

English edition

## Legislation

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<sup>(1)</sup> Text with EEA relevance**EN**

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1941/2003**  
**of 3 November 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1947/2002 <sup>(2)</sup>, 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 4 November 2003.

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

Done at Brussels, 3 November 2003.

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

<sup>(1)</sup> OJ L 337, 24.12.1994, p. 66.

<sup>(2)</sup> OJ L 299, 1.11.2002, p. 17.

## ANNEX

**to the Commission Regulation of 3 November 2003 establishing the standard import values for determining the entry price of certain fruit and vegetables**

(EUR/100 kg)

CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	052	60,0
	060	57,2
	096	50,7
	204	51,9
	653	52,4
	999	54,4
0707 00 05	052	130,9
	628	139,3
	999	135,1
0709 90 70	052	100,3
	204	73,9
	999	87,1
0805 50 10	052	86,6
	204	84,1
	388	91,0
	524	51,5
	528	81,9
	999	79,0
0806 10 10	052	113,3
	388	94,8
	400	198,6
	508	329,7
	999	184,1
0808 10 20, 0808 10 50, 0808 10 90	052	51,0
	060	27,9
	064	48,8
	388	79,2
	400	73,7
	404	84,1
	512	77,5
	720	40,7
	800	190,9
	804	95,3
	999	76,9
0808 20 50	052	117,3
	060	53,5
	064	60,3
	388	68,4
	400	67,2
	512	55,8
	528	52,2
	720	51,0
	999	65,7

<sup>(1)</sup> 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 1942/2003  
of 3 November 2003**

**fixing the minimum selling prices for beef put up for sale under the first invitation to tender  
referred to in Regulation (EC) No 1853/2003**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1782/2003 <sup>(2)</sup>, and in particular Article 28(2) thereof,

Whereas:

- (1) Tenders have been invited for certain quantities of beef fixed by Commission Regulation (EC) No 1853/2003 on periodical sales by tender of beef <sup>(3)</sup>.
- (2) Pursuant to Article 9 of Commission Regulation (EEC) No 2173/79 of 4 October 1979 on detailed rules of application for the disposal of beef bought in by intervention agencies and repealing Regulation (EEC) No 216/69 <sup>(4)</sup>, as last amended by Regulation (EC) No 2417/95 <sup>(5)</sup>, the minimum selling prices for meat put up for

sale by tender should be fixed, taking into account tenders submitted.

- (3) 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*

The minimum selling prices for beef for the first invitation to tender held in accordance with Regulation (EC) No 1853/2003 for which the time limit for the submission of tenders was 27 October 2003 are as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 4 November 2003.

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

Done at Brussels, 3 November 2003.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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<sup>(1)</sup> OJ L 160, 26.6.1999, p. 21.

<sup>(2)</sup> OJ L 270, 21.10.2003, p. 1.

<sup>(3)</sup> OJ L 271, 22.10.2003, p. 15.

<sup>(4)</sup> OJ L 251, 5.10.1979, p. 12.

<sup>(5)</sup> OJ L 248, 14.10.1995, p. 39.

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

Estado miembro	Productos	Precio mínimo Expresado en euros por tonelada
Medlemsstat	Produkter	Mindstepriser i EUR/t
Mitgliedstaat	Erzeugnisse	Mindestpreise Ausgedrückt in EUR/Tonne
Κράτος μέλος	Προϊόντα	Ελάχιστες πωλήσεις εκφραζόμενες σε ευρώ ανά τόνο
Member State	Products	Minimum prices Expressed in EUR per tonne
État membre	Produits	Prix minimaux Exprimés en euros par tonne
Stato membro	Prodotti	Prezzi minimi Espressi in euro per tonnellata
Lidstaat	Producten	Minimumprijzen Uitgedrukt in euro per ton
Estado-Membro	Produtos	Preço mínimo Expresso em euros por tonelada
Jäsenvaltio	Tuotteet	Vähimmäishinnat euroina tonnia kohden ilmaistuna
Medlemsstat	Produkter	Minimipriser i euro per ton

a) **Carne con hueso — Kød, ikke udbenet — Fleisch mit Knochen — Κρέατα με κόκαλα — Bone-in beef — Viande avec os — Carni non disossate — Vlees met been — Carne com osso — Luullinen naudanliha — Kött med ben**

DEUTSCHLAND	— Hinterviertel	1 853
ESPAÑA	— Cuartos delanteros	980
ITALIA	— Quarti posteriori	—
	— Quarti anteriori	—

b) **Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Κρέατα χωρίς κόκαλα — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada — Luuton naudanliha — Benfritt kött**

DEUTSCHLAND	— Kugel (INT 12)	—
ESPAÑA	— Lomo de intervención (INT 17)	—
FRANCE	— Jarret arrière d'intervention (INT 11)	1 154
	— Tranche grasse d'intervention (INT 12)	—
	— Tranche d'intervention (INT 13)	—
	— Semelle d'intervention (INT 14)	—
	— Filet d'intervention (INT 15)	12 575
	— Rumsteak d'intervention (INT 16)	2 105
	— Faux-filet d'intervention (INT 17)	4 700
	— Flanchet d'intervention (INT 18)	925
	— Jarret avant d'intervention (INT 21)	1 154
	— Épaule d'intervention (INT 22)	1 395
	— Poitrine d'intervention (INT 23)	935
	— Avant d'intervention (INT 24)	1 375

**COMMISSION REGULATION (EC) No 1943/2003  
of 3 November 2003**

**laying down rules for the application of Council Regulation (EC) No 2200/96 as regards aid to  
producer groups granted preliminary recognition**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 2200/96 of 28 October 1996 on the common organisation of the market in fruit and vegetables <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 47/2003 <sup>(2)</sup>, and in particular Article 48 thereof,

Whereas:

- (1) In the view of experience gained during the last years, it is necessary to amend Commission Regulation (EC) No 20/98 of 7 January 1998 laying down rules for the application of Council Regulation (EC) No 2200/96 as regards aid to producer organisations granted preliminary recognition <sup>(3)</sup>, as last amended by Regulation (EC) No 983/2000 <sup>(4)</sup>. In the interests of clarity and rationality, that Regulation should be replaced by a new Regulation.
- (2) Regulation (EC) No 20/98 should consequently be repealed.
- (3) Article 14 of Regulation (EC) No 2200/96 states that new producer groups may be allowed a transitional period of no more than five years in which to meet the conditions for recognition laid down in Article 11 of that Regulation. Commission Regulation (EC) No 1432/2003 <sup>(5)</sup> establishes the conditions for granting preliminary recognition to producer groups.
- (4) In order to encourage the formation of producer groups, Article 14 of Regulation (EC) No 2200/96 also states that Member States may grant two sorts of aid to producer groups granted preliminary recognition in the five years following such preliminary recognition, one to cover the costs of their formation and administrative operation and one to cover part of the investments required to attain recognition and set out in their recognition plans.
- (5) To facilitate the correct application of the system of aid to cover the costs of formation and administrative operation, that aid should be granted at a flat rate. That flat-rate aid should be subject to a ceiling in order to comply with budgetary constraints. Moreover, to take account of the differing financial needs of producer

groups of different sizes, that ceiling should be adjusted in line with the marketable production of the producer groups.

- (6) In order to guarantee equal treatment between the producer organisations referred to in Article 11 of Regulation (EC) No 2200/96 and the producer groups referred to in Article 14 of the same regulation, the aid referred to in Article 2 of Council Regulation (EC) No 2201/96 of 28 October 1996 on the common organisation of the markets in processed fruit and vegetables <sup>(6)</sup>, as last amended by Commission Regulation (EC) No 453/2002 <sup>(7)</sup>, and in Article 1 of Council Regulation (EC) No 2202/96 of 28 October 1996 introducing a Community aid scheme for producers of certain citrus fruits <sup>(8)</sup>, as last amended by Regulation (EC) No 2699/2000 <sup>(9)</sup>, should be added to the appropriate value of marketed production, as provided for in Article 3 of Commission Regulation (EC) No 1433/2003 of 11 August 2003 laying down detailed rules for the application of Council Regulation (EC) No 2200/96 as regards operational funds, operational programmes and financial assistance <sup>(10)</sup>.
- (7) Natural disasters can cause a steep fall in marketed production in a given year. In such cases, in order to avoid such drastic reductions in the Community aid to producer groups granted preliminary recognition as might jeopardise its operation, there should be a limit on the reduction in marketed production taken into account for the purposes of calculating the aid. That limit should be determined by reference to the yield and the average prices obtained by the producer groups granted preliminary recognition or by their members in the three years preceding the year of the disaster, and should be fixed to take account of normal production fluctuations due to weather conditions.
- (8) In order to ensure that the aid provided for in this Regulation is applied properly, the Member State in question should check that the grant of the aid is duly justified, account being taken of any previous grants of aid for the launching of producer groups and of any movements of producers between producer groups and/or organisations. The Member States should also ensure that duplicate Community or national financing is not granted for measures qualifying for Community financing in accordance with this Regulation.

<sup>(1)</sup> OJ L 297, 21.11.1996, p. 1.

<sup>(2)</sup> OJ L 7, 11.1.2003, p. 64.

<sup>(3)</sup> OJ L 4, 8.1.1998, p. 40.

<sup>(4)</sup> OJ L 113, 12.5.2000, p. 36.

<sup>(5)</sup> OJ L 203, 12.8.2003, p. 18.

<sup>(6)</sup> OJ L 297, 21.11.1996, p. 29.

<sup>(7)</sup> OJ L 72, 14.3.2002, p. 9.

<sup>(8)</sup> OJ L 297, 21.11.1996, p. 49.

<sup>(9)</sup> OJ L 311, 12.12.2000, p. 9.

<sup>(10)</sup> OJ L 203, 12.8.2003, p. 25.

- (9) In the event of mergers, the possibility should be given for the aid to be granted to the producer groups resulting from the merger, in order to take into account the financial needs of the new producers groups and to ensure the correct application of the aid scheme.
- (10) The aid provided for in this Regulation should be discontinued once the producer group is recognised by the Member State. However, to take account of the multiannual financing of investments, those qualifying for investment aid pursuant to this Regulation can be carried over to operational programmes as referred to in Article 15 of Regulation (EC) No 2200/96.
- (11) Article 14(7) of Regulation (EC) No 2200/96 provides a special scheme for Portugal. Provisions should be laid down to ensure compliance with that special scheme. The provisions fixing the value of the marketed production in case of natural disasters should also apply to Portugal.
- (12) Strict control procedures should be laid down, together with deterrent sanctions in the event of infringement, given the high degree of responsibility and initiative conferred on the producer groups. In the interest of simplification and rationality, these sanctions should be applied as provided for in Regulation (EC) No 1433/2003.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fresh Fruit and Vegetables,

- (ii) sold under the terms of the second and third indents of Article 11(1)(c)(3), second subparagraph, of Regulation (EC) No 2200/96 with the group's authorisation.

The production shall include the amount of the aid as provided for in Article 2 of Regulation (EC) No 2201/96 and Article 1 of Regulation (EC) No 2202/96 received by the producer groups for the same annual or semestrial period referred to in Article 3.

Marketed production shall not include the production of members of other producer organisations or groups marketed through the group in question in accordance with the second and third indents of Article 11(1)(c)(3), second subparagraph, of Regulation (EC) No 2200/96.

2. For the purposes of this Regulation, 'value of marketed production' means the value of marketed production at the 'ex-producer group' stage, or, where appropriate, as a 'wrapped or prepared unprocessed product'.

3. In the event of a natural disaster recognised by the competent national authorities, marketed production shall be deemed to be at least 70 % of the average theoretical value equal to the area belonging to the producer group granted preliminary recognition and sown to the product in question during the year of the natural disaster, multiplied by the average yield and average price obtained

— by the producer group or its members for the product in question during the three years prior to the natural disaster, or

— where the Member State so decides, in the same production region during the three years prior to the disaster.

HAS ADOPTED THIS REGULATION:

#### Article 1

##### Scope

This Regulation lays down rules on the granting of aid as provided for in Article 14(2) of Regulation (EC) No 2200/96 to producer groups granted preliminary recognition.

#### Article 2

##### Definitions

1. For the purposes of this Regulation, 'marketed production' means the production of a producer group's members in the category for which preliminary recognition is granted:

- (i) delivered to the producer group and actually sold through the group fresh or processed;

#### Article 3

##### Financing of recognition plans

1. The aid provided for in Article 14(2)(a) of Regulation (EC) No 2200/96 shall be granted towards the costs of setting up and running the producer group, at a flat rate.

2. The aid referred to in paragraph 1 shall be determined for each producer group on the basis of its value of marketed production, and shall:

- (a) amount, for the first, second, third, fourth and fifth years, to 5 %, 5 %, 4 %, 3 % and 2 % respectively of the value of marketed production up to a maximum of EUR 1 000 000;
- (b) amount, for the first, second, third, fourth and fifth years, to 2,5 %, 2,5 %, 2,0 %, 1,5 % and 1,5 % respectively of the value of marketed production exceeding EUR 1 000 000;

- (c) be subject to a ceiling for each producer group of:
- EUR 100 000 for the first year,
  - EUR 100 000 for the second year,
  - EUR 80 000 for the third year,
  - EUR 60 000 for the fourth year,
  - EUR 50 000 for the fifth year;
- (d) be paid
- in annual or semestrial instalments at the end of each annual or semestrial period for the implementation of the recognition plan, or
  - in instalments covering part of an annual period if recognition occurs according to Article 11 of Regulation (EC) No 2200/96 before the end of an annual period.

In order to calculate the instalments referred to in the first indent of subparagraph (d), the Member States may use as a basis the marketed production corresponding to a period other than that in respect of which the instalment is paid, where checks so require. The period by which the period used fails to coincide with the actual period concerned must be less than the length of the actual period.

#### Article 4

### Special loans

1. Aid as provided for in Article 14(2)(b) of Regulation (EC) No 2200/96 shall be granted, directly or through credit institutions, in the form of special loans to cover part of the cost of investments linked to implementation of the measures in recognition plans, as described in Article 16 of Regulation (EC) No 1432/2003.

Investments liable to distort competition where the other economic activities of the organisation are concerned shall be excluded.

2. Investments to the direct or indirect benefit of such activities shall be financed pro rata to their use for the sectors or products for which preliminary recognition is granted.

#### Article 5

### Application for aid

1. Producer groups shall each submit a single application for the aid referred to in Articles 3 and 4 within three months of the end of each annual period as referred to in Article 3(2)(d).

2. All applications for aid shall be accompanied by a written declaration from the producer group to the effect that the latter:

- (a) complies and will comply with Regulations (EC) No 2200/96 and (EC) No 1432/2003 and with this Regulation;
- (b) has not benefited, is not benefiting and will not benefit either directly or indirectly from duplicate Community or national financing for measures and/or actions for which Community financing is granted pursuant to this Regulation.

3. Member States shall pay the aid within six months of receipt of a full application.

#### Article 6

### Eligibility

Member States shall evaluate the eligibility of producer groups for the aid under this Regulation in order to establish that the aid is duly justified, regard being had to the conditions and the date on which any earlier public aid was granted to the producer organisations or groups from which the members of the producer group in question originate and to any movements of members between organisations and producer groups.

#### Article 7

### Community assistance

Expenditure incurred by Member States on aid as referred to in Articles 3 and 4 shall qualify for assistance from the EAGGF Guarantee Section.

#### Article 8

### Community contribution

1. The Community contribution towards aid as referred to in Article 3 shall amount to:

- 75 % of eligible public expenditure in Objective 1 and 2 regions as referred to in Article 1 of Council Regulation (EC) No 1260/1999 <sup>(1)</sup>,
- 50 % of eligible public expenditure in other regions.

<sup>(1)</sup> OJ L 161, 26.6.1999, p. 1.

2. The Community contribution towards aid as referred to in Article 4, expressed in terms of capital-grant equivalent, shall not exceed, as a percentage of eligible investment costs as referred to in Article 4:

- 50 % in Objective 1 and 2 regions as referred to in Article 1 of Regulation (EC) No 1260/1999,
- 30 % in other regions.

The Member States concerned must undertake to contribute at least 5 % of eligible investment costs as referred to in Article 4.

Beneficiaries of aid towards eligible investment costs as referred to in Article 4 shall pay at least:

- 25 % in Objective 1 and 2 regions as referred to in Article 1 of Regulation (EC) No 1260/1999,
- 45 % in other regions.

#### Article 9

### Mergers

1. Aid as provided for in Articles 3 and 4 of this Regulation may be given, or may continue to be given, to producer groups which have been granted preliminary recognition under Regulation (EC) No 1432/2003 and which result from the merger between a producer group granted preliminary recognition under that Regulation and one or more of the following:

- (a) one or more producer groups granted preliminary recognition pursuant to Regulation (EC) No 1432/2003;
- (b) one or more producer organisations recognised pursuant to Regulation (EC) No 2200/96.

2. For the purposes of calculating the aid payable pursuant to paragraph 1, the producer group resulting from the merger shall replace the merging groups or organisations.

#### Article 10

### Consequences of recognition

1. Aid as provided for in Articles 3 and 4 shall cease once recognition is granted.

2. Where an operational programme is submitted pursuant to Regulation (EC) No 1433/2003, the Member State shall ensure that there is no duplicate financing of the measures financed under the recognition plan.

3. Investments qualifying for the aid or the costs referred to in Article 4 may be carried over to operational programmes provided they are in line with Regulation (EC) No 1433/2003.

#### Article 11

### Specific clauses for Portugal

Where the Portuguese authorities demonstrate that, in a given year, the aid payable to a producer group in Portugal in accordance with this Regulation is less than that stipulated in Article 14(7) of Regulation (EC) No 2200/96, the aid provided for in Article 3(2) shall be increased so as to satisfy the provisions of the aforesaid Article 14.

In the event of a natural disaster recognised by the Portuguese authorities, Article 2(3) of this Regulation shall apply for the calculation of the value of marketed production to be used for the purposes of Article 14(7) of Regulation (EC) No 2200/96.

#### Article 12

### Checks

Without prejudice to checks carried out in accordance with Title VI of Regulation (EC) No 2200/96, Member States shall carry out checks on producer groups to verify compliance with the conditions for the grant of aid as referred to in Articles 3 and 4.

#### Article 13

### Recovery of aid and sanction

Recovery of aid and sanctions as provided for in Article 24 of Regulation (EC) No 1433/2003 shall apply where a check carried out pursuant to Article 12 of this Regulation shows that:

- (a) the value of marketed production is less than the amount used for calculating aid as referred to in Article 3;
- (b) aid covered by this Regulation has not been used in accordance with the regulations applicable or with the approved recognition plan.

#### Article 14

### Repeal

Regulation (EC) No 20/98 is repealed.

References to the repealed regulation shall be construed as references to this Regulation.

#### Article 15

### Entry into force

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

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

Done at Brussels, 3 November 2003.

*For the Commission*  
Franz FISCHLER  
*Member of the Commission*

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**COMMISSION REGULATION (EC) No 1944/2003**  
**of 31 October 2003**  
**prohibiting fishing for cod by vessels flying the flag of France**

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 <sup>(1)</sup>, as last amended by Regulation (EC) No 806/2003 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 1754/2003 <sup>(4)</sup>, 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, II (Norwegian waters), by vessels flying the flag of France

or registered in France have exhausted the quota allocated for 2003. France has prohibited fishing for this stock from 17 August 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, II (Norwegian waters), by vessels flying the flag of France or registered in France are hereby deemed to have exhausted the quota allocated to France for 2003.

Fishing for cod in the waters of ICES divisions I, II (Norwegian waters), by vessels flying the flag of France or registered in France 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 17 August 2003.

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

Done at Brussels, 31 October 2003.

*For the Commission*  
Jörgen HOLMQUIST  
*Director-General for Fisheries*

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<sup>(1)</sup> OJ L 261, 20.10.1993, p. 1.

<sup>(2)</sup> OJ L 122, 16.5.2003, p. 1.

<sup>(3)</sup> OJ L 356, 31.12.2002, p. 12.

<sup>(4)</sup> OJ L 252, 4.10.2003, p. 1.

**COMMISSION REGULATION (EC) No 1945/2003**  
**of 3 November 2003**  
**amending 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1104/2003 <sup>(2)</sup>,

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 <sup>(3)</sup>, as last amended by Regulation (EC) No 1110/2003 <sup>(4)</sup>, and in particular Article 2(1) thereof,

Whereas:

- (1) The import duties in the cereals sector are fixed by Commission Regulation (EC) No 1936/2003 <sup>(5)</sup>.

- (2) Article 2(1) of Regulation (EC) No 1249/96 provides that if during the period of application, the average import duty calculated differs by EUR 5 per tonne from the duty fixed, a corresponding adjustment is to be made. Such a difference has arisen. It is therefore necessary to adjust the import duties fixed in Regulation (EC) No 1936/2003,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I and II to the amended Regulation (EC) No 1936/2003 are hereby replaced by Annexes I and II to this Regulation.

*Article 2*

This Regulation shall enter into force on 4 November 2003.

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

Done at Brussels, 3 November 2003.

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

<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

<sup>(2)</sup> OJ L 158, 27.6.2003, p. 1.

<sup>(3)</sup> OJ L 161, 29.6.1996, p. 125.

<sup>(4)</sup> OJ L 158, 27.6.2003, p. 12.

<sup>(5)</sup> OJ L 285, 1.11.2003, p. 22.

## ANNEX I

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

CN code	Description	Import duty <sup>(1)</sup> (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	17,22
1005 10 90	Maize seed other than hybrid	32,48
1005 90 00	Maize other than seed <sup>(2)</sup>	32,48
1007 00 90	Grain sorghum other than hybrids for sowing	17,22

<sup>(1)</sup> 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.

<sup>(2)</sup> 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**

(for 31 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)	129,90 (****)	83,75	166,92 (***)	156,92 (***)	136,92 (***)	112,39 (***)
Gulf premium (EUR/t)	—	17,28	—	—	—	—
Great Lakes premium (EUR/t)	17,19	—	—	—	—	—

(\*) 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: 24,95 EUR/t; Great Lakes — Rotterdam: 28,87 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 DIRECTIVE 2003/101/EC**  
**of 3 November 2003**

**amending Council Directive 92/109/EEC on the manufacture and placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances**

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/109/EEC of 14 December 1992 on the manufacture and placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances <sup>(1)</sup>, as last amended by Commission Directive 2001/8/EC <sup>(2)</sup>, and in particular Article 10(3) thereof,

Whereas:

- (1) With regard to the Community's obligations pursuant to Council Decision 90/611/EEC concerning conclusion, on behalf of the European Economic Community, of the United Nations Convention against illicit traffic in narcotic drugs and psychotropic substances <sup>(3)</sup>, it is necessary to give effect to the decision taken by the United Nations Commission on Narcotic Drugs in March 2001 to add acetic anhydride and potassium permanganate to table 1 of the Annex to the 1988 United Nations Convention.
- (2) It is also appropriate to bring Directive 92/109/EEC in line with Council Regulation (EEC) No 3677/90 of 13 December 1990 laying down measures to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances <sup>(4)</sup>, as last amended by Commission Regulation (EC) No 1232/2002 <sup>(5)</sup>.
- (3) Potassium permanganate should be included among the substances listed in Category 2 of Annex I to Directive 92/109/EEC and deleted from Category 3 in that Annex.
- (4) In order to ensure that Community trade is not adversely affected, thresholds should be fixed for potassium permanganate as well as for acetic anhydride.
- (5) Directive 92/109/EEC should be amended accordingly.

- (6) The measures provided for in this Directive are in accordance with the opinion of the Committee set up pursuant to Article 10 of Regulation (EEC) No 3677/90,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

The Annexes I and II to Directive 92/109/EEC shall be replaced by the text in the Annex to this Directive.

*Article 2*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 2004 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

*Article 3*

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

*Article 4*

This Directive is addressed to the Member States.

Done at Brussels, 3 November 2003.

*For the Commission*

Erkki LIIKANEN

*Member of the Commission*

<sup>(1)</sup> OJ L 370, 19.12.1992, p. 76.

<sup>(2)</sup> OJ L 39, 9.2.2001, p. 31.

<sup>(3)</sup> OJ L 326, 24.11.1990, p. 56.

<sup>(4)</sup> OJ L 357, 20.12.1990, p. 1.

<sup>(5)</sup> OJ L 180, 10.7.2002, p. 5.

## ANNEX

## 'ANNEX I

## Scheduled substances within the meaning of Article 1(2)(a)

## CATEGORY 1

Substance	CN designation (if different)	CN code <sup>(1)</sup>	CAS No <sup>(2)</sup>
1-Phenyl-2-propanone	Phenylacetone	2914 31 00	103-79-7
N-acetylanthranilic acid	2-Acetamidobenzoic acid	2924 23 00	89-52-1
Isosafrol ( <i>cis</i> + <i>trans</i> )		2932 91 00	120-58-1
3,4-Methylenedioxyphenylpropan-2-one	1-(1,3-Benzodioxol-5-yl)propan-2-one	2932 92 00	4676-39-5
Piperonal		2932 93 00	120-57-0
Safrole		2932 94 00	94-59-7
Ephedrine		2939 41 00	299-42-3
Pseudoephedrine		2939 42 00	90-82-4
Norephedrine		ex 2939 49 00	14838-15-4
Ergometrine		2939 61 00	60-79-7
Ergotamine		2939 62 00	113-15-5
Lysergic acid		2939 63 00	82-58-6

The stereoisomeric forms of the substances listed in this Category not being cathine <sup>(3)</sup> whenever the existence of such forms is possible.

The salts of the substances listed in this Category whenever the existence of such salts is possible and not being the salts of cathine.

## CATEGORY 2

Substance	CN designation (if different)	CN code <sup>(1)</sup>	CAS No <sup>(2)</sup>
Acetic anhydride		2915 24 00	108-24-7
Phenylacetic acid		2916 34 00	103-82-2
Anthranilic acid		2922 43 00	118-92-3
Piperidine		2933 32 00	110-89-4
Potassium permanganate		2841 61 00	7722-64-7

The salts of the substances listed in this Category whenever the existence of such salts is possible.

## CATEGORY 3

Substance	CN designation (if different)	CN code <sup>(1)</sup>	CAS No <sup>(2)</sup>
Hydrochloric acid	Hydrogen chloride	2806 10 00	7647-01-0
Sulphuric acid		2807 00 10	7664-93-9
Toluene		2902 30 00	108-88-3
Ethyl ether	Diethyl ether	2909 11 00	60-29-7
Acetone		2914 11 00	67-64-1
Methylethylketone	Butanone	2914 12 00	78-93-3

The salts of the substances listed in this Category whenever the existence of such salts is possible and not being the salts of hydrochloric acid and sulphuric acid.

<sup>(1)</sup> OJ L 290, 28.10.2002, p. 1.

<sup>(2)</sup> The CAS No is the "Chemical Abstract Service Registry Number", which is a unique numeric identifier specific to each substance and its structure. The CAS No is specific to each isomer and to each salt of each isomer. It must be understood that the CAS Nos for the salts of the substances listed above will be different to those given.

<sup>(3)</sup> Also named (+)-norpseudoephedrine, CN code 2939 43 00, CAS No 492-39-7.

## ANNEX II

Substance	Threshold
Acetic anhydride	100 l
Potassium permanganate	100 kg
Anthranilic acid and its salts	1 kg
Phenylacetic acid and its salts	1 kg
Piperidine and its salts	0,5 kg'

## II

(Acts whose publication is not obligatory)

## COUNCIL

## COUNCIL DECISION

of 27 October 2003

appointing a member of the Committee of the Regions

(2003/782/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the Spanish Government,

Whereas:

- (1) The Council adopted Decision 2002/60/EC of 22 January 2002 appointing the members and alternate members of the Committee of the Regions <sup>(1)</sup>.
- (2) The seat of a member of the Committee of the Regions has fallen vacant following the expiry of the mandate of Mr Alberto RUIZ-GALLARDON JIMÉNEZ, of which the Council was notified on 6 October 2003,

HAS DECIDED AS FOLLOWS:

*Sole Article*

Mr Carlos MAYOR OREJA, Vicepresidente, Comunidad de Madrid, is hereby appointed a member of the Committee of the Regions in place of Mr Alberto RUIZ-GALLARDON JIMÉNEZ for the remainder of his term of office, which ends on 25 January 2006.

Done at Luxembourg, 27 October 2003.

*For the Council*

*The President*

A. MATTEOLI

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<sup>(1)</sup> OJ L 24, 26.1.2002, p. 38.

**COUNCIL DECISION**  
**of 27 October 2003**  
**appointing an alternate member of the Committee of the Regions**

(2003/783/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 263 thereof,

Having regard to the proposal from the Spanish Government,

Whereas:

- (1) The Council adopted Decision 2002/60/EC of 22 January 2002 appointing the members and alternate members of the Committee of the Regions <sup>(1)</sup>.
- (2) The seat of an alternate member of the Committee of the Regions has become vacant following the expiry of the term of office of Mr Manuel COBO VEGA, of which the Council was notified on 6 October 2003,

HAS DECIDED AS FOLLOWS:

*Sole Article*

Mr Juan GONZÁLEZ BLASCO, Consejero de Obras Públicas, Urbanismo y Transporte, Comunidad de Madrid, is hereby appointed an alternate member of the Committee of the Regions in place of Mr Manuel COBO VEGA for the remainder of his term of office, which ends on 25 January 2006.

Done at Luxembourg, 27 October 2003.

*For the Council*  
*The President*  
A. MATTEOLI

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<sup>(1)</sup> OJ L 24, 26.1.2002, p. 38.