Hungary, Latvia and Lithuania,

C17 All destinations except for Bulgaria, Estonia, Hungary, Poland and Slovenia,

C18 All destinations except for Bulgaria, Estonia, Hungary, Latvia, Lithuania, Poland and Slovenia,

C19 All destinations except for Estonia, Hungary and Slovenia,

C20 All destinations except for Estonia, Hungary, Latvia, Lithuania and Romania,

C21 All destinations except for Bulgaria, Estonia, Hungary, Lithuania, Romania and Slovenia.

COMMISSION REGULATION (EC) No 1377/2003
of 31 July 2003
fixing the export refunds on cereal-based compound feedingstuffs

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 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EEC) No 1766/92 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and 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 ⁽³⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize

products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) The current situation on the cereals market and, in particular, the supply prospects mean that the export refunds should be abolished.
- (6) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with the Annex to this Regulation, the export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EC) No 1517/95 shall not be fixed.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 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. 51.

ANNEX

to the Commission Regulation of 31 July 2003 fixing the export refunds on cereal-based compound feedingstuffs

Product codes benefiting from export refund:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	C10	EUR/t	—
Cereal products excluding maize and maize products	C10	EUR/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.

C10 All destinations except for Estonia.

COMMISSION REGULATION (EC) No 1378/2003
of 31 July 2003
fixing production refunds on cereals and rice

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 7(3) thereof,

Having regard to Council Regulation (EC) No 3072/95 of 22 December 1995 on the common organisation of the market in rice ⁽³⁾, as last amended by Commission Regulation (EC) No 411/2002 ⁽⁴⁾, and in particular Article 7(2) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EC) No 1786/2001 ⁽⁶⁾, and in particular Article 3 thereof,

Whereas:

- (1) Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund. The basis for the calculation is established in Article 3 of the said Regula-

tion. The refund thus calculated must be fixed once a month and may be altered if the price of maize and/or wheat changes significantly.

- (2) The production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable.
- (3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The refund referred to in Article 3(2) of Regulation (EEC) No 1722/93, expressed per tonne of starch extracted from maize, wheat, barley, oats, potatoes, rice or broken rice, shall be EUR 21,73/t.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 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 329, 30.12.1995, p. 18.

⁽⁴⁾ OJ L 62, 5.3.2002, p. 27.

⁽⁵⁾ OJ L 159, 1.7.1993, p. 112.

⁽⁶⁾ OJ L 242, 12.9.2001, p. 3.

COMMISSION REGULATION (EC) No 1379/2003
of 31 July 2003
concerning tenders notified in response to the invitation to tender for the export of barley issued
in Regulation (EC) No 936/2003

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 1104/2003 ⁽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 certain third countries was opened pursuant to Commission Regulation (EC) No 936/2003 ⁽⁶⁾.

- (2) Article 7 of Regulation (EC) No 1501/95, allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.
- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.
- (4) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 25 to 31 July 2003 in response to the invitation to tender for the refund for the export of barley issued in Regulation (EC) No 936/2003.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 2003.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, 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 127, 9.5.2002, p. 11.

COMMISSION REGULATION (EC) No 1380/2003
of 31 July 2003
concerning tenders notified in response to the invitation to tender for the export of common
wheat issued in Regulation (EC) No 934/2003

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 1104/2003⁽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 common wheat to certain third countries was opened pursuant to Commission Regulation (EC) No 934/2003⁽⁶⁾.

(2) Article 7 of Regulation (EC) No 1501/95 allows the Commission to decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and on the basis of the tenders notified, to make no award.

(3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95 a maximum refund should not be fixed.

(4) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 25 to 31 July 2003 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 934/2003.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 2003.

For the Commission
Franz FISCHLER
Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, 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 133, 29.5.2003, p. 42.

**COMMISSION REGULATION (EC) No 1381/2003
of 31 July 2003**

**fixing the maximum reduction in the duty on sorghum imported in connection with the invitation
to tender issued in Regulation (EC) No 699/2003**

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 1104/2003⁽²⁾, and in particular Article 12(1) thereof,

Whereas:

- (1) An invitation to tender for the maximum reduction in the duty on sorghum imported into Spain was opened pursuant to Commission Regulation (EC) No 699/2003⁽³⁾.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 1839/95⁽⁴⁾, as last amended by Regulation (EC) No 2235/2000⁽⁵⁾, the Commission, acting under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, may decide to fix a maximum reduction in the import duty. In fixing this maximum the criteria provided for in Articles 6 and 7 of Regulation (EC) No 1839/95 must be taken into account. Whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum reduction in the duty.

(3) The application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum reduction in the import duty 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 25 to 31 July 2003, pursuant to the invitation to tender issued in Regulation (EC) No 699/2003, the maximum reduction in the duty on sorghum imported shall be 28,78 EUR/t and be valid for a total maximum quantity of 33 500 t.

Article 2

This Regulation shall enter into force on 1 August 2003.

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

Done at Brussels, 31 July 2003.

For the Commission

Franz FISCHLER

Member of the Commission

⁽¹⁾ OJ L 181, 1.7.1992, p. 21.

⁽²⁾ OJ L 158, 27.6.2003, p. 1.

⁽³⁾ OJ L 99, 17.4.2003, p. 29.

⁽⁴⁾ OJ L 177, 28.7.1995, p. 4.

⁽⁵⁾ OJ L 256, 10.10.2000, p. 13.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 31 July 2003

amending Decisions 1999/283/EC and 2000/585/EC as regards imports of fresh meat from Botswana and Swaziland

(notified under document number C(2003) 2743)

(Text with EEA relevance)

(2003/571/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Whereas:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽¹⁾ as last amended by Regulation (EC) No 807/2003 ⁽²⁾, and in particular Article 14(3) thereof,

Having regard to Council Directive 92/45/EC of 16 June 1992 on public health and animal health problems relating to the killing of wild game and the placing on the market of wild game meat ⁽³⁾, as last amended by Regulation (EC) No 806/2003 ⁽⁴⁾, and in particular Article 16(3) thereof,

Having regard to Council Directive 92/118/EEC ⁽⁵⁾ of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I) to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC as last amended by Commission Decision 2003/42/EC ⁽⁶⁾, and in particular Article 10 thereof,

- (1) The animal health and veterinary certification conditions for imports of fresh meat from certain African countries are laid down by Commission Decision 1999/283/EC ⁽⁷⁾, as last amended by Decision 2003/163/EC ⁽⁸⁾.
- (2) The animal and public health veterinary certification conditions for import of wild and farmed game meat and rabbit meat from third countries are laid down by Commission Decision 2000/585/EC ⁽⁹⁾, as last amended by Decision 2003/163/EC.
- (3) Following outbreaks of foot-and-mouth disease in Botswana, Decisions 1999/283/EC and 2000/585/EC were amended by Commission Decision 2003/74/EC ⁽¹⁰⁾ to suspend exports to the Community from the whole of the country of boned and matured fresh meat of bovine, ovine and caprine species and farmed and wild ungulates produced after the presumed date of first infection, pending further information required to support regionalisation.
- (4) Additional information and guarantees were received from the Botswanan veterinary authorities and Decisions 1999/283/EC and 2000/585/EC were amended by Decision 2003/163/EC to regionalise the country to allow imports into the Community of such boned and matured meat from zones 10, 11, 12, 13 and 14.

⁽¹⁾ OJ L 302, 31.12.1972, p. 28.

⁽²⁾ OJ L 122, 16.5.2003, p. 36.

⁽³⁾ OJ L 268, 14.9.1992, p. 35.

⁽⁴⁾ OJ L 122, 16.5.2003, p. 1.

⁽⁵⁾ OJ L 62, 15.3.1993, p. 49.

⁽⁶⁾ OJ L 13, 18.1.2003, p. 24.

⁽⁷⁾ OJ L 110, 28.4.1999, p. 16.

⁽⁸⁾ OJ L 66, 11.3.2003, p. 41.

⁽⁹⁾ OJ L 251, 6.10.2000, p. 1.

⁽¹⁰⁾ OJ L 28, 4.2.2003, p. 45.

- (5) No further cases of foot-and-mouth disease have been observed throughout the country since January 2003, all vaccinated animals have been destroyed and intensive surveillance including serological surveillance is being carried out with negative results for foot-and-mouth disease.
- (6) The Botswanan authorities have given the necessary guarantees to the Commission that the veterinary control zones 5, 6, 7, 8, 9, and 18 may again be considered free of foot-and-mouth disease without vaccination.
- (7) Accordingly, the importation into the Community of boned and matured fresh meat (excluding offal) of bovine, ovine and caprine species and farmed and wild ungulates should be allowed from zones 5, 6, 7, 8, 9, and 18 provided that slaughter took place after 7 June 2003.
- (8) Following outbreaks of foot-and-mouth disease in Swaziland, Decision 1999/283/EC was amended by Commission Decision 2001/297/EC⁽¹⁾ to suspend exports to the Community from the whole of the country of boned and matured fresh meat of bovine species produced after the presumed date of first infection, pending further information required to support regionalisation.
- (9) Additional information and guarantees were received from the Swaziland veterinary authorities and Decision 2000/585/EC was amended by Decision 2001/661/EC⁽²⁾ to regionalise the country to allow imports into the Community of such boned and matured meat from certain zones.
- (10) No further cases of foot-and-mouth disease have been observed throughout the country, the last vaccination was carried out in May 2001, all vaccinated animals have been identified and intensive surveillance including serological surveillance is being carried out with negative results for foot-and-mouth disease.
- (11) The Swaziland authorities have given the necessary guarantees to the Commission that the territory excluding the area west of the 'red line' fences which extend northwards from the river Usutu to the frontier with South Africa west of Nkalashane may again be considered free of foot-and-mouth disease without vaccination.
- (12) Accordingly, the importation into the Community of boned and matured fresh meat (excluding offal) of bovine species should be allowed from this zone.
- (13) Decisions 1999/283/EC and 2000/585/EC should therefore be amended accordingly.
- (14) 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

Annex I to Decision 1999/283/EC is replaced by the text in Annex I to this Decision.

Article 2

Annex II to Decision 1999/283/EC is replaced by the text in Annex II to this Decision.

Article 3

Annex I to Decision 2000/585/EC is replaced by the text in Annex III to this Decision.

Article 4

Annex II to Decision 2000/585/EC is replaced by the text in Annex IV to this Decision.

Article 5

This Decision shall apply from 4 August 2003.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 31 July 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 102, 12.4.2001, p. 61.

⁽²⁾ OJ L 232, 30.8.2001, p. 25.

ANNEX I

'ANNEX I

Description of territories of certain African countries established for animal health certification purposes

Country	Territory code	Version	Description of territory
Botswana	BW	1/1999	The whole country
	BW-01	1/2003	Veterinary disease control zones 5, 6, 7, 8, 9, and 18.
	BW-02	1/2003	Veterinary disease control zones 10, 11, 12, 13 and 14.
Morocco	MA	1/1999	The whole country
Madagascar	MG	1/1999	The whole country
Namibia	NA	1/1999	The whole country
	NA-01	1/2000	South of the cordon fence which extends from Palgrave Point in the west to Gam in the east
Swaziland	SZ	1/1999	The whole country
	SZ-01	1/2003	Area west of the "red line" fence which extends northwards from the river Usutu to the frontier with South Africa west of Nkalashane
South Africa	ZA	1/1999	The whole country
	ZA-01	3/2001	Republic of South Africa excluding: — the part of the foot-and-mouth disease control area situated in the veterinary regions of Mpumalanga and Northern provinces, in the district of Ingwavuma of the veterinary region of Natal and in the border area with Botswana east of longitude 28° — the district of Camperdown, in the province of KwaZulu-Natal
Zimbabwe	ZW	1/1999	The whole country
	ZW-01	1/1999	Veterinary regions of Mashonaland West province, Mashonaland East province (including Chikomba district), Mashonaland Central province, Manicaland province (including only Makoni district), Midlands province (including only the Gweru, Kwekwe, Shurugwi, Chirimanzu and Zvishavane districts), Masvingo province (including only the districts of Gutu and Masvingo), Matabeleland South province (including only the Insiza, Bullimamangwe, Umzingwamange, Gwanda and West Nicholson districts) and Matabeleland north province (including only the districts of Bubi and Umgusa)

ANNEX II

'ANNEX II

Models of animal health certificates to be requested

Country	Code	Fresh meat for human consumption								Fresh meat intended for purposes other than human consumption
		Bovine		Swine		Ovine/Caprine		Solipeds		
		MC ⁽¹⁾	SG ⁽²⁾	MC ⁽¹⁾	SG ⁽²⁾	MC ⁽¹⁾	SG ⁽²⁾	MC ⁽¹⁾	SG ⁽²⁾	
Botswana	BW	—		—		—		D		—
	BW-01	A ⁽³⁾	a	—		C ⁽³⁾	a	D		—
	BW-02	A ⁽⁴⁾	a	—		C ⁽⁴⁾	a	D		—
Morocco	MA	—		—		—		D		—
Madagascar	MG	—		—		—		—		—
Namibia	NA	—		—		—		D		—
	NA-01	A	a	—		C	a	D		—
Swaziland	SZ	—		—		—		D		—
	SZ-01	A	a	—		—		D		—
South Africa	ZA	—		—		—		D		—
	ZA-01	A	a	—		C	a	D		—
Zimbabwe	ZW	—		—		—		—		—
	ZW-01	—		—		—		—		—

(¹) MC: model certificate to be completed: the letters (A, B, C, D) appearing on the tables refer to the models of animal health guarantees as described in Annex III, to be applied for each product category in accordance with Article 2 of this Decision; a dash "—" indicates that imports are not authorised.

(²) SG: supplementary guarantees: the letters (a, b, c, d) appearing on the tables refer to the supplementary guarantees to be provided by the exporting country as described in Annex IV. These supplementary guarantees must be inserted by the exporting country in section V of each model certificate laid down in Annex III.

(³) Meat produced from animals slaughtered after 7 July 2002 and before 23 December 2002 and meat produced from animals slaughtered after 7 June 2003 can be imported into the Community.

(⁴) Meat produced from animals slaughtered after 7 March 2002 can be imported into the Community.'

ANNEX III

'ANNEX I

Description of territories of certain third countries established for animal health certification purposes

Country	Territory code	Version	Description of territory
Bulgaria	BG-1	—	As described in Annex I to Commission Decision 98/371/EC (as last amended) ⁽¹⁾
	BG-2	—	As described in Annex I to Commission Decision 98/371/EC (as last amended)
	BG-3	—	As described in Annex I to Commission Decision 98/371/EC (as last amended)
Brazil	BR-1	—	As described in Annex I to Commission Decision 94/984/EC (as last amended) ⁽²⁾
Botswana	BW-01	2/2003	As described in Annex I to Commission Decision 1999/283/EC (as last amended) ⁽³⁾
	BW-02	2/2003	As described in Annex I to Commission Decision 1999/283/EC (as last amended)
Czech Republic	CZ-1	—	As described in Annex I to Commission Decision 98/371/EC (as last amended)
	CZ-2	—	As described in Annex I to Commission Decision 98/371/EC (as last amended)
Namibia	NA-01	—	As described in Annex I to Commission Decision 1999/283/EC (as last amended)
Russia	RU-1	1/1999	The region of Murmansk (Murmanskaya oblast)
Swaziland	SZ-01	1/2003	As described in Annex I to Commission Decision 1999/283/EC (as last amended)
South Africa	ZA-01	—	As described in Annex I to Commission Decision 1999/283/EC (as last amended)
Zimbabwe	ZW-01	—	As described in Annex I to Commission Decision 1999/283/EC (as last amended)
Any country appearing in the first column of Annex II	ISO code as indicated in the first column of Annex II		The whole country

⁽¹⁾ OJ L 170, 29.5.1998, p. 16.⁽²⁾ OJ L 378, 31.12.1994, p. 11.⁽³⁾ OJ L 110, 12.4.1999, p. 16.

Animal health guarantees to be requested on certification of wild and farmed game meat and rabbit meat

Country	code of Territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		Leporidae (rabbit and hare)				Other wild land mammals		
		Wild		Farmed		Wild		Farmed		Wild		Farmed				Wild		Domestic rabbit				
		MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	
AR	Argentina	AR	—		—		—		—		D	8	I		—		C		H		—	
AU	Australia	AU	A	9	F		J	9	G		D	8	I		—		C		H		E	
BG	Bulgaria	BG	—		—		—		—		D		I		—		C		H		—	
		BG-1	A		F		—		—		D		I		—		C		H		—	
		BG-2	A		F		—		—		D		I		—		C		H		—	
		BG-3	—		—		—		—		D		I		—		C		H		—	
BR	Brazil	BR	—		—		—		—		—		—		—		C		H		—	
		BR-1	—		—		—		—		D	8	I		—		C		H		—	
BW	Botswana	BW	—		—		—		—		—		—		B		C		H		—	
		BW-01	A (v)	1,2	F (v)	2,3	—		—		—		—		B		C		H		—	
		BW-02	A (v)	1,2	F (v)	2,3	—		—		—		—		B		C		H		—	
CA	Canada	CA	A	9	F		J	9	G		D	8	I		—		C		H		E	
CH	Switzerland	CH	A		F		J		G		D		I		—		C		H		—	
CL	Chile	CL	A	9	F		—		—		D	8	I		—		C		H		—	
CY	Cyprus	CY	A	9	F		J	9	G		D	8	I		—		C		H		—	
CZ	Czech Republic	CZ	A		F		—		G		D		I		—		C		H		—	
		CZ-1	A		F		J		G		D		I		—		C		H		—	
		CZ-2	A		F		—		G		D		I		—		C		H		—	

Country		code of Territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		Leporidae (rabbit and hare)				Other wild land mammals	
			Wild		Farmed		Wild		Farmed		Wild		Farmed				Wild		Domestic rabbit			
			MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)	MC (1)	SC (2)
EE	Estonia	EE	A		F		—		—		—		I		—		C		H		E	
GL	Greenland	GL	A		F		—		—		D		—		—		C		H		E	
HR	Croatia	HR	A		F		—		—		D		I		—		C		H		—	
HU	Hungary	HU	A		F		J	7	G		D		I		—		C		H		—	
IL	Israel	IL	—		—		—	—	—		D	8	I		—		C		H		—	
LI	Lithuania	LI	A		F		—		—		D		I		—		C		H		E	
LV	Latvia	LV	A		F		—		—		—		—		—		C		H		E	
NA	Namibia	NA	—		—		—		—		—		—		B		C		H		—	
		NA-01	A	1,2	F	2,3	—		—		—		—		B		C		H		—	
NC	New Caledonia	NC	A		F		J		—		—		—		—		C		H		—	
NZ	New Zealand	NZ	A	9	F		—	9	G		D	8	I		—		C		H		E	
PL	Poland	PL	A		F		—		—		D		I		—		C		H		—	
RO	Romania	RO	A		F		—		—		D		I		—		C		H		E	
RU	Russia	RU	—		—	—	—		—		—		—	—	—		C		H		E	
		RU-1	—	—	F	5	—		—		—		—		—		C		H		E	
SL	Slovenia	SL	A		F		—		—		D		I		—		C		H		—	
SK	Slovak Republic	SK	A		F		—		—		D		I		—		C		H		—	

Country	code of Territory	Cloven-hoofed game, excluding wild swine				Wild swine				Game birds				Wild solipeds		Leporidae (rabbit and hare)				Other wild land mammals		
		Wild		Farmed		Wild		Farmed		Wild		Farmed				Wild		Domestic rabbit				
		MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	MC ⁽¹⁾	SC ⁽²⁾	
SZ	Swaziland	SZ	—		—		—		—		—		—		B		C		H		—	
		SZ-01	A	1,2	F	2,3	—		—		—		—		B		C		H		—	
TH	Thailand	TH	—		—		—		—		D	8	I		—		C		H		—	
TN	Tunisia	TN	—		—		—		—		D	8	I		—		C		H		—	
US	United States of America	US	A	9	F		J	9	G		D	8	I		—		C		H		—	
UY	Uruguay	UY	—		—		—		—		—		—		—		C		H		—	
ZA	South Africa	ZA	—		—		—		—		—		—		B		C		H		—	
			ZA-01	A	1,2	F	2,3	—		—		—		—		B		C		H		—
ZW	Zimbabwe	ZW	—		—		—		—		—		—				C		H		—	
			ZW-01	—		—		—		—		—		—				C		H		—
Third countries, other than those above, appearing on the list of the first part of the Annex to Decision 79/542/EEC, as last amended			—		—		—		—		—		—		—		C		H		—	

NB:

⁽¹⁾ Meat produced from animals slaughtered after 7 July 2002 and before 23 December 2002 and meat produced from animals slaughtered after 7 June 2003 can be imported into the Community.

⁽²⁾ Meat produced from animals slaughtered after 7 March 2002 can be imported into the Community.

⁽¹⁾ MC: model certificate to be completed. The letters (A, B, C, D, etc.) appearing in the tables refer to the models of animal health guarantees, as described in Annex III to this decision, to be applied for each category of fresh meat and origin in accordance with Article 2 of this decision. A dash "—" indicates that imports are not authorised.

⁽²⁾ SC: specific conditions. The numbers (1, 2, 3, etc.) appearing in the table refer to the special conditions to be provided by the exporting country as described in Annex IV. These supplementary guarantees must be inserted by the exporting country in section V of each model certificate set out in Annex III.

COMMISSION DECISION

of 31 July 2003

amending for the second time Council Decision 2003/67/EC as regards protection measures relating to Newcastle disease in the United States of America*(notified under document number C(2003) 2751)***(Text with EEA relevance)**

(2003/572/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 97/78/EC of 18 December 1997 laying down the principles governing the organisation of veterinary checks on products entering the Community from third countries ⁽¹⁾, and in particular Article 22(1) thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽²⁾, as last amended by Directive 96/43/EC ⁽³⁾, and in particular Article 18(1) thereof,

Having regard to Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultry meat ⁽⁴⁾, as last amended by Directive 1999/89/EC ⁽⁵⁾, and in particular Article 11(1), Article 12(2), Article 14(1) and Article 14a thereof,

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A(I), to Directive 89/662/EEC and, as regards pathogens, to Directive 90/425/EEC ⁽⁶⁾, as last amended by Commission Decision 2003/42/EC ⁽⁷⁾, and in particular Article 10(3) thereof,

Whereas:

- (1) Following the confirmation of outbreaks of Newcastle disease in October 2002 in certain western areas of the United States of America, Council Decision 2003/67/EC of 28 January 2003 concerning protection measures relating to Newcastle disease in the United States of America and derogating from Commission Decisions 94/984/EC, 96/482/EC, 97/221/EC, 2000/572/EC, 2000/585/EC, 2000/609/EC and 2001/751/EC ⁽⁸⁾ was adopted in order to protect the Community from the

risks related to the importation of live poultry and poultry meat from the States of California, Nevada and Arizona.

- (2) Due to the notification of an outbreak of Newcastle disease in the State of Texas on 11 April 2003, Decision 2003/67/EC was amended by Decision 2003/377/EC of 22 May 2003 ⁽⁹⁾ to extend the protection measures to the affected and neighbouring counties in Texas and New Mexico.
- (3) From 19 to 29 May 2003 an inspection team of the Commission services (Food and Veterinary Office) has carried out a mission to the United States in order to assess the epidemiological situation as regards Newcastle disease, the control measures in place and the implementation of Decision 2003/67/EC.
- (4) From the preliminary results of this mission it can be concluded that the disease seems to be under control although not fully eradicated yet. It also appears that the epizootic has been contained in the initial infected area of California and only limited introductions into neighbouring States have occurred.
- (5) The present situation allows the size of the restricted area to be reduced, while a further prolongation of the protection measures until 1 December 2003 should be decided, and Decision 2003/67/EC should be amended accordingly.
- (6) 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

Decision 2003/67/EC is amended as follows:

1. The Annex is replaced by the Annex to this Decision.
2. The date in Article 6 is replaced by '1 December 2003'.

⁽¹⁾ OJ L 24, 30.1.1998, p. 9.⁽²⁾ OJ L 268, 24.9.1991, p. 56.⁽³⁾ OJ L 162, 1.7.1996, p. 1.⁽⁴⁾ OJ L 268, 24.9.1991, p. 35.⁽⁵⁾ OJ L 300, 23.11.1999, p. 17.⁽⁶⁾ OJ L 62, 15.3.1993, p. 49.⁽⁷⁾ OJ L 13, 18.1.2003, p. 24.⁽⁸⁾ OJ L 26, 31.1.2003, p. 48.⁽⁹⁾ OJ L 130, 27.5.2003, p. 25.

Article 2

The Member States shall amend the measures they apply to importation from the United States of America of the products referred to in Article 1(1) of Decision 2003/67/EC to bring them into compliance with this Decision and they shall give immediate appropriate publicity to the measures adopted.

They shall immediately inform the Commission thereof.

Article 3

This Decision shall apply from 4 August 2003.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 31 July 2003.

For the Commission

David BYRNE

Member of the Commission

*ANNEX***US-1:**

The territory of the United States of America with the exception of the following parts of States:

- In the State of Arizona: La Paz county
 - In the State of California: Imperial, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Ventura counties
 - In the State of Nevada: Clark county
 - In the State of Texas: El Paso county
-

COMMISSION DECISION

of 31 July 2003

amending Decision 94/85/EC on the importation of fresh poultry meat and Decision 2000/609/EC concerning the health conditions for the importation of fresh ratite meat with respect to Botswana*(notified under document number C(2003) 2755)***(Text with EEA relevance)**

(2003/573/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultry meat ⁽¹⁾, as last amended by Directive 1999/89/EC ⁽²⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Commission Decision 94/85/EC ⁽³⁾, as last amended by Decision 2001/733/EC ⁽⁴⁾, established a list of third countries from which importation of fresh poultry meat is authorised.
- (2) Commission Decision 2000/609/EC ⁽⁵⁾, as last amended by 2000/782/EC ⁽⁶⁾, establishes animal and public health conditions and veterinary certification for imports of farmed ratite meat.
- (3) An inspection carried out by the Commission in Botswana in May 2001 has shown that sufficiently well structured and organised veterinary services are in place in Botswana regarding the animal health status for ratites. However, the legislation in Botswana did not fully include the requirement for official notification of avian influenza.
- (4) Botswana has now amended its legislation to ensure that avian influenza is to be notified to the competent authority.
- (5) Commission Decision 94/85/EC should therefore be amended to include Botswana in the list in the Annex thereto. For the sake of clarity the Annex should be replaced in its entirety.
- (6) The Annex to Decision 94/85/EC must clearly state that Botswana is authorised for ratite meat only.

- (7) Annex I to Decision 2000/609/EC should also be amended to include Botswana in the list of authorised countries that are allowed to export farmed ratite meat into the European Union. For the sake of clarity the Annex should be replaced in its entirety.
- (8) Due to the health status of Botswana in regard to Newcastle disease, Annex I to Decision 2000/609/EC should clearly specify that Model Certificate 'B' must be used for imports of farmed ratite meat from Botswana.
- (9) 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 94/85/EC is replaced by Annex I to this Decision.

Article 2

Annex I to Decision 2000/609/EC is replaced by Annex II to this Decision.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 31 July 2003.

For the Commission

David BYRNE

Member of the Commission⁽¹⁾ OJ L 268, 24.9.1991, p. 35.⁽²⁾ OJ L 300, 23.11.1999, p. 17.⁽³⁾ OJ L 44, 17.2.1994, p. 31.⁽⁴⁾ OJ L 275, 18.10.2001, p. 17.⁽⁵⁾ OJ L 258, 12.10.2000, p. 49.⁽⁶⁾ OJ L 309, 9.12.2000, p. 37.

ANNEX I

'ANNEX

Imports from countries on this list must fulfil the relevant animal and public health requirements

ISO code	Country	Fresh poultry meat	Special remarks
AR	Argentina	X	
AU	Australia	X	
BG	Bulgaria	X	
BR	Brazil	X	
BW	Botswana	X	Ratite meat only
CA	Canada	X	
CH	Switzerland	X	
CL	Chile	X	
CN	China (People's Republic)	X	
CY	Cyprus	X	
CZ	Czech Republic	X	
HR	Croatia	X	
HU	Hungary	X	
IL	Israel	X	
IS	Iceland	X	
KR	Korea (Republic)	X	
LV	Latvia	X	
LI	Lithuania	X	
MG	Madagascar	X	
MT	Malta	X	
MY	Malaysia	X	Western Peninsular only
NA	Namibia	X	Ratite meat only
NZ	New Zealand	X	
PL	Poland	X	
RO	Romania	X	
SI	Slovenia	X	
SK	Slovak Republic	X	
TH	Thailand	X	
TN	Tunisia	X	
TR	Turkey	X	
US	United States of America	X	
UY	Uruguay	X	
ZA	South Africa	X	Ratite meat only
ZW	Zimbabwe	X	Ratite meat only'

ANNEX II

'ANNEX I

List of third countries or parts of third countries which are allowed to export farmed ratite meat to the European Union

ISO code	Country	Parts of the territory	Model certificate to be used (A or B)
AR	Argentina		A
AU	Australia		A
BG	Bulgaria		A
BR-1	Brazil	The States of Rio Grande do Sul, Santa Catarina, Paraná, São Paulo and Mato Grosso do Sul	A
BW	Botswana		B
CA	Canada		A
CH	Switzerland		A
CL	Chile		A
CY	Cyprus		A
CZ	Czech Republic		A
HR	Croatia		A
HU	Hungary		A
IL	Israel		A
LI	Lithuania		A
NA	Namibia		B
NZ	New Zealand		A
PL	Poland		A
RO	Romania		A
SI	Slovenia		A
SK	Slovakia		A
TH	Thailand		A
TN	Tunisia		A
US	United States of America		A
ZA	South Africa		B
ZW	Zimbabwe		B'