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I

(Acts whose publication is obligatory)

**REGULATION (EC) No 1804/2003 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 22 September 2003
amending Regulation (EC) No 2037/2000 as regards the control of halon exported for critical uses,
the export of products and equipment containing chlorofluorocarbons and controls on bromo-
chloromethane**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE
EUROPEAN UNION,

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

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

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

Following consultation of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article
251 of the Treaty ⁽³⁾,

Whereas:

- (1) In applying Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer ⁽⁴⁾, a number of issues have emerged that need to be addressed through amendments to that Regulation. These issues that relate to the effective and safe implementation of that Regulation have been discussed with the Member States in the Management Committee under that Regulation. This Regulation concerns four amendments to Regulation (EC) No 2037/2000.
- (2) Under Article 4(4)(iv) of Regulation (EC) No 2037/2000, the Commission is mandated to review each year the critical uses of halon listed in Annex VII to that Regulation. However, that Regulation does not provide, in the

context of these reviews, for the establishment of time-frames for the eventual phasing out of these critical uses in the light of the identification and use of adequate alternatives. The first amendment to that Regulation provides for the possibility of establishing time-frames for reducing the use of halon for critical uses, taking into account the availability of technically and economically feasible alternatives or technologies that are acceptable from the standpoint of environment and health, when reviewing Annex VII to that Regulation. This should ensure that progress is made in reducing the quantity of halon for critical uses and thereby accelerate recovery of the ozone layer.

- (3) The second amendment concerns exports of halon for the critical uses listed in Annex VII to Regulation (EC) No 2037/2000. From 1 January 2004, that Regulation will permit only halon used for the purposes listed in its Annex VII to remain installed for firefighting in the European Community. These uses are deemed 'critical' as they currently have no technically and economically feasible alternatives. Any equipment containing halon that is not listed in Annex VII is therefore deemed non-critical. All non-critical installations of halon should be decommissioned by 31 December 2003. Decommissioned halon should be allowed to be stored for critical uses, exported from critical use storage or destroyed.
- (4) Article 11(1)(d) of Regulation (EC) No 2037/2000 permits exports of 'products and equipment containing halon, to satisfy critical uses listed in Annex VII'. That Article should be amended to allow bulk halon for export for critical uses until 31 December 2009 as long as it is obtained from recovered, recycled and reclaimed halon that originates from storage facilities authorised or operated by the competent authority. A review of exports of bulk halon should be called for with a view to banning exports earlier than 31 December 2009, if appropriate. Exports of halon for critical uses should be prohibited after 31 December 2003 if the halon is not from facilities authorised or operated by the competent authority to store halon for critical uses.

⁽¹⁾ OJ C 45 E, 25.2.2003, p. 297.

⁽²⁾ OJ C 95, 23.4.2003, p. 27.

⁽³⁾ Opinion of the European Parliament of 5 June 2003 (not yet published in the Official Journal) and Decision of the Council of 26 June 2003.

⁽⁴⁾ OJ L 244, 29.9.2000, p. 1. Regulation as last amended by Commission Decision 2003/160/EC (OJ L 65, 8.3.2003, p. 29).

- (5) The Commission should be responsible for authorising exports for halon exported in products and equipment for critical uses. The Commission should only authorise these exports once the competent authority of the relevant Member State has verified that the exports are for one or more of the specific critical uses listed in Annex VII to Regulation (EC) No 2037/2000. In addition, the exporter should be required to report actual exports at the end of the year.
- (6) Member States should report annually on controlled substances including halon that are recovered, recycled, reclaimed or destroyed. Currently, Regulation (EC) No 2037/2000 mandates reporting by 31 December 2001 rather than annually, whereas annual reports will be important in the future for determining progress, especially as regards the destruction of halon that is surplus to the critical use requirements.
- (7) The third amendment concerns the export of controlled substances or products containing controlled substances. The export of controlled substances or products containing controlled substances should be prohibited. This ban will encourage the recovery and destruction of such controlled substances in accordance with Article 16 of Regulation (EC) No 2037/2000. The major focus is to stop the growing export trade in used refrigeration and air-conditioning equipment, in particular domestic refrigerators, freezers and building insulation foam, containing CFCs, to developing countries. In the absence of destruction facilities in developing countries, CFCs will ultimately leak into the atmosphere and cause damage to the ozone layer. In addition, developing countries are now starting to phase out CFCs and many have indicated that they do not wish to be recipients of second-hand products and equipment that contain CFCs.
- (8) Regulation (EC) No 2037/2000 applies not only to refrigeration and air-conditioning equipment but also to all products and equipment containing insulating foam or integral skin foam which were produced with CFCs. This could mean, for instance, that second-hand aircraft and vehicles containing rigid insulating foam, or integral skin foam blown with CFCs, could not be exported from the European Community. Since it was the intention of that Regulation to ban the export of used refrigeration and air-conditioning equipment containing CFCs, and not other products and equipment containing foam blown with CFCs, it is appropriate to amend that Regulation to exclude off-target products containing CFCs.
- (9) The fourth amendment concerns the provisions on new substances as set out in Article 22 and Annex II to Regulation (EC) No 2037/2000. That Regulation does not provide the same level of control for the new substance indicated in Annex II, bromochloromethane, as is applied to other controlled substances and thereby the European Community is not fully meeting all its obligations under the Montreal Protocol. In order to redress

this situation, it is necessary that the provisions applying to controlled substances are also applied to bromochloromethane.

- (10) The amendments to Regulation (EC) No 2037/2000 are fully in line with its environmental objectives, which include further protecting the ozone layer where possible, reducing global production of ozone depleting substances (ODS), promoting safe practices for the transport of ODS, ensuring mandatory monitoring of any exports, and providing legal clarification where necessary,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2037/2000 is hereby amended as follows:

1. in Article 1, the first paragraph shall be replaced by the following:

'This Regulation shall apply to the production, importation, exportation, placing on the market, use, recovery, recycling and reclamation and destruction of chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride, 1,1,1-trichloroethane, methyl bromide, hydrobromofluorocarbons, hydrochlorofluorocarbons and bromochloromethane, to the reporting of information on these substances and to the importation, exportation, placing on the market and use of products and equipment containing those substances.';
2. Article 2 shall be amended as follows:
 - (a) the fourth indent shall be replaced by the following:

— "controlled substances" means chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride, 1,1,1-trichloroethane, methyl bromide, hydrobromofluorocarbons, hydrochlorofluorocarbons and bromochloromethane, whether alone or in a mixture, and whether they are virgin, recovered, recycled or reclaimed. This definition shall not cover any controlled substance which is in a manufactured product other than a container used for the transportation or storage of that substance, or insignificant quantities of any controlled substance, originating from inadvertent or coincidental production during a manufacturing process, from unreacted feedstock, or from use as a processing agent which is present in chemical substances as trace impurities, or that is emitted during product manufacture or handling.';
 - (b) the following indent shall be inserted after the eleventh indent:

— "bromochloromethane" means the controlled substance indicated in Group IX of Annex I';

3. the following point shall be added to Article 3(1):

'(g) bromochloromethane';

4. Article 4 shall be amended as follows:

(a) the following point shall be added to paragraph 1:

'(g) bromochloromethane';

(b) in paragraph 4, point (iv) shall be replaced by the following:

'(iv) Paragraph 1(c) shall not apply to the placing on the market and use of halons that have been recovered, recycled or reclaimed in existing fire protection systems until 31 December 2002 or to the placing on the market and use of halons for critical uses as set out in Annex VII. Each year the competent authorities of the Member States shall notify to the Commission the quantities of halons used for critical uses, the measures taken to reduce their emissions and an estimate of such emissions, and the current activities to identify and use adequate alternatives. Each year the Commission shall review the critical uses listed in Annex VII and, if necessary, adopt modifications and, where appropriate, time-frames for phase-out, taking into account the availability of both technically and economically feasible alternatives or technologies that are acceptable from the standpoint of environment and health, in accordance with the procedure referred to in Article 18(2).';

(c) paragraph 6 shall be replaced by the following:

'6. The importation and placing on the market of products and equipment containing chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride, 1,1,1-trichloroethane, hydrobromofluorocarbons and bromochloromethane shall be prohibited, with the exception of products and equipment for which the use of the respective controlled substance has been authorised in accordance with the second subparagraph of Article 3(1) or is listed in Annex VII. Products and equipment shown to be manufactured before the entry into force of this Regulation shall not be covered by this prohibition.';

5. Article 6(1) shall be replaced by the following:

'1. The release for free circulation in the Community or inward processing of controlled substances shall be subject to the presentation of an import licence. Such licences shall be issued by the Commission after verification of compliance with Articles 6, 7, 8 and 13. The Commission shall forward a copy of each licence to the competent authority of the Member State into which the substances concerned are to be imported. Each Member State shall appoint a competent authority for that purpose. Controlled substances listed in groups I, II, III, IV, V and IX as listed in Annex I shall not be imported for inward processing.';

6. Article 11(1) shall be amended as follows:

(a) the introductory part of the first subparagraph shall be replaced by the following:

'1. Exports from the Community of chlorofluorocarbons, other fully halogenated chlorofluorocarbons, halons, carbon tetrachloride, 1,1,1-trichloroethane, hydrobromofluorocarbons and bromochloromethane or products and equipment, other than personal effects, containing those substances or whose continuing function relies on supply of those substances shall be prohibited. This prohibition shall not apply to exports of:';

(b) point (d) shall be replaced by the following:

'(d) recovered, recycled and reclaimed halon stored for critical uses in facilities authorised or operated by the competent authority to satisfy critical uses listed in Annex VII until 31 December 2009, and products and equipment containing halon to satisfy critical uses listed in Annex VII. By 1 January 2005, the Commission shall undertake a review of exports of such recovered, recycled and reclaimed halon for critical uses and, in accordance with the procedure referred to in Article 18(2), shall take a decision, if appropriate, to prohibit such exports earlier than 31 December 2009.';

(c) the following point shall be added:

'(g) used products and equipment that contain rigid insulating foam or integral skin foam which have been produced with chlorofluorocarbons. This exemption does not apply to:

- refrigeration and air-conditioning equipment and products;
- refrigeration and air-conditioning equipment and products which contain chlorofluorocarbons used as refrigerants, or whose continuing function relies on the supply of chlorofluorocarbons used as refrigerants, in other equipment and products;
- building insulation foam and products.';

7. the following paragraph shall be added to Article 11:

'4. From 31 December 2003, exports from the Community of halon for critical uses not from storage facilities authorised or operated by the competent authority to store halon for critical uses shall be prohibited.';

8. Article 12(1) shall be replaced by the following:

'1. Exports from the Community of controlled substances shall be subject to authorisation. Such export authorisation shall be issued by the Commission to undertakings for the period 1 January to 31 December 2001 and for each 12-month period thereafter after verification of compliance with Article 11. Provisions governing the export authorisation of halon as a controlled substance are set out in paragraph 4. The Commission shall forward a copy of each export authorisation to the competent authority of the Member State concerned.';

9. the following paragraph shall be added to Article 12:

'4. Exports from the Community of halon, and products and equipment containing halon, to satisfy critical uses listed in Annex VII shall be subject to authorisation for the period 1 January to 31 December 2004 and each 12-month period thereafter. Such export authorisation shall be issued by the Commission to the exporter after verification of compliance with Article 11(1)(d) by the competent authority of the Member State concerned. An application for an export authorisation shall record:

- the name and address of the exporter,
- a commercial description of the export,
- the total quantity of halon,
- the country/countries of final destination of the products and equipment,
- a declaration that the halon is to be exported for a specific critical use listed in Annex VII,
- any further information deemed necessary by the competent authority.;

10. Article 16(6) shall be replaced by the following:

'6. Member States shall report to the Commission by 31 December 2001, and for each 12-month period thereafter, on the systems established to promote the recovery of used controlled substances, including the facilities available and the quantities of used controlled substances recovered, recycled, reclaimed or destroyed.;

11. Article 19 shall be amended as follows:

(a) the following paragraph shall be added:

'(4a) Every year before 31 March, the exporter shall communicate to the Commission, sending a copy of the data to the competent authority of the Member State concerned, the records provided by each applicant in accordance with Article 12(4), in respect of the period 1 January to 31 December of the preceding year.;

(b) paragraph 6 shall be replaced by the following:

'6. The Commission may, in accordance with the procedure referred to in Article 18(2), modify the reporting requirements laid down in paragraphs 1 to 4, to meet commitments under the Protocol or to improve the practical application of those reporting requirements.;

12. in Annex I the following words shall be added after Group VIII:

In the column headed 'Group' the words 'Group IX' are inserted, in the column headed 'Substance' the words 'CH₂BrC1 (halon 1011 bromochloromethane)' are inserted and in the column headed 'Ozone-depleting potential' the number '0,12' is inserted;

13. Annex II shall be deleted.

Article 2

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, 22 September 2003.

For the European Parliament
The President
P. COX

For the Council
The President
R. BUTTIGLIONE

COUNCIL REGULATION (EC) No 1805/2003
of 13 October 2003
amending Regulation (EC) No 2596/97 extending the period provided for in Article 149(1) of the
Act of Accession of Austria, Finland and Sweden

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Act of Accession of Austria, Finland and Sweden, and in particular Article 149(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

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

Whereas:

- (1) The second subparagraph of Article 1 of Regulation (EC) No 2596/97 ⁽³⁾ extends until 31 December 2003 the period during which transitional measures may be adopted with regard to the fat content requirements for milk on the market under the conditions set out in the 1994 Act of Accession.
- (2) In the milk and milk products sector, the requirements relating to the fat content of milk for human consumption continue to cause difficulties for Finland and Sweden.

(3) It is therefore necessary to make use of the possibility afforded by Article 149(2) of the 1994 Act of Accession to extend the period in question. An additional period running until 30 April 2009 seems appropriate.

(4) Regulation (EC) No 2596/97 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 1 of Regulation (EC) No 2596/97, shall be replaced by the following:

‘However, with regard to the requirements relating to the fat content of milk for human consumption produced in Finland and Sweden, the period is hereby extended until 30 April 2009.’

Article 2

This Regulation shall enter into force on 1 January 2004.

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

Done at Luxembourg, 13 October 2003.

For the Council

The President

G. ALEMANNO

⁽¹⁾ Opinion delivered on 9 October 2003 (not yet published in the Official Journal).

⁽²⁾ Opinion delivered on 24 September 2003 (not yet published in the Official Journal).

⁽³⁾ OJ L 351, 23.12.1997, p. 12. Regulation as last amended by Regulation (EC) No 2703/1999 (OJ L 327, 21.12.1999, p. 11).

COMMISSION REGULATION (EC) No 1806/2003
of 15 October 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 16 October 2003.

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

Done at Brussels, 15 October 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 15 October 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	052	103,2
	060	93,7
	096	66,2
	204	115,9
	999	94,8
0707 00 05	052	111,0
	999	111,0
0709 90 70	052	109,7
	999	109,7
0805 50 10	052	91,0
	388	55,5
	524	84,0
	528	55,2
	999	71,4
0806 10 10	052	111,0
	400	194,0
	624	230,3
	999	178,4
0808 10 20, 0808 10 50, 0808 10 90	060	38,7
	096	41,3
	388	74,7
	400	84,5
	508	108,4
	512	36,1
	720	48,9
	800	170,8
	804	102,5
	999	78,4
0808 20 50	052	104,0
	064	55,8
	720	85,2
	999	81,7

⁽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 1807/2003
of 14 October 2003
prohibiting fishing for cod by vessels flying the flag of Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2341/2002 of 20 December 2002 fixing for 2003 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required ⁽³⁾, as last amended by Regulation (EC) No 1754/2003 ⁽⁴⁾, lays down quotas for cod for 2003.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of cod in the waters of ICES divisions I, IIb, by vessels flying the flag of Portugal or registered in

Portugal have exhausted the quota allocated for 2003. Portugal has prohibited fishing for this stock from 7 October 2003. This date should consequently be adopted in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES divisions I, IIb, by vessels flying the flag of Portugal or registered in Portugal are hereby deemed to have exhausted the quota allocated to Portugal for 2003.

Fishing for cod in the waters of ICES divisions I, IIb, by vessels flying the flag of Portugal or registered in Portugal is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 7 October 2003.

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

Done at Brussels, 14 October 2003.

For the Commission
Jörgen HOLMQUIST
Director-General for Fisheries

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 356, 31.12.2002, p. 12.

⁽⁴⁾ OJ L 252, 4.10.2003, p. 1.

COMMISSION REGULATION (EC) No 1808/2003
of 15 October 2003
prohibiting fishing for horse mackerel by vessels flying the flag of Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽¹⁾, as last amended by Regulation (EC) No 806/2003 ⁽²⁾, and in particular Article 21(3) thereof,

Whereas:

- (1) Council Regulation (EC) No 2341/2002 of 20 December 2002 fixing for 2003 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required ⁽³⁾, as last amended by Regulation (EC) No 1754/2003 ⁽⁴⁾, lays down quotas for horse mackerel for 2003.
- (2) In order to ensure compliance with the provisions relating to the quantity limits on catches of stocks subject to quotas, the Commission must fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated.
- (3) According to the information received by the Commission, catches of horse mackerel in the waters of ICES divisions Vb (EC waters), VI, VII, VIIIa,b,d,e, XII and XIV,

by vessels flying the flag of Spain or registered in Spain have exhausted the quota allocated for 2003. Spain has prohibited fishing for this stock from 7 October 2003. This date should consequently be adopted in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of horse mackerel in the waters of ICES divisions Vb (EC waters), VI, VII, VIIIa,b,d,e, XII and XIV, by vessels flying the flag of Spain or registered in Spain are hereby deemed to have exhausted the quota allocated to Spain for 2003.

Fishing for horse mackerel in the waters of ICES divisions Vb (EC waters), VI, VII, VIIIa,b,d,e, XII and XIV, by vessels flying the flag of Spain or registered in Spain is hereby prohibited, as are the retention on board, transshipment and landing of this stock caught by the above vessels after the date of application of this Regulation.

Article 2

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

It shall apply from 7 October 2003.

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

Done at Brussels, 15 October 2003.

For the Commission
Jörgen HOLMQUIST
Director-General for Fisheries

⁽¹⁾ OJ L 261, 20.10.1993, p. 1.

⁽²⁾ OJ L 122, 16.5.2003, p. 1.

⁽³⁾ OJ L 356, 31.12.2002, p. 12.

⁽⁴⁾ OJ L 252, 4.10.2003, p. 1.

COMMISSION REGULATION (EC) No 1809/2003
of 15 October 2003

amending Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards rules for importation of live bovine animals and products of bovine, ovine and caprine origin from Costa Rica and New Caledonia

(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 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies ⁽¹⁾, as last amended by Commission Regulation (EC) No 1139/2003 ⁽²⁾, and in particular the first paragraph of Article 23 thereof,

Whereas:

- (1) In its opinion of 11 May 2001 on the geographical BSE risk in Costa Rica, the Scientific Steering Committee (the SSC) concluded that the occurrence of BSE in native cattle of that country is highly unlikely. As a consequence, Costa Rica was included in the list of countries exempted from certain TSE-related trade conditions for live bovine animals and products of bovine, ovine and caprine origin.
- (2) In its updated opinion of 10 April 2003 on the geographical BSE risk of certain third countries, the SSC modified its opinion of 11 May 2001 and concluded that the occurrence of BSE in native cattle of Costa Rica is unlikely but may not be excluded. Therefore Costa Rica should no longer be exempted from the TSE-related trade conditions for live bovine animals and products of bovine, ovine and caprine origin.

- (3) In its opinion of 6 March 2003 on the geographical BSE risk in New Caledonia, the SSC concluded that the occurrence of BSE in native cattle of that country is highly unlikely. Therefore, New Caledonia should be included in the list of countries exempted from certain TSE-related trade conditions for live bovine animals and products of bovine, ovine and caprine origin.
- (4) Regulation (EC) No 999/2001 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Annex XI to Regulation (EC) No 999/2001 is amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 15 October 2003.

For the Commission

David BYRNE

Member of the Commission

⁽¹⁾ OJ L 147, 31.5.2001, p. 1.

⁽²⁾ OJ L 160, 27.6.2003, p. 22.

ANNEX

Annex XI is amended as follows:

1. In part A, point 15(b), the list of countries is replaced by the following:

- Argentina
- Australia
- Botswana
- Brazil
- Chile
- El Salvador
- Iceland
- Namibia
- Territoire français de la Nouvelle Calédonie
- New Zealand
- Nicaragua
- Panama
- Paraguay
- Singapore
- Swaziland
- Uruguay
- Vanuatu.'

2. In part D, point 3 is replaced by the following:

'3. Point 2 shall not apply to imports of bovine animals born and continuously reared in the following countries:

- Argentina
 - Australia
 - Botswana
 - Brazil
 - Chile
 - El Salvador
 - Iceland
 - Namibia
 - Territoire français de la Nouvelle Calédonie
 - New Zealand
 - Nicaragua
 - Panama
 - Paraguay
 - Singapore
 - Swaziland
 - Uruguay
 - Vanuatu.'
-

**COMMISSION REGULATION (EC) No 1810/2003
of 15 October 2003**

**laying down detailed rules for applying Council Decision 2003/263/EC as regards the concessions
in the form of Community tariff quotas on certain cereal products originating in the Republic of
Poland**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2003/263/EC of 27 March 2003 on the signature and conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions ⁽¹⁾, and in particular Article 3 thereof,

Whereas:

- (1) In accordance with Decision 2003/263/EC, the Community has undertaken to establish import tariff quotas for each marketing year at a zero rate of duty for common wheat and meslin originating in the Republic of Poland.
- (2) To ensure that imports of the products covered by these tariff quotas are orderly and not speculative, they should be made subject to the issue of import licences. The licences should be issued, within the quantities set, at the request of the interested parties, subject, where appropriate, to the fixing of a reduction coefficient in respect of the quantities applied for.
- (3) To ensure the proper management of these quotas, deadlines should be laid down for lodging licence applications and the information to be included in the applications and licences should be specified.
- (4) To take account of delivery conditions, the import licences should be valid from the day of their issue until the end of the month following that in which they are issued.
- (5) With a view to the sound management of the quotas, provision should be made to derogate from Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽²⁾, as last amended by Regulation (EC) No 325/2003 ⁽³⁾, as regards the transferable nature of the licences and the tolerance relating to the quantities released into free circulation.

- (6) To ensure sound management of the quotas, the security on the import licences should be set at a relatively high level, as an exception to Article 12 of Commission Regulation (EC) No 1342/2003 of 28 July 2003 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽⁴⁾.
- (7) Rapid two-way communication is needed between the Commission and the Member States regarding the quantities applied for and imported.
- (8) Since Council Regulation (EC) No 2851/2000 of 22 December 2000 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with the Republic of Poland ⁽⁵⁾, has been repealed by Decision 2000/263/EC, Commission Regulation (EC) No 2809/2000 ⁽⁶⁾ laying down the detailed rules for implementing Regulation (EC) No 2851/2000, as last amended by Regulation (EC) No 958/2003 ⁽⁷⁾, should also be repealed.
- (9) Since the adjusting Protocol approved by Decision 2003/263/EC entered into force on 1 April 2003, the Regulation laying down the detailed rules for implementing that Decision must enter into force immediately.
- (10) 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

1. Imports of common wheat and meslin falling within CN codes 1001 90 91 and 1001 90 99 as listed in Annex I originating in the Republic of Poland and benefiting from a zero rate of import duty under the tariff quota bearing the order number 09.4831, in accordance with Decision 2003/263/EC, shall be subject to an import licence issued in accordance with this Regulation.

⁽¹⁾ OJ L 97, 15.4.2003, p. 53.

⁽²⁾ OJ L 152, 24.6.2000, p. 1.

⁽³⁾ OJ L 47, 21.2.2003, p. 21.

⁽⁴⁾ OJ L 189, 29.7.2003, p. 12.

⁽⁵⁾ OJ L 332, 28.12.2000, p. 7.

⁽⁶⁾ OJ L 326, 22.12.2000, p. 16.

⁽⁷⁾ OJ L 136, 4.6.2003, p. 3.

2. The products referred to in paragraph 1 shall be released into free circulation upon presentation of one of the following documents:

- (a) an EUR.1 movement certificate issued by the competent authorities of the exporting country in accordance with Protocol 4 of the Europe Agreement concluded with that country;
- (b) a declaration on the invoice provided by the exporter in accordance with that Protocol.

Article 2

1. Applications for import licences shall be lodged with the competent authorities of the Member States no later than 13.00 Brussels time on the second Monday of each month.

Each licence application shall be for a quantity not exceeding the quantity available for the import of the relevant product in the marketing year concerned.

2. No later than 18.00 Brussels time on the same day, the competent authorities of the Member States shall fax the Commission (fax No (32-2) 295 25 15), in accordance with the model in the Annex II, the total quantity resulting from the sum of the quantities indicated on the import licence applications.

That information shall be communicated separately from the information on other import licence applications for cereals.

3. If the total of the quantities for each product concerned since the start of the marketing year and the quantity referred to in paragraph 2 exceeds the quota for the marketing year concerned, the Commission shall set, no later than the third working day after the applications were lodged, a single reduction coefficient to be applied to the quantities requested.

4. Without prejudice to paragraph 3, licences shall be issued on the fifth working day following the day on which the application was lodged. No later than 18.00 Brussels time on the day the licences are issued, the competent authorities of the Member States shall fax the Commission the total quantity resulting from the sum of the quantities for which import licences were issued that same day.

Article 3

In accordance with Article 23(2) of Regulation (EC) No 1291/2000, the period of validity of the licence shall be calculated from the actual date of issue.

Import licences shall be valid until the end of the month following the month in which they were issued.

Article 4

The rights resulting from the import licences shall not be transferable.

Article 5

The quantity released into free circulation may not exceed that indicated in boxes 17 and 18 of the import licence. The figure '0' shall be entered to that effect in box 19 of the licence.

Article 6

The import licence application and the import licence shall contain the following information:

- (a) in box 8, the name of the country of origin;
- (b) in box 20, one of the following:
 - Reglamento (CE) n° 1810/2003
 - Forordning (EF) nr. 1810/2003
 - Verordnung (EG) Nr. 1810/2003
 - Κανονισμός (ΕΚ) αριθ. 1810/2003
 - Regulation (EC) No 1810/2003
 - Règlement (CE) n° 1810/2003
 - Regolamento (CE) n. 1810/2003
 - Verordening (EG) nr. 1810/2003
 - Regulamento (CE) n.º 1810/2003
 - Asetus (EY) N:o 1810/2003
 - Förordning (EG) nr 1810/2003
- (c) in box 24, the words 'zero duty'.

Article 7

The security for the import licences provided for in this Regulation shall be EUR 30 per tonne.

Article 8

Regulation (EC) No 2809/2000 is hereby repealed.

Article 9

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

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

Done at Brussels, 15 October 2003.

For the Commission
 Franz FISCHLER
 Member of the Commission

ANNEX I

List of products originating in Poland referred to in Article 1(1) and (2)

CN code	Order No	Description	Rate of duty	Quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)
1001 90 91 1001 90 99	09.4831	Common wheat and meslin	Free	200 000 ⁽¹⁾ ⁽²⁾	40 000

⁽¹⁾ The basic quantity for the purposes of the annual increases is 400 000 tonnes.

⁽²⁾ The quantity of 200 000 shall apply from 1 January to 30 June 2001.

ANNEX II

MODEL OF THE NOTIFICATION REFERRED TO IN ARTICLE 2(2)**Import quotas for common wheat from Poland opened by Council Decision 2003/263/EC**

Quota	Product	Product codes	Quantity applied for (tonnes)
Common wheat and meslin		1001 90 91 1001 90 99	

**COMMISSION REGULATION (EC) No 1811/2003
of 15 October 2003**

**laying down detailed rules for applying Council Decision 2003/285/EC as regards the concessions
in the form of Community tariff quotas on certain cereal products originating in the Republic of
Hungary**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 2003/285/EC of 8 April 2003 on the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part, to take account of the outcome of negotiations between the Parties on new mutual agricultural concessions ⁽¹⁾, and in particular Article 3(2) thereof,

Whereas:

- (1) In accordance with Decision 2003/285/EC, the Community has undertaken to establish for each marketing year import tariff quotas at a zero rate of duty for wheat and meslin, wheat or meslin flours, durum wheat groats and meal, common wheat groats and meal and wheat pellets, and maize (corn), maize (corn) seed, maize (corn) flour, maize groats and meal and maize pellets originating in the Republic of Hungary.
- (2) To ensure that imports of the products covered by these tariff quotas are orderly and not speculative, they should be made subject to the issue of import licences. The licences should be issued, within the quantities set, at the request of the interested parties, subject, where appropriate, to the fixing of a reduction coefficient in respect of the quantities applied for.
- (3) To ensure the proper management of these quotas, deadlines should be laid down for lodging licence applications and the information to be included in the applications and licences should be specified.
- (4) To take account of delivery conditions, the import licences should be valid from the day of their issue until the end of the month following that in which they are issued.
- (5) With a view to the sound management of the quotas, provision should be made to derogate from Commission Regulation (EC) No 1291/2000 of 9 June 2000 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽²⁾, as last amended by Regulation (EC) No 325/2003 ⁽³⁾, as regards the transferable nature of the licences and the tolerance relating to the quantities released into free circulation.

- (6) To ensure sound management of the quotas, the security on the import licences should be set at a relatively high level, as an exception to Article 12 of Commission Regulation (EC) No 1342/2003 of 28 July 2003 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽⁴⁾.
- (7) Rapid two-way communication is needed between the Commission and the Member States regarding the quantities applied for and imported.
- (8) Since Council Regulation (EC) No 1408/2002 of 29 July 2002 establishing concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Hungary ⁽⁵⁾, has been repealed by Decision 2003/285/EC, Commission Regulation (EC) No 1447/2002 ⁽⁶⁾ laying down the detailed rules for implementing Regulation (EC) No 1408/2002 should also be repealed.
- (9) Since the adjusting Protocol approved by Decision 2003/285/EC entered into force on 1 June 2003, the Regulation laying down the detailed rules for implementing that Decision must enter into force immediately.
- (10) 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

1. Imports of wheat and meslin falling within CN code 1001, of wheat or meslin flours falling within CN code 1101, of groats and meal of durum wheat falling within CN code 1103 11 10, of common wheat groats and spelt falling within CN code 1103 11 90 and of wheat pellets falling within CN code 1103 20 60 as listed in Annex I originating in the Republic of Hungary and benefiting from a zero rate of import duty under the tariff quota bearing the serial number 09.4779, in accordance with Decision 2003/285/EC, shall be subject to an import licence issued in accordance with this Regulation.

⁽¹⁾ OJ L 102, 24.4.2003, p. 32.

⁽²⁾ OJ L 152, 24.6.2000, p. 1.

⁽³⁾ OJ L 47, 21.2.2003, p. 21.

⁽⁴⁾ OJ L 189, 29.7.2003, p. 12.

⁽⁵⁾ OJ L 205, 2.8.2002, p. 9.

⁽⁶⁾ OJ L 202, 9.8.2000, p. 8.

2. Imports of maize (corn) seed falling within CN code 1005 10 90, of maize falling within CN code 1005 90 00, of maize (corn) flour falling within CN code 1102 20, of groats and meal of maize (corn) falling within CN code 1103 13 and of maize pellets falling within CN code 1103 20 40 as listed in Annex I originating in the Republic of Hungary and benefiting from a zero rate of import duty under the tariff quota bearing the serial number 09.4780, in accordance with Decision 2003/285/EC, shall be subject to an import licence issued in accordance with this Regulation.

3. The products referred to in paragraphs 1 and 2 shall be released into free circulation upon presentation of one of the following documents:

- (a) an EUR.1 movement certificate issued by the competent authorities of the exporting country in accordance with Protocol 4 of the Europe Agreement concluded with that country;
- (b) a declaration on the invoice provided by the exporter in accordance with that Protocol.

Article 2

1. Applications for import licences shall be lodged with the competent authorities of the Member States no later than 13.00 Brussels time on the second Monday of each month.

Each licence application shall be for a quantity not exceeding the quantity available for the import of the relevant product in the marketing year concerned.

2. No later than 18.00 Brussels time on the same day, the competent authorities of the Member States shall fax the Commission (fax No (32-2) 295 25 15), in accordance with the model in the Annex II, the total quantity resulting from the sum of the quantities indicated on the import licence applications.

That information shall be communicated separately from the information on other import licence applications for cereals.

3. If the total of the quantities for each product concerned since the start of the marketing year and the quantity referred to in paragraph 2 exceeds the quota for the marketing year concerned, the Commission shall set, no later than the third working day after the applications were lodged, a single reduction coefficient to be applied to the quantities requested.

4. Without prejudice to paragraph 3, licences shall be issued on the fifth working day following the day on which the application was lodged. No later than 18.00 Brussels time on the day the licences are issued, the competent authorities of the Member States shall fax the Commission the total quantity resulting from the sum of the quantities for which import licences were issued that same day.

Article 3

With a view to accounting for the quantities imported under the quotas referred to in Article 1(1) and (2), the Commission shall apply the equivalence coefficients listed in Annex III

hereto. The quantity on each licence application for a given product shall be multiplied by the coefficient for the product in question.

Article 4

In accordance with Article 23(2) of Regulation (EC) No 1291/2000, the period of validity of the licence shall be calculated from the actual date of issue.

Import licences shall be valid until the end of the month following the month in which they were issued.

Article 5

The rights resulting from the import licences shall not be transferable.

Article 6

The quantity released into free circulation may not exceed that indicated in sections 17 and 18 of the import licence. The figure '0' shall be entered to that effect in section 19 of the licence.

Article 7

The import licence application and the import licence shall contain the following information:

- (a) in box 8, the name of the country of origin;
- (b) in box 20, one of the following:
 - Reglamento (CE) n° 1811/2003
 - Forordning (EF) nr. 1811/2003
 - Verordnung (EG) Nr. 1811/2003
 - Κανονισμός (ΕΚ) αριθ. 1811/2003
 - Regulation (EC) No 1811/2003
 - Règlement (CE) n° 1811/2003
 - Regolamento (CE) n. 1811/2003
 - Verordening (EG) nr. 1811/2003
 - Regulamento (CE) n.º 1811/2003
 - Asetus (EY) N:o 1811/2003
 - Förordning (EG) nr 1811/2003
- (c) in box 24, the words 'zero duty'.

Article 8

The security for the import licences provided for in this Regulation shall be EUR 30 per tonne.

Article 9

Regulation (EC) No 1447/2002 is hereby repealed.

Article 10

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

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

Done at Brussels, 15 October 2003.

For the Commission
Franz FISCHLER
Member of the Commission

ANNEX I

List of products originating in the Republic of Hungary referred to in Article 1(1) and (2)

CN code	Order No	Description	Rate of duty	Quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)
1001 1101 1103 11 10 1103 11 90 1103 20 60	09.4779	Wheat and meslin Durum wheat and meslin flour Durum wheat groats and meal Common wheat and spelt groats and meal and spelt wheat Wheat pellets	Free	600 000	60 000
1005 10 90 1005 90 00 1102 20 10 1102 20 90 1103 13 10 1103 13 90 1103 20 40	09.4780	Other maize seed than hybrid maize seed Maize other than seed Maize flour with fat content of 1,5 % by weight or less Maize flour with fat content 1,5 % by weight or more Maize groats and meal Maize pellets	Free	450 000	45 000

ANNEX II

MODEL OF THE NOTIFICATION REFERRED TO IN ARTICLE 2(2)

Import quotas for wheat and its derived products and maize and its derived products from the Republic of Hungary opened by Council Decision 2003/285/EC

Quota	Product	Product codes	Quantity applied for (tonnes)
Wheat and derived products (09.4779)	Durum wheat	1001 10 00	
	Common wheat and meslin	1001 90	
	Wheat flour	1101 00 11	
		1101 00 15 91 00	
		1101 00 15 91 30	
		1101 00 15 91 50	
		1101 00 15 91 70	
		1101 00 15 91 80	
		1101 00 15 91 90	
		1101 00 90	
	Groats and meal of durum wheat	1103 11 10 92	
		1103 11 10 94	
		1103 11 10 99	
	Groats and meal of common wheat	1103 11 90 92	
		1103 11 90 98	
	Wheat pellets	1103 20 60	
	Maize and derived products (09.4780)	Maize (corn) seed	1005 10 90
Maize other than seed		1005 90 00	
Maize (corn) flour		1102 20 10 92	
		1102 20 10 94	
		1102 20 90 92	
Maize groats and meal		1103 13 10 91	
		1103 13 10 93	
		1103 13 10 95	
		1103 13 90 91	
Maize pellets		1103 20 40	

ANNEX III

EQUIVALENCE COEFFICIENTS REFERRED TO IN ARTICLE 3

Import quotas for wheat and its derived products and maize and its derived products from the Republic of Hungary opened by Council Decision 2003/285/EC

Quota	Product	Product codes	Coefficient
Wheat and derived products (09.4779)	Durum wheat	1001 10 00	1
	Common wheat and meslin	1001 90 00	1
	Wheat flour	1101 00 11	1,37
		1101 00 15 91 00	1,37
		1101 00 15 91 30	1,28
		1101 00 15 91 50	1,18
		1101 00 15 91 70	1,09
		1101 00 15 91 80	1,02
		1101 00 15 91 90	1
		1101 90 90	1
	Groats and meal of durum wheat	1103 11 10 92	1,50
		1103 11 10 94	1,34
		1103 11 10 99	1,26
	Groats and meal of common wheat	1103 11 90 92	1,37
		1103 11 90 98	1,28
	Wheat pellets	1103 20 60	1,02
Maize and derived products (09.4780)	Maize (corn) seed	1005 10 90	1
	Maize other than seed	1005 90 00	1
	Maize (corn) flour	1102 20 10 92	1,4
		1102 20 10 94	1,2
		1102 20 90 92	1,2
	Maize groats and meal	1103 13 10 91	1,8
		1103 13 10 93	1,4
		1103 13 10 95	1,2
		1103 13 90 91	1,2
	Maize pellets	1103 20 40	1,02

**COMMISSION REGULATION (EC) No 1812/2003
of 15 October 2003**

amending and correcting Regulation (EC) No 43/2003 laying down detailed rules for applying Council Regulations (EC) No 1452/2001, (EC) No 1453/2001 and (EC) No 1454/2001 as regards aid for the local production of crop products in the outermost regions of the European Union

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1452/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the French overseas departments, amending Directive 72/462/EEC and repealing Regulations (EEC) No 525/77 and (EEC) No 3763/91 (Poseidom) ⁽¹⁾, and in particular Article 12(4) and Article 15(7) thereof,

Having regard to Council Regulation (EC) No 1453/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Azores and Madeira and repealing Regulation (EEC) No 1600/92 (Poseima) ⁽²⁾, and in particular Article 5(3) thereof,

Having regard to Council Regulation (EC) No 1454/2001 of 28 June 2001 introducing specific measures for certain agricultural products for the Canary Islands and repealing Regulation (EEC) No 1601/92 (Poseican) ⁽³⁾, as last amended by Commission Regulation (EC) No 1922/2002 ⁽⁴⁾,

Whereas:

- (1) Commission Regulation (EC) No 43/2003 ⁽⁵⁾, as amended by Regulation (EC) No 995/2003 ⁽⁶⁾, lays down the conditions for the grant of local marketing aid and aid for marketing outside the production region and fixes the amount of that aid for the products referred to in Articles 12(1) and Article 15(1) of Regulation (EC) No 1452/2001.
- (2) Approved operators wishing to participate in the scheme to support local marketing of fruit and vegetables must make the undertakings referred to in Article 42(2) of the said Regulation. In order to make provision for the accounting practices of such operators, changes should be made to the documents that are required to be held for purposes of checks by the competent authorities.
- (3) As regards marketing aid outside the production region, provision should be made for a derogation for pink peppercorns falling within CN code 0910. This product's characteristics are such that it cannot satisfy the parcel identification requirement laid down in the annual contract, since it is not cultivated but gathered in the wild.

(4) CN code 0705 includes lettuce and chicory. Annex II to Regulation (EC) No 43/2003 includes lettuce but, because of a material error, does not include chicory, which is part of the same code item.

(5) Regulation (EC) No 43/2003 should therefore be amended accordingly to correct this error.

(6) The measures laid down in this Regulation are in accordance with the opinions of all the management committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 43/2003 is hereby amended as follows:

1. Article 42(2)(b) is replaced by the following:

'(b) keep separate stock accounts or any other document providing the same guarantees for purposes of checking.'

2. Article 46(2)(d) is replaced by the following:

'(d) the references and areas of the parcels on which the products are grown and, in the case of producer organisations, the name and address of each grower concerned; the parcel references need not be communicated in the case of pink peppercorns falling within CN code 0910.'

Article 2

In Annex II to Regulation (EC) No 43/2003, the description of the products of CN code 0705 in column II is corrected as follows:

'0705 Lettuces and chicory'

Article 3

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

Article 2 shall apply from 1 January 2003.

⁽¹⁾ OJ L 198, 21.7.2001, p. 11.

⁽²⁾ OJ L 198, 21.7.2001, p. 26.

⁽³⁾ OJ L 198, 21.7.2001, p. 45.

⁽⁴⁾ OJ L 293, 29.10.2002, p. 11.

⁽⁵⁾ OJ L 7, 11.1.2003, p. 25.

⁽⁶⁾ OJ L 144, 12.6.2003, p. 3.

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

Done at Brussels, 15 October 2003.

For the Commission
Franz FISCHLER
Member of the Commission

COMMISSION REGULATION (EC) No 1813/2003
of 15 October 2003
amending Regulation (EEC) No 2273/93 determining the intervention centres for 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 organisation of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1104/2003 ⁽²⁾, and in particular Article 5 thereof,

Whereas:

- (1) The intervention centres are set out in the Annex to Commission Regulation (EEC) No 2273/93 ⁽³⁾, as last amended by Regulation (EC) No 1938/2002 ⁽⁴⁾. Certain Member States have submitted requests to make amendments to some of those centres.
- (2) Regulation (EEC) No 2273/93 should be amended accordingly.

- (3) 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 Annex to Regulation (EEC) No 2273/93 is hereby amended in accordance with the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 15 October 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 207, 18.8.1993, p. 1.

⁽⁴⁾ OJ L 297, 31.10.2002, p. 6.

ANNEX

The Annex to Regulation (EEC) No 2273/93 is amended as follows:

1. In the BUNDESREPUBLIK DEUTSCHLAND-Schleswig-Holstein section, the 'Burg auf Fehmarn' centre is renamed 'Fehmarn'.
 2. In the SUOMI/FINLAND section, the 'Loviisa' centre is replaced by 'Kaipiainen'.
 3. In the FRANCE section, in the department 'Loiret-45', 'maize' is deleted from the 'Patay' centre and 'barley' is added to the 'Meung-sur-Loir' centre.
-

COMMISSION REGULATION (EC) No 1814/2003

of 15 October 2003

on a special intervention measure for cereals in Finland and Sweden for the 2003/04 marketing year

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 6 thereof,

Whereas:

(1) Oats are one of the products covered by the common organisation of the market in cereals. It is not, however, included among the basic cereals referred to in Article 4 of Regulation (EEC) No 1766/92 for which provision is made for intervention buying in.

(2) Oats is a major traditional crop in Finland and Sweden and is well suited to the weather conditions obtaining in those countries. Production far exceeds requirements in those countries with the result that they are required to dispose of surpluses by exporting them to third countries. Membership of the Community has not altered the previously existing situation.

(3) Any reduction in the quantity of oats grown in Finland and Sweden would be beneficial to other cereals qualifying for the intervention arrangements, especially barley. Production of barley is in surplus both in the two Nordic countries and across the whole of the Community. A switch from oats to barley would only worsen the situation and create further surpluses. It is necessary therefore to ensure that exports of oats to third countries can continue.

(4) Refunds may be granted in respect of oats pursuant to Article 13 of Regulation (EEC) No 1766/92. The geographical situation of Finland and Sweden places those countries in a less-favourable position from the point of view of exporting than other Member States. The fixing of refunds on the basis of Article 13 favours primarily those other Member States. It is anticipated therefore that the production of oats in the two Nordic countries will give way increasingly to that of barley. Consequently, in coming years, substantial quantities of barley must be expected to enter intervention storage in Finland and Sweden pursuant to Article 4 of Regulation (EEC) No 1766/92, the only possibility of disposal being

export to third countries. Exports from intervention storage are more costly to the Community budget than direct exports.

(5) These additional costs can be avoided under a special intervention measure within the meaning of Article 6 of Regulation (EEC) No 1766/92. This intervention measure may be taken in the form of a measure intended to relieve the market in oats in Finland and Sweden. The grant of a refund by a tendering procedure, applicable only to oats produced and exported from those two countries, would be the most appropriate measure in the circumstances.

(6) The nature and objectives of the said measure make it appropriate to apply to it, *mutatis mutandis*, Article 13 of Regulation (EEC) No 1766/92 and the Regulations adopted for its implementation, in particular 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 1431/2003⁽⁴⁾.

(7) Regulation (EC) No 1501/95 requires tenderers, among their other undertakings, to apply for an export licence and lodge a security. The amount of that security should be laid down.

(8) The cereals in question should actually be exported from the Member States for which a special intervention measure was implemented. It is necessary therefore to limit the use of export licences to exports from the Member State in which application for the licence was made and to oats produced in Finland and Sweden.

(9) In order to ensure equal treatment for all concerned, it is necessary to make provision that the licences issued have an identical period of validity.

(10) In order to ensure the smooth operation of the export tendering procedure, it is necessary to prescribe a minimum quantity and a time limit and form for the submission of tenders to the competent agencies.

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

⁽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 203, 12.8.2003, p. 16.

HAS ADOPTED THIS REGULATION:

Article 4

Article 1

1. A special intervention measure in the form of an export refund shall be implemented in respect of 400 000 tonnes of oats produced in Finland and Sweden and intended for export from Finland and Sweden to all third countries, except Bulgaria, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia.

Article 13 of Regulation (EEC) No 1766/92 and the provisions adopted for the application of that Article shall apply, *mutatis mutandis*, to the said refund.

2. The Finnish and Swedish intervention agencies shall be responsible for implementing the measure referred to in paragraph 1.

Article 2

1. Tenders shall be invited in order to determine the amount of the refund referred to in Article 1(1).

2. The invitation to tender shall relate to the quantity of oats referred to in Article 1(1) for export to all third countries, except Bulgaria, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia.

3. The invitation shall remain open until 24 June 2004. During its period of validity weekly awards shall be made, for which the time limits for the submission of tenders shall be specified in the notice of invitation to tender.

Notwithstanding Article 4(4) of Regulation (EC) No 1501/95, the time limit for the submission of tenders for the first invitation to tender shall be 23 October 2003.

4. Tenders must be submitted to the Finnish and Swedish intervention agencies named in the notice of invitation.

5. The tendering procedure shall take place in accordance with this Regulation and Regulation (EC) No 1501/95.

Article 3

A tender shall be valid only if:

- (a) it relates to not less than 1 000 tonnes;
- (b) it is accompanied by a written undertaking from the tenderer specifying that it relates solely to oats grown in Finland and Sweden which are to be exported from those countries.

Where the undertaking referred to in (b) is not fulfilled, the security referred to in Article 10 of Commission Regulation (EC) No 1162/95⁽¹⁾ shall be forfeited, except in cases of *force majeure*.

⁽¹⁾ OJ L 117, 24.5.1995, p. 2.

Under the tendering procedure referred to in Article 2, one of the following entries shall be made in box 20 of applications and export licences:

- Asetus (EY) N:o 1814/2003 — Todistus on voimassa ainoastaan Suomessa ja Ruotsissa;
- Förordning (EG) nr 1814/2003 — Licensen giltig endast i Finland och Sverige.

Article 5

The refund shall be valid only for exports from Finland and Sweden.

Article 6

The security referred to in Article 5 of Regulation (EC) No 1501/95 shall be EUR 12 per tonne.

Article 7

1. Notwithstanding Article 23(1) of Commission Regulation (EEC) No 1291/2000⁽²⁾, export licences issued in accordance with Article 8(1) of Regulation (EC) No 1501/95 shall, for the purpose of determining their period of validity, be deemed to have been issued on the day on which the tender was submitted.

2. Export licences issued under the tendering procedure referred to in Article 2 shall be valid from their date of issue, as defined in paragraph 1 of this Article, until the end of the fourth month following that of issue.

3. Notwithstanding Article 11 of Regulation (EC) No 1291/2000, export licences issued under the tendering procedure referred to in Article 2 of this Regulation shall be valid in Finland and Sweden only.

Article 8

Tenders submitted must reach the Commission via the Finnish and Swedish intervention agencies not later than one and a half hours following expiry of the deadline for the weekly submission of tenders as specified in the notice of invitation to tender. They must be communicated in accordance with the model shown in the Annex.

If no tenders are received, the Finnish and Swedish intervention agencies shall inform the Commission thereof within the period specified in the first subparagraph.

The times fixed for the submission of tenders shall be Belgian time.

⁽²⁾ OJ L 152, 24.6.2000, p. 1.

Article 9

1. On the basis of tenders notified, the Commission shall decide, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, either:

- to set a maximum export refund, taking into account in particular the criteria laid down in Article 1 of Regulation (EC) No 1501/95, or
- to make no award.

2. Where a maximum export refund is set, a contract shall be awarded to any tenderer whose tender specifies a rate of refund not exceeding such maximum export refund.

Article 10

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, 15 October 2003.

For the Commission

Franz FISCHLER

Member of the Commission

ANNEX

Tender for the refund for the export of oats from Finland and Sweden to all third countries, except Bulgaria, the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia

(Regulation (EC) No 1814/2003 ⁽¹⁾)

(Closing date for the submission of tenders)

1	2	3
Number of tender	Quantity in tonnes	Amount of export refund (in EUR per tonne)
1		
2		
3		
etc.		

⁽¹⁾ The only numbers to use to call Brussels (DG AGRI-C-1) are:
— fax: (32-2) 296 49 56/(32-2) 295 25 15.

**COMMISSION REGULATION (EC) No 1815/2003
of 15 October 2003**

on the issue of import licences for rice originating in the ACP States and the overseas countries and territories against applications submitted in the first five working days of October 2003 pursuant to Regulation (EC) No 638/2003

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision (EC) No 2286/2002 of 10 December 2002 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) and repealing Regulation (EC) No 1706/98 ⁽¹⁾,

Having regard to Council Decision 2001/822/EC of 27 November 2001 on the association of the overseas countries and territories with the European Community (Overseas Association Decision) ⁽²⁾,

Having regard to Commission Regulation (EC) No 638/2003 of 9 April 2003 laying down detailed rules for applying Council Regulation (EC) No 2286/2002 and Council Decision 2001/822/EC as regards the arrangements applicable to imports of rice originating in the African, Caribbean and Pacific States (ACP States) and the overseas countries and territories (OCT) ⁽³⁾, and in particular Article 17(2) thereof,

Whereas:

Examination of the quantities for which applications have been submitted shows that licences for the October 2003 tranche should be issued for the quantities applied for reduced, where appropriate, by the percentages not covered,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences for rice against applications submitted during the first five working days of October 2003 pursuant to Regulation (EC) No 638/2003 and notified to the Commission shall be issued for the quantities applied for reduced, where appropriate, by the percentages set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 October 2003.

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

Done at Brussels, 15 October 2003.

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

⁽¹⁾ OJ L 348, 21.12.2002, p. 5.

⁽²⁾ OJ L 314, 30.11.2001, p. 1.

⁽³⁾ OJ L 93, 10.4.2003, p. 3.

ANNEX

Reduction percentages to be applied to quantities applied for under the tranche for October 2003 and quota use in 2003

Origin/Product	Reduction percentage for the October 2003 tranche		Final use of the quota for 2003 in percentage terms	
	Netherlands Antilles and Aruba	Least-developed OCTs	Netherlands Antilles and Aruba	Least-developed OCTs
OCT (Article 10) — CN code 1006	33,4336	—	100	100

Origin/product	Final use of the quota for 2003 in percentage terms
ACP (Article 3(1)) — CN codes 1006 10 21 to 1006 10 98, 1006 20 and 1006 30	100
ACP (Article 5) — CN code 1006 40 00	100

COMMISSION REGULATION (EC) No 1816/2003
of 15 October 2003
fixing the import duties in the rice sector

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⁾,

Having regard to Commission Regulation (EC) No 1503/96 of 29 July 1996 laying down detailed rules for the application of Council Regulation (EC) No 3072/95 as regards import duties in the rice sector ⁽³⁾, as last amended by Regulation (EC) No 1298/2002 ⁽⁴⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Article 11 of Regulation (EC) No 3072/95 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 a certain percentage according to whether it is husked or milled rice, minus the cif import price provided that duty does not exceed the rate of the Common Customs Tariff duties.
- (2) Pursuant to Article 12(3) of Regulation (EC) No 3072/95, the cif import prices are calculated on the basis of the representative prices for the product in question on the world market or on the Community import market for the product.
- (3) Regulation (EC) No 1503/96 lays down detailed rules for the application of Regulation (EC) No 3072/95 as regards import duties in the rice 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 from the source referred to in Article 5 of Regulation (EC) No 1503/96 during the two weeks preceding the next periodical fixing.
- (5) In order to allow the import duty system to function normally, the market rates recorded during a reference period should be used for calculating the duties.
- (6) Application of the second subparagraph of Article 4(1) of Regulation (EC) No 1503/96 results in an adjustment of the import duties that have been fixed as from 15 May 2003 by Commission Regulation (EC) No 832/2003 ⁽⁵⁾ as set out in the Annexes to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import duties in the rice sector referred to in Article 11(1) and (2) of Regulation (EC) No 3072/95 shall be adjusted in compliance with Article 4 of Regulation (EC) No 1503/96 and 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 16 October 2003.

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

Done at Brussels, 15 October 2003.

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

⁽¹⁾ OJ L 329, 30.12.1995, p. 18.

⁽²⁾ OJ L 62, 5.3.2002, p. 27.

⁽³⁾ OJ L 189, 30.7.1996, p. 71.

⁽⁴⁾ OJ L 189, 18.7.2002, p. 8.

⁽⁵⁾ OJ L 120, 15.5.2003, p. 15.

ANNEX I

Import duties on rice and broken rice

(EUR/t)

CN code	Duties ⁽⁵⁾				
	Third countries (except ACP and Bangla- desh) ⁽⁷⁾	ACP ⁽¹⁾ ⁽²⁾ ⁽³⁾	Bangladesh ⁽⁴⁾	Basmati India and Pakistan ⁽⁶⁾	Egypt ⁽⁸⁾
1006 10 21	(7)	69,51	101,16		158,25
1006 10 23	(7)	69,51	101,16		158,25
1006 10 25	(7)	69,51	101,16		158,25
1006 10 27	(7)	69,51	101,16		158,25
1006 10 92	(7)	69,51	101,16		158,25
1006 10 94	(7)	69,51	101,16		158,25
1006 10 96	(7)	69,51	101,16		158,25
1006 10 98	(7)	69,51	101,16		158,25
1006 20 11	264,00	88,06	127,66		198,00
1006 20 13	264,00	88,06	127,66		198,00
1006 20 15	264,00	88,06	127,66		198,00
1006 20 17	264,00	88,06	127,66	14,00	198,00
1006 20 92	264,00	88,06	127,66		198,00
1006 20 94	264,00	88,06	127,66		198,00
1006 20 96	264,00	88,06	127,66		198,00
1006 20 98	264,00	86,06	127,66	14,00	198,00
1006 30 21	410,76	133,21	193,09		312,00
1006 30 23	410,76	133,21	193,09		312,00
1006 30 25	410,76	133,21	193,09		312,00
1006 30 27	(7)	133,21	193,09		312,00
1006 30 42	410,76	133,21	193,09		312,00
1006 30 44	410,76	133,21	193,09		312,00
1006 30 46	410,76	133,21	193,09		312,00
1006 30 48	(7)	133,21	193,09		312,00
1006 30 61	410,76	133,21	193,09		312,00
1006 30 63	410,76	133,21	193,09		312,00
1006 30 65	410,76	133,21	193,09		312,00
1006 30 67	(7)	133,21	193,09		312,00
1006 30 92	410,76	133,21	193,09		312,00
1006 30 94	410,76	133,21	193,09		312,00
1006 30 96	410,76	133,21	193,09		312,00
1006 30 98	(7)	133,21	193,09		312,00
1006 40 00	(7)	41,18	(7)		96,00

⁽¹⁾ The duty on imports of rice originating in the ACP States is applicable, under the arrangements laid down in Council Regulation (EC) No 2286/2002 (OJ L 345, 10.12.2002, p. 5) and amended Commission Regulation (EC) No 638/2003 (OJ L 93, 9.4.2003, p. 3).

⁽²⁾ In accordance with Regulation (EC) No 1706/98, the duties are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11(3) of Regulation (EC) No 3072/95.

⁽⁴⁾ The duty on imports of rice not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Council Regulation (EEC) No 3491/90 (OJ L 337, 4.12.1990, p. 1) and amended Commission Regulation (EEC) No 862/91 (OJ L 88, 9.4.1991, p. 7).

⁽⁵⁾ No import duty applies to products originating in the OCT pursuant to Article 101(1) of amended Council Decision 91/482/EEC (OJ L 263, 19.9.1991, p. 1).

⁽⁶⁾ For husked rice of the Basmati variety originating in India and Pakistan, a reduction of EUR/t 250 applies (Article 4a of amended Regulation (EC) No 1503/96).

⁽⁷⁾ Duties fixed in the Common Customs Tariff.

⁽⁸⁾ The duty on imports of rice originating in and coming from Egypt is applicable under the arrangements laid down in Council Regulation (EC) No 2184/96 (OJ L 292, 15.11.1996, p. 1) and Commission Regulation (EC) No 196/97 (OJ L 31, 1.2.1997, p. 53).

ANNEX II

Calculation of import duties for rice

	Paddy	Indica rice		Japonica rice		Broken rice
		Husked	Milled	Husked	Milled	
1. Import duty (EUR/tonne)	(¹)	264,00	416,00	264,00	410,76	(¹)
2. Elements of calculation:						
(a) Arag cif price (EUR/tonne)	—	270,63	203,08	272,13	385,83	—
(b) fob price (EUR/tonne)	—	—	—	246,34	360,04	—
(c) Sea freight (EUR/tonne)	—	—	—	25,79	25,79	—
(d) Source	—	USDA and operators	USDA and operators	Operators	Operators	—

(¹) Duties fixed in the Common Customs Tariff.

COMMISSION REGULATION (EC) No 1817/2003
of 15 October 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 16 October 2003.

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

Done at Brussels, 15 October 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	20,98
1005 10 90	Maize seed other than hybrid	49,73
1005 90 00	Maize other than seed ⁽²⁾	49,73
1007 00 90	Grain sorghum other than hybrids for sowing	20,98

⁽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 1 October to 14 October 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)	124,50 (****)	74,11	162,87 (***)	152,87 (***)	132,87 (***)	108,33 (***)
Gulf premium (EUR/t)	—	13,93	—	—	—	—
Great Lakes premium (EUR/t)	11,73	—	—	—	—	—

(*) 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 1249/96).

(***) 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: 19,26 EUR/t; Great Lakes–Rotterdam: 27,72 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 1818/2003
of 15 October 2003**

laying down the reduction coefficient to be applied under tariff quota for maize opened by Regulation (EC) No 958/2003

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 958/2003 of 3 June 2003 laying down detailed rules for the application of Council Decision 2003/286/EC as regards the concessions in the form of Community tariff quotas on certain cereal products originating in the Republic of Bulgaria and amending Regulation (EC) No 2809/2000 ⁽³⁾,

Whereas:

- (1) Regulation (EC) No 958/2003 opens an annual tariff quota of 80 000 tonnes of maize.

- (2) The quantities applied for on 13 October 2003, in accordance with Article 2(1) of Regulation (EC) No 958/2003, exceed the quantities available. The extent to which licences may be issued should therefore be determined and a reduction coefficient laid down to be applied to the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for an import licence for quota 'Bulgaria' for maize lodged and forwarded to the Commission on 13 October 2003 in accordance with Article 2(1), (2) and (3) of Regulation (EC) No 958/2003 shall be accepted at a rate of 3,87324 % of the quantity applied for.

Article 2

This Regulation shall enter into force on 16 October 2003.

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

Done at Brussels, 15 October 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 136, 4.6.2003, p. 3.

**COMMISSION REGULATION (EC) No 1819/2003
of 15 October 2003**

laying down the reduction coefficient to be applied under tariff quota for maize opened by Regulation (EC) No 925/2003

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 925/2003 of 27 May 2003, laying down detailed rules for the application of Council Decision 2003/298/EC as regards the concessions in the form of Community tariff quotas on certain cereal products originating in the Czech Republic and amending Regulation (EC) No 2809/2000⁽³⁾,

Whereas:

- (1) Regulation (EC) No 925/2003 opens an annual tariff quota of 20 000 tonnes of maize.

- (2) The quantities applied for on 13 October 2003, in accordance with Article 2(1) of Regulation (EC) No 925/2003, exceed the quantities available. The extent to which licences may be issued should therefore be determined and a reduction coefficient laid down to be applied to the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Each application for an import licence for quota 'Czech Republic' for maize lodged and forwarded to the Commission on 13 October 2003 in accordance with Article 2(1) and (2) of Regulation (EC) No 925/2003 shall be accepted at a rate of 42,2261 % of the quantity applied for.

Article 2

This Regulation shall enter into force on 16 October 2003.

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

Done at Brussels, 15 October 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 131, 28.5.2003, p. 3.

II

(Acts whose publication is not obligatory)

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

DECISION OF THE EFTA SURVEILLANCE AUTHORITY

No 155/03/COL

of 18 July 2003

approving the programme with a view to obtaining the status of approved zone with regard to the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN) submitted by Iceland

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area (hereinafter referred to as 'the EEA Agreement'), in particular Article 109 thereof and Protocol 1 thereto,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, and in particular Article 5(2)(d) thereof and Protocol 1 thereto,

Having regard to the Act referred to at point 4.1.5 of Chapter I of Annex I to the EEA Agreement concerning the animal health conditions governing the placing on the market of aquaculture animals and products (Council Directive 91/67/EEC), as last amended by Council Directive 98/45/EC, as adapted by way of Protocol 1 to the EEA Agreement and by sectoral adaptations to Annex I to the same Agreement, and in particular Article 10(2) of the Act,

Having regard to the EFTA Surveillance Authority Decision No 15/94/COL of 10 March 1994 empowering the Member with special responsibility for free movement of goods to take certain decisions and measures, and in particular point 1 thereof,

Whereas in order to obtain, for one or more of the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN), the status of approved zone and of approved fish farm situated in a non-approved zone, Member States shall submit the appropriate justifications and the national rules ensuring compliance with the conditions laid down in Directive 91/67/EEC;

Whereas the Government of Iceland on 7 July 1999 submitted to the EFTA Surveillance Authority a programme designed in order to obtain the status of approved zone for viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN), for its territory;

Whereas the Government of Iceland has provided the additional information requested from the Authority;

Whereas the programme and the additional information submitted by the Government of Iceland identifies the geographical zone concerned, the measures to be taken by the official services, the procedures to be followed by the laboratories, the prevalence of the diseases in question and the measure to combat them should they be detected;

Whereas an assessment of the programme by an external expert has shown it to comply with Article 10 of Council Directive 91/67/EEC;

Whereas the assessment of the information provided by the Government of Iceland has also documented that the health status in Iceland with regard to the two diseases VHS and IHN is at least equivalent to that of a zone in the European Union which has approved status for both diseases;

Whereas the EFTA Surveillance Authority by its Decision 114/03/COL referred the matter to the EFTA Veterinary Committee assisting the EFTA Surveillance Authority;

Whereas the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

HAS ADOPTED THIS DECISION:

1. The programme submitted by Iceland on 7 July 1999 for the purpose of obtaining the status of approved zone with regard to the fish diseases viral haemorrhagic septicaemia (VHS) and infectious haematopoietic necrosis (IHN) is hereby approved.
2. This Decision shall enter into force on 21 July 2003.
3. This Decision is addressed to Iceland.
4. This Decision shall be authentic in the English language.

Done at Brussels, 18 July 2003.

For the EFTA Surveillance Authority

Niels FENGER

Director
