

# Official Journal

## of the European Union

ISSN 1725-2555

L 318

Volume 46

3 December 2003

English edition

## Legislation

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

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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 2116/2003  
of 2 December 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 3 December 2003.

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

Done at Brussels, 2 December 2003.

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

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<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 2 December 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	62,4
	060	86,6
	204	40,7
	212	115,9
	999	76,4
0707 00 05	052	37,8
	220	139,2
	628	139,2
	999	105,4
0709 90 70	052	114,4
	204	55,2
	999	84,8
0805 10 10, 0805 10 30, 0805 10 50	388	50,1
	999	50,1
0805 20 10	052	62,5
	204	62,9
	999	62,7
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	052	71,4
	388	48,7
	999	60,1
0805 50 10	052	75,5
	388	55,8
	528	81,9
	600	72,8
	999	71,5
0808 10 20, 0808 10 50, 0808 10 90	052	38,0
	060	37,8
	064	51,2
	400	75,5
	404	74,0
	720	103,2
	800	133,4
	999	73,3
0808 20 50	052	102,3
	060	53,5
	064	59,8
	400	97,6
	720	69,1
	999	76,5

<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 2117/2003****of 1 December 2003****authorising transfers between the quantitative limits of textiles and clothing products originating in the Republic of India**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries <sup>(1)</sup>, and in particular Article 7 thereof,

Whereas:

- (1) The Memorandum of Understanding between the European Community and the Republic of India on arrangements in the area of market access for textile products, initialled on 31 December 1994 <sup>(2)</sup> provides that favourable consideration should be given to certain requests for so-called 'exceptional flexibility' by India.
- (2) The Republic of India has made requests for transfers between categories on 10 September and 28 October, as revised on 7 November 2003.
- (3) The transfers requested by the Republic of India fall within the limits of the flexibility provisions referred to in Article 7 and set out in Annex VIII column 9 to Regulation (EEC) No 3030/93.

(4) It is appropriate to grant the request.

(5) It is desirable for this Regulation to enter into force the day after its publication in order to allow operators to benefit from it as soon as possible.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Textile Committee provided for in Article 17 of Regulation (EEC) No 3030/93,

HAS ADOPTED THIS REGULATION:

*Article 1*

Transfers between the quantitative limits for textile goods originating in the Republic of India are authorised for the quota year 2003 in accordance with the Annex.

*Article 2*

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

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

Done at Brussels, 1 December 2003.

*For the Commission*

Pascal LAMY

*Member of the Commission*

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<sup>(1)</sup> OJ L 275, 8.11.1993, p. 1. Regulation as last amended by Regulation (EC) No 138/2003 (OJ L 23, 28.1.2003, p. 1).

<sup>(2)</sup> OJ L 153, 27.6.1996, p. 53.

## ANNEX

664 INDIA				Adjusted working level	Adjustment				
Group	Category	Unit	Limit 2003		Quantity in units	Quantity in tonnes	%	Flexibility	New adjusted working level
IA	3	kg	35 804 000	33 810 280	– 2 760 000	– 2 760	– 7,7	Transfers to categories 4, 5, 6, 7	31 050 280
IB	4	Pcs	87 733 000	103 588 457	5 832 000	900	6,6	Transfer from cate- gory 3	109 420 457
IB	5	Pcs	48 416 000	52 343 678	3 936 570	869	8,1	Transfer from cate- gory 3	56 280 248
IB	6	Pcs	12 259 000	15 195 107	440 000	250	3,6	Transfer from cate- gory 3	15 635 107
IB	7	Pcs	74 350 000	83 088 944	4 112 550	741	5,5	Transfer from cate- gory 3	87 201 444
IB	8	pcs	54 671 000	54 439 388	3 404 000	740	6,2	Transfer from cate- gory 15	57 843 388
IIB	15	Pcs	9 198 000	9 414 498	– 621 000	– 740	– 6,8	Transfers to category 8	8 792 898

## COMMISSION REGULATION (EC) No 2118/2003

of 2 December 2003

amending Council Regulation (EC) No 1420/1999 and Regulation (EC) No 1547/1999 as regards shipments of certain types of waste to Tanzania and to Serbia and Montenegro

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community <sup>(1)</sup>, as last amended by Commission Regulation (EC) No 2557/2001 <sup>(2)</sup>, and in particular Article 17(3) thereof,

Having regard to Council Regulation (EC) No 1420/1999 of 29 April 1999 establishing common rules and procedures to apply to shipments to certain non-OECD countries of certain types of waste <sup>(3)</sup>, as last amended by Commission Regulation (EC) No 2243/2001 <sup>(4)</sup>, and in particular Article 3(5) thereof,

Whereas:

(1) On 21 October 2002, the Commission sent a note verbale to the authorities of the Federal Republic of Yugoslavia, asking whether that country would accept exports out of the Community of non-hazardous waste for recovery and, if so, which control procedure, if any, would be applied.

(2) In its reply of 30 January 2003 Serbia and Montenegro informed the Commission that imports from the Community of all wastes listed in Annex II to Regulation (EEC) No 259/93 would be accepted and that no control procedure would apply. As the former Federal Republic of Yugoslavia has recently changed constitution and name to become 'Serbia and Montenegro', the request (to have all waste covered by Annex D of Commission Regulation (EC) No 1547/1999 <sup>(5)</sup>, as last amended by Regulation (EC) No 2243/2001 <sup>(6)</sup>) should be reflected in the new entry, bearing the new country name.

(3) On 27 February 2003, the Commission was officially informed by Tanzania of a change in the procedure applicable to imports from the Community of waste recovery. Imports of waste type GE 010 ex 7001 00 are no longer prohibited and will be subject only to the procedures applied to normal commercial transactions.

(4) In accordance with Article 17(3) of Regulation (EEC) No 259/93, the committee set up by Article 18 of Council Directive 75/442/EEC of 15 July 1975 on waste <sup>(7)</sup>, as last amended by Commission Decision 96/350/EC <sup>(8)</sup>, was notified of the official request of Tanzania and of the official request of Serbia and Montenegro on 30 April 2003.

(5) In order to take into account the new situation of these countries, it is necessary to amend at the same time Regulation (EC) No 1420/1999 and Regulation (EC) No 1547/1999.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Committee set up by Article 18 of Directive 75/442/EEC,

HAS ADOPTED THIS REGULATION:

## Article 1

Annex D to Regulation (EC) No 1547/1999 is amended as set out in Annex I to this Regulation.

## Article 2

Annex A to Regulation (EC) No 1420/1999 is amended as set out in Annex II to this Regulation.

## Article 3

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

<sup>(1)</sup> OJ L 30, 6.2.1993, p. 1.

<sup>(2)</sup> OJ L 349, 31.12.2001, p. 1.

<sup>(3)</sup> OJ L 166, 1.7.1999, p. 6.

<sup>(4)</sup> OJ L 303, 20.11.2001, p. 11.

<sup>(5)</sup> OJ L 185, 17.7.1999, p. 1.

<sup>(6)</sup> OJ L 303, 20.11.2001, p. 11.

<sup>(7)</sup> OJ L 194, 25.7.1975, p. 39.

<sup>(8)</sup> OJ L 135, 6.6.1996, p. 32.

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

Done at Brussels, 2 December 2003.

*For the Commission*

Pascal LAMY

*Member of the Commission*

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## ANNEX I

Annex D to Regulation (EC) No 1547/1999 is amended as follows:

1. In Annex D, between the entry relating to São Tomé e Príncipe and the entry relating to Sierra Leone, the following entry is inserted:

‘SERBIA AND MONTENEGRO

All types’.

2. The entry relating to Tanzania is replaced by the following:

‘TANZANIA

1. In section GE (Glass waste in non-dispersible (\*) form):

GE 010 ex 7001 00 Cullet or other waste and scrap of glass except for glass from cathode-ray tubes and other activated (with coatings) glasses

2. In section GJ (Textile wastes)

GJ 120 — 6309 00 Worn clothing and other worn textile articles’

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(\*) “Non-dispersible” does not include any waste in the form of powder, sludge, dust or solid items containing encased hazardous liquids.

## ANNEX II

In Annex A to Regulation (EC) No 1420/1999, the entry relating to Tanzania is replaced by the following:

‘All types except:

1. In section GE (Glass waste in non-dispersible (\*) form):

GE 010 ex 7001 00    Cullet or other waste and scrap of glass except for glass from cathode-ray tubes and other activated (with coatings) glasses

2. In section GJ (Textile wastes):

GJ 120 — 6309 00    Worn clothing and other worn textile articles’

---

(\*) “Non-dispersible” does not include any waste in the form of powder, sludge, dust or solid items containing encased hazardous liquids.

**COMMISSION REGULATION (EC) No 2119/2003**  
**of 2 December 2003**  
**amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on**  
**economic and financial relations with Iraq and repealing Regulation (EC) No 2465/96**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1210/2003 of 7 July 2003 concerning certain specific restrictions on economic and financial relations with Iraq and repealing Regulation (EC) No 2465/96 <sup>(1)</sup>, as amended by Regulation (EC) No 1799/2003 <sup>(2)</sup>, and in particular Article 11(b), thereof,

Whereas:

- (1) Annex III to Regulation (EC) No 1210/2003 lists the natural and legal persons, public bodies, corporations, agencies and entities of the previous government of Iraq covered by the freezing of funds and economic resources under that Regulation.
- (2) On 21 November 2003, the Sanctions Committee established by Resolution 661(1990) of the UN Security Council decided to amend the list of natural and legal persons, public bodies, corporations, agencies and enti-

ties of the previous government of Iraq to whom the freezing of funds and economic resources should apply. Therefore, Annex III should be amended accordingly.

- (3) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force immediately,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex III to Regulation (EC) No 1210/2003 is hereby replaced by the Annex to this Regulation.

*Article 2*

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

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

Done at Brussels, 2 December 2003.

*For the Commission*  
Christopher PATTEN  
*Member of the Commission*

<sup>(1)</sup> OJ L 169, 8.7.2003, p. 6.

<sup>(2)</sup> OJ L 264, 15.10.2003, p. 12.

## ANNEX

## ‘ANNEX III

**List of public bodies, corporations and agencies and natural and legal persons, bodies and entities of the previous government of Iraq referred to in Article 4**

1. Central Bank of Iraq, Rashid Street, Baghdad, Iraq. Other information: former Governor was Dr Issam El Moulla HWEISH; offices in Mosul and Basra.
  2. Iraq Re-insurance Company, Al Khalani Square, Baghdad, Iraq.
  3. Rasheed Bank (*alias* (a) Al-Rashid Bank, (b) Al Rashid Bank, (c) Al-Rasheed Bank); PO Box 7177, Haifa Street, Baghdad, Iraq, or Al Masarif Street, Baghdad, Iraq.
  4. Rafidain Bank (*alias* Al-Rafidain Bank), Rashid Street, Baghdad, Iraq. Other information: offices in Iraq, United Kingdom, Jordan, United Arab Emirates, Yemen, Sudan and Egypt.
  5. Iraqi Airways Company (*alias* (a) Iraq Airways Company, (b) Iraqi Airways, (c) Iraq Airways, (d) IAC, (e) I.A.C.).
-

**COMMISSION REGULATION (EC) No 2120/2003**  
**of 2 December 2003**  
**prohibiting fishing for herring by vessels flying the flag of Germany**

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 fishing conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where limitations in catch are required <sup>(3)</sup>, as last amended by Commission Regulation (EC) No 1754/2003 <sup>(4)</sup>, lays down quotas for herring 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 herring in the waters of ICES division North Sea north of 53° 30' N by vessels flying the flag

of Germany or registered in Germany have exhausted the quota for 2003. Germany has prohibited fishing for this stock from 22 November 2003. This date should be adopted in this Regulation also,

HAS ADOPTED THIS REGULATION:

*Article 1*

Catches of herring in the waters of ICES division North Sea north of 53° 30' N by vessels flying the flag of Germany or registered in Germany are hereby deemed to have exhausted the quota allocated to Germany for 2003.

Fishing for herring in the waters of ICES division North Sea of 53° 30' N by vessels flying the flag of Germany or registered in Germany 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 22 November 2003.

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

Done at Brussels, 2 December 2003.

*For the Commission*

Jörgen HOLMQUIST

*Director-General for Fisheries*

<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 2121/2003  
of 2 December 2003**

**correcting Regulation (EC) No 2064/2003 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and Gaza Strip**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan, Morocco and the West Bank and Gaza Strip <sup>(1)</sup>, as last amended by Regulation (EC) No 1300/97 <sup>(2)</sup>, and in particular Article 5(2)(a) thereof,

Whereas:

Following a correction made by a Member State the figure given for uniflorous (standard) carnations originating in Morocco needs to be changed. The Annex to Commission Regulation (EC) No 2064/2003 <sup>(3)</sup> must therefore be corrected,

*Article 1*

The Annex to Regulation (EC) No 2064/2003 is replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 3 December 2003.

It shall apply from 26 November to 9 December 2003.

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

Done at Brussels, 2 December 2003.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

<sup>(1)</sup> OJ L 382, 31.12.1987, p. 22.

<sup>(2)</sup> OJ L 177, 5.7.1997, p. 1.

<sup>(3)</sup> OJ L 308, 25.11.2003, p. 13.

## ANNEX

**to the Commission Regulation of 2 December 2003 fixing Community producer and import prices for carnations and roses with a view to the application of the arrangements governing imports of certain floricultural products originating in Cyprus, Israel, Jordan, Morocco and the West Bank and the Gaza Strip**

(EUR/100 pieces)

Period: from 26 November to 9 December 2003

Community producer price	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
	14,87	13,65	28,72	13,56
Community import prices	Uniflorous (bloom) carnations	Multiflorous (spray) carnations	Large-flowered roses	Small-flowered roses
Israel	6,67	—	9,82	7,61
Morocco	12,89	14,32	—	—
Cyprus	—	—	—	—
Jordan	—	—	—	—
West Bank and Gaza Strip	6,84	—	—	—

**COMMISSION REGULATION (EC) No 2122/2003****of 2 December 2003****re-establishing the preferential customs duty on imports of uniflorous (bloom) carnations originating in Morocco**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco and the West Bank and the Gaza Strip <sup>(1)</sup>, as last amended by Regulation (EC) No 1300/97 <sup>(2)</sup>, and in particular Article 5(2)(b) thereof,

Whereas:

(1) Regulation (EEC) No 4088/87 fixes conditions for the application of a preferential customs duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports of fresh cut flowers into the Community.

(2) Council Regulation (EC) No 747/2001 <sup>(3)</sup>, as last amended by Regulation (EC) No 786/2002 <sup>(4)</sup>, opens and provides for the administration of Community tariff quotas for fresh cut flowers and flower buds originating in Cyprus, Egypt, Israel, Jordan, Malta, Morocco, the West Bank and the Gaza Strip, Tunisia and Turkey, and providing detailed rules for extending and adapting these tariff quotas.

(3) The preferential customs duty fixed for uniflorous (bloom) carnations originating in Morocco by Regulation (EC) No 747/2001 was suspended by Commission Regulation (EC) No 1976/2003 <sup>(5)</sup>.

(4) Commission Regulation (EC) No 2064/2003 <sup>(6)</sup> fixed Community producer and import prices for carnations and roses for application of the arrangements for importation from the countries in question for the period from 26 November to 9 December 2003.

(5) On the basis of price recordings made as specified in Regulations (EEC) No 4088/87 and (EEC) No 700/88 it must be concluded that the requirement for reintroduction of the preferential customs duty laid down in Article 2(4) of Regulation (EEC) No 4088/87 is met for uniflorous (bloom) carnations originating in Morocco. The preferential customs duty should be reintroduced.

(6) In between meetings of the Management Committee for Live Plants and Floriculture Products, the Commission must adopt such measures,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For imports of uniflorous (bloom) carnations (CN code ex 0603 10 20) originating in Morocco the preferential customs duty set by Regulation (EC) No 747/2001 is reintroduced.

2. Regulation (EC) No 1976/2003 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 3 December 2003.

It shall apply from 26 November 2003.

<sup>(1)</sup> OJ L 382, 31.12.1987, p. 22.

<sup>(2)</sup> OJ L 177, 5.7.1997, p. 1.

<sup>(3)</sup> OJ L 109, 19.4.2001, p. 2.

<sup>(4)</sup> OJ L 124, 14.5.2002, p. 3.

<sup>(5)</sup> OJ L 293, 11.11.2003, p. 11.

<sup>(6)</sup> OJ L 308, 25.11.2003, p. 13.



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

Done at Brussels, 2 December 2003.

*For the Commission*

J. M. SILVA RODRÍGUEZ

*Agriculture Director-General*

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**COMMISSION REGULATION (EC) No 2123/2003**  
**of 2 December 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 2107/2003 <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 2107/2003,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annexes I and II to the amended Regulation (EC) No 2107/2003 are hereby replaced by Annexes I and II to this Regulation.

*Article 2*

This Regulation shall enter into force on 3 December 2003.

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

Done at Brussels, 2 December 2003.

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

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<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 316, 29.11.2003, p. 16.

## 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	7,08
1005 10 90	Maize seed other than hybrid	36,42
1005 90 00	Maize other than seed <sup>(2)</sup>	36,42
1007 00 90	Grain sorghum other than hybrids for sowing	7,08

<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**

(period from 28 November to 1 December 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)	135,14 (****)	80,59	164,93 (***)	154,93 (***)	134,93 (***)	116,19 (***)
Gulf premium (EUR/t)	—	17,30	—	—	—	—
Great Lakes premium (EUR/t)	19,07	—	—	—	—	—

(\*) 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: 25,61 EUR/t; Great Lakes–Rotterdam: 36,65 EUR/t.

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

## II

(Acts whose publication is not obligatory)

## COUNCIL

## COUNCIL DECISION

of 17 November 2003

**creating a team to prepare for the establishment of the agency in the field of defence capabilities development, research, acquisition and armaments**

(2003/834/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, in particular Article 28(1) thereof,

Having regard to the Treaty establishing the European Community, in particular Article 207(2), thereof,

Whereas:

- (1) On 19 and 20 June 2003, the European Council of Thessaloniki 'tasked the appropriate bodies of the Council to undertake the necessary actions towards creating, in the course of 2004, an intergovernmental agency in the field of defence capabilities development, research, acquisition and armaments', to be set up under the Council's authority and open to participation by all Member States.
- (2) The draft treaty establishing a Constitution for Europe elaborated by the European Convention, as presented during the European Council at Thessaloniki, provides for the establishment of a European Armaments, Research and Military Capabilities Agency to identify operational requirements, to promote measures to satisfy those requirements, to contribute to identifying and, where appropriate, implementing any measure needed to strengthen the industrial and technological base of the defence sector, to participate in defining a European capabilities and armaments policy, and to assist the Council in evaluating the improvement of military capabilities.
- (3) By Decision 2003/664/EC <sup>(1)</sup> the Committee of Permanent Representatives set up an ad hoc preparation group to carry out work towards the creation of the agency.

- (4) A preparatory team of experts should be set up in order to carry out further preparatory work for the establishment of the agency, in accordance with the Council conclusions of 17 and 18 November 2003 and the report annexed thereto; this team will support the Council and its competent bodies in their work towards the establishment of the Agency,

HAS DECIDED AS FOLLOWS:

*Article 1*

An Agency Establishment Team (AET) to prepare the conditions for the operational setting-up and working of the agency in the field of defence capabilities development, research, acquisition, and armaments is hereby created. The mandate, including the mission and the composition of the AET, is set out in the Annex to this decision.

*Article 2*

The AET will be part of the General Secretariat of the Council. It will be set up by the Secretary-General/High Representative (SG/HR) and will work under his authority.

*Article 3*

National experts for the AET will be seconded from Member States and Acceding States to the Council Secretariat. The selection procedure and criteria are set out in the Annex.

<sup>(1)</sup> OJ L 235, 23.9.2003, p. 22.

*Article 4*

1. Member States and the Acceding States will cover the salaries and the entitlements of their national experts seconded to the Council and participating in the AET.

2. Seconded EU officials will remain paid by their Institution.

3. The running and administrative costs of the AET will be covered by the General Secretariat of the Council as a contribution in kind.

*Article 5*

The national experts seconded from Member States and the Acceding States shall be covered by Council Decision 2003/479/EC of 16 June 2003 concerning rules applicable to national experts and military staff on secondment to the General Secretariat of the Council <sup>(1)</sup>, without prejudice to the financial arrangements provided under Article 4 of this Decision.

*Article 6*

The mandate of the AET will end once the Agency starts functioning, or on 31 December 2004, whichever is the earliest.

*Article 7*

This Decision shall take effect on the day of its adoption. It shall be published in the *Official Journal of the European Union*.

Done at Brussels, 17 November 2003.

*For the Council*  
*The President*  
F. FRATTINI

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<sup>(1)</sup> OJ L 160, 28.6.2003, p. 72.

## ANNEX

**THE AGENCY ESTABLISHMENT TEAM MANDATE**

1. The Agency Establishment Team (AET) will prepare the conditions for the operational setting up and working of the future Agency, on the basis of the report attached to the Council Conclusions. The AET will support the Council and its competent bodies in their work towards the establishment of the Agency. The AET will take forward work on:
  - the financial, legal and administrative aspects (including budget and staff) of the setting up of the Agency and its internal organisation,
  - the establishment of the Agency, in particular regarding its missions in the field of defence capabilities development, research, acquisition and armaments.
2. The Team will start functioning in January 2004. The AET exercises its mission under the political supervision of the Council, from which it receives guidance. Within this framework, the Head of the Team regularly reports to the Coreper and the PSC, through the ad hoc preparation group, on progress in the Team's work. The AET draws on the expertise of the EU Military Committee through the PSC and, in a way to be defined, the EU National Armament Directors.
3. The team will submit proposals by the end of April 2004 to the Council through the ad hoc preparation group, with a view to the adoption of the necessary decisions by the Council by June 2004. These will include the administrative and logistical aspects of the future Agency, its financial framework and a draft outline of its first operational programme. The AET will have accomplished its mandate once the Agency starts functioning, or on 31 December 2004, whichever is the earliest.
4. The Team is not a Council preparatory body.

**MISSION OF THE AET**

5. The AET is to prepare, by the end of April 2004, on the basis of the report annexed to the Council Conclusions of 17 and 18 November 2003:
  - (a) a comprehensive plan for the establishment of the Agency, covering:
    - the Agency's structure and organisation,
    - the internal working methods and procedures to be adopted by the Agency to discharge its functions and tasks,
    - proposals for its working relations with Council bodies and the Commission,
    - proposals for appropriate relationships, and plans for their development, with OCCAR, WEAG/WEAO, L.o.I,
    - budgetary, administrative and staffing arrangements (including draft TORs of key bodies and appointments, as necessary),
    - a draft outline for a first operational programme in the following fields: defence capabilities development; armaments cooperation; strengthening of defence industrial and technological base; creation of a competitive European defence equipment market and promotion of research,
    - a detailed timetable and roadmap for implementation.
  - (b) elements for a draft Joint Action establishing the Agency.

**HEAD AND COMPOSITION OF THE AET**

The composition of the Team should reflect the four fields of activity of the Agency as mentioned in the Thessaloniki European Council Conclusions.

The Team will be headed by a Team leader appointed by the SG/HR after consultations with the Council and the Commission from candidates proposed by Member States, acceding States and the EU institutions. These candidates should have sound experience and expertise in the field of defence capabilities development, research, acquisition and armaments, as well as a good knowledge of the functioning of the EU, in particular the CFSP and ESDP.

The Team will be composed of:

- national experts seconded by Member States and acceding States to the Council Secretariat according to specific requirements of the mission,
- officials of the European institutions.

The Commission will second one or more officials to the Team.

The members of the team will be chosen by the SG/HR in consultation with the Team leader, on the broadest possible geographical basis and will act in an international capacity.

In all cases, recruitment will be directed to securing for the Team the services of staff of the highest standard of ability and efficiency.

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## COUNCIL DECISION

of 27 November 2003

**on the repeal of the decision authorising the Secretary-General of the Council in the context of the integration of the Schengen acquis into the framework of the European Union to act as representative of certain Member States for the purposes of concluding contracts relating to the installation and the functioning of the 'Help Desk Server' of the Management Unit and of the Sirene Network Phase II and to manage such contracts**

(2003/835/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Acting on the basis of Article 7 of the Protocol annexed to the Treaty on European Union and to the Treaty establishing the European Community, integrating the Schengen acquis into the framework of the European Union (hereinafter the Schengen Protocol),

Whereas:

- (1) Council Decision 1999/322/EC of 3 May 1999 <sup>(1)</sup> authorised the Secretary-General of the Council to act, in the context of the integration of the Schengen acquis within the European Union, as representative of certain Member States for the purposes of concluding contracts relating to the installation and the functioning of the 'Help Desk Server' of the Management Unit and of the Sirene Network Phase II and to manage such contracts.
- (2) The Agreement referred to in Article 1(1) of Decision 1999/322/EC on the delivery, installation and management of the Sirene Network Phase II, concluded on 23 August 1996 with France Telecom Network Services Belgium (subsequently Global One Belgium), expired on 23 August 2001.
- (3) The Agreement concluded with Digital Equipment SA for the operation and setting-up of the Help Desk Server, referred to in Article 1(2) of Decision 1999/322/EC, has also expired.

- (4) There are no outstanding issues or obligations arising in respect of these two Agreements.
- (5) Accordingly, it is no longer necessary for the Secretary-General of the Council to carry out the tasks assigned to him by Decision 1999/322/EC.
- (6) Decision 1999/322/EC should therefore be repealed,

HAS DECIDED AS FOLLOWS:

*Article 1*

Decision 1999/322/EC shall be repealed.

*Article 2*

1. This Decision shall take effect on the day of its adoption.
2. It shall be published in the *Official Journal of the European Union*.

Done at Brussels, 27 November 2003.

*For the Council*  
*The President*  
R. CASTELLI

<sup>(1)</sup> OJ L 123, 13.5.1999, p. 49.



## COUNCIL DECISION

of 27 November 2003

**on the repeal of the Financial Regulation governing the budgetary aspects of the management by the Secretary-General of the Council, of contracts concluded in his name, on behalf of certain Member States, relating to the installation and the functioning of the 'Help Desk Server' of the Management Unit and of the Sirene Network Phase II**

(2003/836/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the first sentence of the second subparagraph of Article 2(1) of the Protocol annexed to the Treaty on European Union and to the Treaty establishing the European Community, integrating the Schengen acquis into the framework of the European Union (hereinafter the Schengen Protocol),

Whereas:

- (1) Council Decision 1999/322/EC of 3 May 1999<sup>(1)</sup> authorised the Secretary-General of the Council to act, in the context of the integration of the Schengen acquis within the European Union, as representative of certain Member States for the purposes of concluding contracts relating to the installation and the functioning of the 'Help Desk Server' of the Management Unit and of the Sirene Network Phase II and to manage such contracts.
- (2) A Financial Regulation governing the budgetary aspects of the management by the Secretary-General of the Council, of contracts concluded in his name, on behalf of certain Member States, pursuant to Council Decision 1999/322/EC of 3 May 1999, was established by Council Decision 1999/323/EC of 3 May 1999<sup>(2)</sup>.
- (3) That Financial Regulation laid down the detailed procedures for the establishment and implementation of the budget dealing with the revenue and expenditure required to meet the obligations arising under the contracts referred to in Decision 1999/322/EC.
- (4) There are no outstanding issues or obligations arising in respect of those contracts, which have expired.
- (5) Final discharge has been given to the Secretary-General by the representatives of the governments of the Member States concerned, meeting within the Council,

in respect of the implementation of the budgets established pursuant to Decision 1999/323/EC for 1999, 2000 and 2001.

- (6) The budget established pursuant to Decision 1999/323/EC for 2002 was revoked by the representatives of the governments of the Member States concerned, meeting within the Council, on 8 April 2003.
- (7) The balance out-turn of 2001 for this budget was transferred to the SISNET budget<sup>(3)</sup> for 2002 by the representatives of the governments of the Member States concerned, meeting within the Council, on 8 April 2003.
- (8) Decision 1999/323/EC should therefore be repealed,

HAS DECIDED AS FOLLOWS:

*Article 1*

Decision 1999/323/EC shall be repealed.

*Article 2*

1. This Decision shall take effect on the date of its adoption.
2. It shall be published in the *Official Journal of the European Union*.

Done at Brussels, 27 November 2003.

*For the Council**The President*

R. CASTELLI

<sup>(1)</sup> OJ L 123, 13.5.1999, p. 49.<sup>(2)</sup> OJ L 123, 13.5.1999, p. 51.<sup>(3)</sup> Established pursuant to Council Decision 2000/265/EC (OJ L 85, 6.4.2000, p. 12), as last amended by Decision 2003/171/EC (OJ L 69, 13.3.2003, p. 25).

**CORRIGENDA****Corrigendum to Commission Regulation (EC) No 2030/2003 of 18 November 2003 fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and amending Regulation (EC) No 1484/95**

*(Official Journal of the European Union L 301 of 19 November 2003)*

On page 10, in the Annex, column headed 'Security referred to in Article 3(3) (EUR/100 kg)', against CN code 0207 12 90:

*for:* '10',

*read:* '8'.

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